Journal of the Senate

DURING THE

FORTY-SECOND SESSION

OF THE

Legislature of the State of California

1917

FIRST PART BEGAN ON MONDAY, JANUARY EIGHTH,
AND ENDED JANUARY TWENTY-SIXTH

SECOND PART BEGAN ON MONDAY, FEBRUARY TWENTY-SIXTH
AND ENDED FRIDAY, APRIL TWENTY-SEVENTH

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CALIFORNIA LEGISLATURE—SENATE

FORTY-SECOND SESSION

SENATE CHAMBER, SACRAMENTO,
Monday, January 8, 1917.

The hour of twelve o'clock m. having arrived, Hon. William D. Stephens, Lieutenant Governor and President of the Senate, called the Senators and Senators-elect to order, and announced that the forty-second session of the Legislature of the State of California was about to convene, and informed the Senators that the following officers of the Senate during the forty-first session of the Legislature were in their respective places in the Senate Chamber, as required by section 237 of the Political Code: Edwin F. Smith, Secretary; Clifton E. Brooks, Minute Clerk, and Thomas A. Brown, Sergeant-at-Arms.

PRAYER.

By invitation of the President, prayer was then offered by the Rev. Bishop Adna Wright Leonard of San Francisco.

RESOLUTION.

The following resolution was offered:

By Senator Tyrrell:

Resolved, That the hold-over Senators take their seats, and that the Senators-elect proceed to the bar of the Senate and take their oath of office on the certificate furnished by the Secretary of State.

Resolution read, and on motion of Senator Tyrrell adopted.

CERTIFICATE FROM SECRETARY OF STATE.

By direction of the President the Secretary read the following certificate of duly elected Senators of the forty-second session of the Legislature of the State of California:

STATE OF CALIFORNIA—DEPARTMENT OF STATE.

I, Frank C. Jordan, Secretary of State of the State of California, do hereby certify that the following is a complete list of the hold-over Senators, together with those duly elected at the general election, held on the seventh day of November, A. D. 1916, to represent the people of the State of California at the forty-second session of the Legislature of the said State of California, as appears from the statement of vote received from the county clerks of the county or counties and the Registrar of Voters of the City and County of San Francisco, comprising the

several Senatorial Districts of the State of California, said statement of vote being a record of and on file in my office, viz:

HOLD-OVER SENATORS

Name	Number of district	County or counties comprising district
William B. Shearer	Second	Modoc, Lassen, Siskiyou, Shasta.
Claude F. Purkitt	Fourth	Lake, Mendocino, Colusa, Glenn.
W. E. Duncan, Jr.	Sixth	Butte, Sutter, Yolo, Yuba.
Herbert W. Slater	Eighth	Sonoma.
J. W. Stuckenbruck	Tenth	San Joaquin, Amador.
L. J. Maddux	Twelfth	Tuolumne, Mariposa, Stanislaus, Merced, Alpine, Mono, Madera, Calaveras.
George J. Hans	Fourteenth	Alameda.
Edward J. Tyrrell	Sixteenth	Alameda.
Victor J. Canepa*	Eighteenth	San Francisco.
William S. Scott	Twentieth	San Francisco.
John Joseph Crowley	Twenty-second	San Francisco.
Lawrence J. Flaherty	Twenty-fourth	San Francisco.
W. F. Chandler	Twenty-sixth	Fresno.
Herbert C. Jones	Twenty-eighth	Santa Clara.
Lyman M. King	Thirtieth	San Bernardino, Inyo.
J. L. C. Irwin	Thirty-second	Kings, Tulare, Kern.
Vacancy	Thirty-fourth	Los Angeles.
William J. Carr	Thirty-sixth	Los Angeles.
John W. Ballard	Thirty-eighth	Los Angeles.
Edgar A. Luce	Fortieth	San Diego.

*Elected November 7, 1916, to fill unexpired term of Dominick J. Beban, deceased.

SENATORS-ELECT.

William Kehoe	First	Del Norte, Humboldt, Trinity, Tehama.
Thomas Ingram	Third	Plumas, Sierra, Nevada, Placer, El Dorado.
Benjamin F. Rush	Fifth	Napa, Solano.
J. M. Inman	Seventh	Sacramento.
Will R. Sharkey	Ninth	Marin, Contra Costa.
M. B. Johnson	Eleventh	San Mateo, San Benito, Santa Cruz.
Frank M. Carr	Thirteenth	Alameda.
A. H. Breed	Fifteenth	Alameda.
E. S. Rigdon	Seventeenth	Monterey, San Luis Obispo.
Lester G. Burnett	Nineteenth	San Francisco.
James C. Nealon	Twenty-first	San Francisco.
Walter A. McDonald	Twenty-third	San Francisco.
J. R. Thompson	Twenty-fifth	Ventura, Santa Barbara.
Frank H. Benson	Twenty-seventh	Santa Clara.
Henry H. Lyon	Twenty-ninth	Los Angeles.
Harry A. Chamberlin	Thirty-first	Los Angeles.
Joseph A. Rominger	Thirty-third	Los Angeles.
Egbert J. Gates	Thirty-fifth	Los Angeles.
William E. Brown	Thirty-seventh	Los Angeles.
S. C. Evans	Thirty-ninth	Riverside, Imperial, Orange.

WITNESS my hand and the Great Seal of the State of California, at office in Sacramento, this sixteenth day of December, A. D. 1916.

[SEAL] FRANK C. JORDAN, Secretary of State.

Certificate read.

The President directed the Secretary to call the roll of the hold-over Senators.

ROLL CALL OF HOLDOVER SENATORS

The Secretary called the roll, and the following answered to their names:

Senators Ballard, Carr, W. J., Chandler, Crawley, Dorsey, Flaherty, Hines, Irwin, Jones, King, Luce, Maddox, Parkitt, Scott, Seaver, Smith, Stuckenbruck, and Tyrrell—18.

The President directed the Secretary to call the roll of the Senators-elect.

ROLL CALL OF SENATORS ELECT

The Secretary called the roll of Senators-elect, and the following answered to their names:

Senators Benson, Breed, Brown, Burnett, Carson, Carr, F. M., Chamberlain, Evans, Gates, Ingram, Inman, Johnson, Kelner, Lyon, McDonald, Nealon, Rigdon, Rossiter, Rush, Sharkey, and Thompson—24.

The President announced that the roll call disclosed twenty-six Senators-elect present.

The President requested the Senators-elect to immediately present themselves at the bar of the Senate in order that the oath of office might be administered to them, and that they might subscribe to the same.

OATH OF OFFICE ADMINISTERED.

The twenty-one members-elect, as their respective districts were called, then came forward, presented their certificates of election, and each took and subscribed to the following constitutional oath of office, administered by the Hon. William D. Stephens, Lieutenant Governor, and President of the Senate:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of State Senator, according to the best of my ability.

ROLL CALL.

The President called the Senate to order and directed the Secretary to call the roll.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Carson, Carr, F. M., Carr, W. J., Chamberlain, Chandler, Crawley, Dorsey, Evans, Flaherty, Gates, Hines, Ingram, Inman, Irwin, Johnson, Jones, Kelner, King, Luce, Lyon, McDonald, Maddox, Nealon, Parkitt, Rigdon, Rossiter, Rush, Scott, Sharkey, Seaver, Smith, Stuckenbruck, Thompson, and Tyrrell—39.

Whereupon the President announced their qualification, and declared that a quorum of all the Senators was present.

APPOINTMENTS BY SECRETARY

The Secretary of the Senate announced that by virtue of the authority vested in him by section 237 of the Political Code, he had made the following appointments of attaches for the temporary organization of the Senate:

Postmistress, Mrs. Hattie Gibbs.
Page, Harold Stevens.
Page, Erastus Spurgeon.

APPOINTMENT BY SERGEANT-AT-ARMS.

The Sergeant-at-Arms of the Senate announced by virtue of the authority vested in him by section 237 of the Political Code, that he had made the following appointment of attaché for the temporary organization of the Senate:

Assistant Sergeant-at-Arms—James B. Newsom.

TEMPORARY ORGANIZATION EFFECTED.

Temporary organization having been effected, the President put the question, "What is the pleasure of the Senate?"

RESOLUTION.

The following resolution was offered:

By Senator Kehoe:

Resolved, That the Senate do now proceed to the election of the following statutory officers in the order named:

President pro tempore;
Secretary of the Senate;
Sergeant-at-Arms;
Minute Clerk; and
Chaplain.

Resolution read and on motion of Senator Kehoe adopted.

NOMINATIONS FOR AND ELECTION OF PRESIDENT PRO TEMPORE OF THE SENATE.

The President thereupon declared nominations for the office of President pro tempore of the Senate in order.

Senator Tyrrell placed in nomination for the office of President pro tempore of the Senate the Hon. A. H. Breed of Alameda County, State Senator from the Fifteenth District.

Senator Shearer seconded the nomination of Senator A. H. Breed for President pro tempore of the Senate.

The President put the question, "Are there any other nominations for the office of President pro tempore of the Senate?"

There being no response, nominations were declared closed.

The roll was called, with the following result:

For HON. A. H. BREED: Senators Ballard, Benson, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Needon, Purkitt, Rigden, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson and Tyrrell—38.

Senator Breed not voting.

Whereupon the President announced Senator A. H. Breed duly and unanimously elected President pro tempore of the Senate.

NOMINATION FOR AND ELECTION OF SECRETARY OF SENATE.

The President declared nominations for the office of Secretary of the Senate in order.

Senator F. M. Carr placed the name of Clifton E. Brooks of Alameda County in nomination for Secretary of the Senate.

Senator Gates seconded the nomination of Clifton E. Brooks for Secretary of the Senate.

The President put the question, "Are there any further nominations for the office of Secretary of the Senate?"

There being no response, nominations were declared closed.

The roll was called, with the following result:

For CLIFTON E. BROOKS: Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Lane, Lyon, McDonald, Maddux, Nealon, Parkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson and Tyrrell—39.

Whereupon the President declared Clifton E. Brooks duly and unanimously elected Secretary of the Senate.

NOMINATION FOR AND ELECTION OF SERGEANT-AT-ARMS.

The President declared nominations for the office of Sergeant-at-Arms of the Senate in order.

Senator Crowley placed the name of Thomas A. Brown of San Francisco in nomination for Sergeant-at-Arms of the Senate.

Senator Scott seconded the nomination of Thomas A. Brown for Sergeant-at-Arms.

The President put the question, "Are there any further nominations for the office of Sergeant-at-Arms of the Senate?"

There being no response, nominations were declared closed.

The President directed the Secretary to call the roll.

The roll was called, with the following result:

For THOMAS A. BROWN: Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Lane, Lyon, McDonald, Maddux, Nealon, Parkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson and Tyrrell—39.

Whereupon the President declared Thomas A. Brown duly and unanimously elected Sergeant-at-Arms of the Senate.

NOMINATION FOR AND ELECTION OF MINUTE CLERK OF THE SENATE.

The President declared nominations for Minute Clerk of the Senate in order.

Senator W. J. Carr placed the name of Joseph A. Beek of Los Angeles County in nomination for Minute Clerk of the Senate.

Senator Hans seconded the nomination of Joseph A. Beek for Minute Clerk.

The President put the question, "Are there any other nominations for the office of Minute Clerk of the Senate?"

There being no response, nominations were declared closed.

The President directed the Secretary to call the roll.

The roll was called, with the following result:

For JOSEPH A. BEEK: Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Lane, Lyon, McDonald, Maddux, Nealon, Parkitt, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson and Tyrrell—38.

Whereupon the President declared Joseph A. Beek duly and unanimously elected Minute Clerk of the Senate.

NOMINATION FOR AND ELECTION OF CHAPLAIN.

The President announced nominations for the office of Chaplain of the Senate in order.

Senator Inman placed the name of Rev. Isaac Dawson of Sacramento in nomination for Chaplain of the Senate.

Senator Shearer seconded the nomination of Rev. Isaac Dawson for Chaplain.

The President put the question, "Are there any further nominations for the office of Chaplain of the Senate?"

There being no response, the nominations were declared closed.

The President directed the Secretary to call the roll.

The roll was called, with the following result:

For REV. ISAAC DAWSON: Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson and Tyrrell—39.

Whereupon the President declared Rev. Isaac Dawson duly and unanimously elected Chaplain of the Senate.

OATH OF OFFICE ADMINISTERED.

The newly elected officers of the Senate, Clifton E. Brooks, Secretary; Thomas A. Brown, Sergeant at Arms; Joseph A. Beck, Minute Clerk, and Rev. Isaac Dawson, Chaplain, appeared at the bar of the Senate, where the constitutional oath of office was administered to them by Lieutenant Governor William D. Stephens, President of the Senate, and they subscribed to the same.

SECRETARY CLIFTON E. BROOKS AT THE DESK.

APPOINTMENT BY THE SECRETARY.

The following communication was received and read:

MR. PRESIDENT: I beg leave to report that I have this day appointed J. W. Kavanagh, Assistant Secretary and Clerk of Committee on Printing at a per diem of $9.00, and respectfully ask the consent of the Senate thereto.

CLIFTON E. BROOKS,
Secretary of Senate.

Senator Breed moved that the appointment be confirmed by the Senate.

The question being on the confirmation of the appointment.

The roll was called, and the appointment confirmed by the following vote:

AYES: Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson and Tyrrell—38.

NOES—None.

RESOLUTION.

The following resolution was offered:

By Senator Benson:

Resolved, That the President of the Senate appoint a special committee of three to notify the Governor of the organization of the Senate, and that the Senate is now ready to receive any communication he may have to make.

Resolution read and on motion of Senator Benson adopted.

APPOINTMENT OF SPECIAL COMMITTEE.

The President announced the appointment of Senators Benson, Luce, and Maddux as the special committee to call upon the Governor and notify him of the organization of the Senate and its readiness to receive his communications.

RESOLUTION.

The following resolution was offered:

By Senator Hans:

Resolved, That the Secretary of the Senate is hereby directed to notify the Assembly that the Senate is now duly organized and ready to proceed with the business of the State, having elected the following statutory officers:

President pro tempore, Arthur H. Breed.
Secretary of the Senate, Clinton F. Brooks.
Sergeant at Arms, Thomas A. Brown.
Minute Clerk, Joseph A. Beck.
Chaplain, Rev. Isaac Dawson.

Resolution read and on motion of Senator Hans adopted.

RESOLUTION.

The following resolution was offered:

By Senator Crowley:

Resolved, That the standing rules of the Senate of the forty-first session of the legislature of the State of California, be and they are hereby adopted as the temporary rules of the Senate of the forty-second session, excepting Rule No. 8, and amending Rule No. 1 to read as follows:

"The sessions of the Senate shall be daily, Sundays excepted, beginning at ten o'clock a.m. unless otherwise ordered by vote of the Senate."

Resolution read and on motion of Senator Crowley adopted.

TEMPORARY RULES OF THE SENATE.

Time of Sessions.

Rule 1. The sessions of the Senate shall be daily (Sundays excepted), beginning at 10 o'clock a.m. unless otherwise ordered by vote of the Senate.

Calling to Order.

2. The President, President pro tempore, or senator appointed pro tempore, shall call the Senate to order at the hour stated, and if a quorum be present proceed with the order of business.

Order of Business.

3. Order of business:
   1. Roll Call.
   2. Prayer by the Chaplain.
   3. Reading and approval of the Journal of the Preceding Day.
   4. Presentation of Petitions.
   5. Messages from the Assembly.
   6. Messages from the Governor.
   7. Reports of Standing Committees.
   8. Reports of Select Committees.
   9. Motions, Resolutions, and Notices.
   10. Introduction and First Reading of Bills.
   11. Consideration of Daily File.
   12. Unfinished Business.
   13. Special Order of the Day.

Reports from the Committee on Engrossment and Enrollment shall at all times be in order; *provided*, that messages from State officers, other than the Governor, and from the Assembly, may, on motion of any Senator, be considered at any time.

President—His Powers and Prerogatives.

4. The rooms, passages, and buildings set apart for the use of the Senate shall be under the control and direction of the President of the Senate, and he shall have the control and direction of the journals, papers, and books of the Senate. He shall see that all officers of the Senate perform their respective duties, and may assign places to properly accredited newspaper representatives.

President May Order Lobbies Cleared.

5. In case of a disturbance or disorderly conduct in the lobbies, the President (or Chairman of the Committee of the Whole) shall have power to order the same cleared.

President May Call Senator to Chair.

6. The President shall have the right to name any Senator to perform the duties of the chair, who shall be vested, during such time, with all the powers of the President; but such substitute shall not lose the right of voting on any question while so presiding.

Appointment to Committees.

7. All standing committees of the Senate shall be named by the President of the Senate unless otherwise ordered, and the first named shall be the chairman thereof. All other committees shall be appointed in such manner as the Senate shall determine.

President pro tempore—His Powers and Privileges.

9. The President pro tempore shall, in the absence of the President, take the chair and call the Senate to order at the hour of the meetings of the Senate, and have the same power as the President; but the President pro tempore shall vote only as any other member of the Senate.

Duties of Secretary.

10. 1. It shall be the duty of the Secretary of the Senate to attend every session, call the roll, read all bills, amendments, resolutions, and all papers ordered read by the Senate or the presiding officer.

2. To superintend all copying and work to be done for the Senate. To have supervision over all the attaches and employees of the Senate. To assign, reassign or transfer all attaches or employees to their respective duties. To certify to and transmit to the Assembly all bills, joint and concurrent resolutions, constitutional amendments and papers requiring the concurrence of the Assembly, immediately after their passage or adoption by the Senate.

3. To keep a correct journal of the proceedings of the Senate.

4. To notify the Assembly of the action by the Senate on all matters originating in the Assembly, and requiring action on the part of the Senate.

5. To permit no papers or records belonging to the Senate to be taken out of its custody otherwise than in the regular course of business.

Records or Papers Not to Be Taken From Desk.

11. The Secretary of the Senate shall not permit any records or papers to be taken from the desk, or out of his custody, by any person except a chairman of a committee; but he shall deliver any bill or paper to be printed to the Superintendent of State Printing, and all bills ordered engrossed or enrolled to the Committee on Engrossment and Enrollment, and take receipts therefor.

Sergeant-at-Arms.

12. A Sergeant-at-Arms shall be elected, to hold his office during the pleasure of the Senate, whose duty it shall be to attend the Senate during all of its sittings, to execute the commands of the Senate from time to time, together with all such process issued by authority thereof, as shall be directed to him by the President. The Sergeant-at-Arms is authorized to arrest for contempt all persons outside the bar, or in the gallery, found in loud conversation, or otherwise making a noise to the disturbance of the Senate. The actual expense of the Sergeant-at-Arms for every arrest, for each day's custody and releasement, and the traveling expenses for himself and special messenger going and returning shall be paid out of the contingent fund, and no other fees shall be paid him beyond his per diem. It shall also be the duty of the Sergeant-at-Arms to keep the accounts for pay and mileage of Senators.

Printed Bills, etc., Must Be Placed on Desks.

13. The Sergeant-at-Arms shall place copies of all bills, joint and concurrent resolutions, constitutional amendments, and journals and histories, when printed, on the desks of Senators, at least one hour previous to the opening of session.

Gatekeeper.

14. It shall be the duty of the gatekeeper to prevent all persons, except Senators, ex-Senators, members of the Assembly, State officers, officers of the two houses, and such accredited newspaper representatives as have seats assigned to them by the President, from coming within the bar of the Senate, unless upon written invitation of the President or a Senator; *provided*, that no visitor shall be allowed upon the floor while the Senate is in session.

Lobbying.

15. No person engaged in presenting to the Senate or any of its committees any business, claim, or legislation, shall be permitted to engage in such business in the Senate Chamber or be permitted on the floor of the Senate at any time while the Senate is in session. Any person transgressing this rule shall be removed from the floor of the Senate and shall be debarred from the privilege of the floor during the

remainder of the entire session. The President and President pro tempore are charged with the enforcement of this rule, and this rule can not be suspended except by a two-thirds vote of the entire Senate.

Attendance, Duties and Obligations of Senators.

16. No Senator shall absent himself from attendance upon the Senate without leave first obtained. A less number than a quorum of the Senate is hereby authorized to send the Sergeant-at-Arms, or any other person, for any and all absent Senators at the expense of such absent Senators, respectively, unless such excuse for non-attendance shall be made to the Senate which, if accepted, shall be judged sufficient, and in that case the expense shall be paid out of the Contingent Fund of the Senate; and this rule shall apply as well to the first convening of the Senate at the legal time of assembling as to each day of the session or at the hour for which to which the Senate stood adjourned. The President or Acting President of the Senate, or less than a quorum present, shall have the power to issue warrants directed to the Sergeant-at-Arms, or to any other person, to compel the attendance of Senators absent without leave. Any Senator who shall refuse to obey such warrant, unless sick or unable to attend, shall be deemed guilty of contempt of the Senate, and the Sergeant-at-Arms, or any other person to whom such warrant may be directed, shall have power to use such force as may be necessary to compel the attendance of such absent Senator, and for this purpose he may command the force of the county, or of any county in the State.

Decorum and Debate.

17. 1. When a Senator desires to address the Senate he shall rise in his place, address the President, and when recognized he shall proceed to speak.

2. No Senator shall speak more than twice in any one debate on the same day, and at the same stage of the bill, without leave, and a Senator who has once spoken shall not again be entitled to the floor in preference to any Senator who has not spoken, so far as any Senator who has not spoken desires to speak.

3. No Senator shall be interrupted while speaking, and no question shall be asked him except those through the presiding officer.

4. The author of a bill, motion, or resolution shall have the privilege of closing the debate.

Senator Entitled to Floor.

18. When two or more Senators arise at the same time to address the Senate, the presiding officer shall designate the Senator who is entitled to the floor.

Senator, When Called to Order, Must Sit Down.

19. When a Senator shall be called to order, he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President without debate, subject to an appeal to the Senate at any time. If a Senator be called to order for words spoken, the words complained of shall immediately be taken down in writing by the Secretary of the Senate.

Voting.

20. When a Senator declines to vote on a call of his name he shall be required to assign his reasons therefor, and having assigned them, the presiding officer shall submit the question to the Senate. Shall the Senator, for the reasons assigned by him, be excused from voting? which shall be decided without debate. And no other proceedings shall be had after the roll call and before the result is announced, and any further proceedings in reference thereto shall be after such announcement.

Printing.

21. Fifteen hundred copies of all bills shall be printed, and the Sergeant-at-Arms shall be required to certify to the President of the Senate, of all printed matter, and the quantity. One copy of each bill, as soon as printed by order of the Senate, shall be delivered to each Senator at his desk, and the balance shall be distributed according to law.

Number of Copies to Be Printed.

22. Seven hundred and fifty copies shall be printed of each document or other matter ordered, unless the Senate especially directs a different number.

Number of Copies to Be Printed of Journal.

23. The Superintendent of State Printing shall print one thousand copies of the Journal of each day's proceedings of the Senate, and one copy of the same shall be placed upon each Senator's desk, and a sufficient number sent to the Assembly to supply each Assemblyman with one copy; he shall also bring a sufficient number of copies properly paged, to bind in book form as the Journal of the Senate, at the end of the session, as required by law.

What Shall Be Printed in the Journal.

24. Messages from the Governor (other than biennial messages and Inaugural Addresses), joint and concurrent resolutions and constitutional amendments, when adopted, and the titles of all bills, joint and concurrent resolutions and constitutional amendments, when acted upon by the Senate shall be printed in the Journal in full.

Record of Votes and Petitions.

25. Every vote and a brief statement of the contents of each petition, memorial, or paper presented to the Senate shall be entered in the Journal.

When Not in Committee of the Whole, Proceedings Must Be Entered in the Journal.

26. The proceedings of the Senate, when not acting as a Committee of the Whole, shall be entered in the Journal as concisely as possible, care being taken to record a true and accurate account of the proceedings.

Printing for the Senate.

27. The Superintendent of State Printing shall not print for the use of the Senate any matter other than provided by law, unless upon a written order signed by the Secretary. The Secretary may, when necessity requires, order from the State Printer such printing as he deems necessary to be printed in advance of the regular order of business, under a specially prepared written order, to be known as a "Rush Order."

Introduction and Reading of Bills.

28. 1. A Senator desiring to introduce a bill shall rise in his place and address the President, and upon being recognized shall present the bill. The title shall be announced by the Secretary, the bill shall be read the first time and thereupon referred by the President to a standing committee. No bill shall be introduced in the Senate by any member after the constitutional period without the consent of three-fourths of the members of the Senate, but shall at any time by bills be introduced by any one member after such time. Every bill shall be read on three several days previous to its passage (unless, in case of emergency, two-thirds of the Senate shall by vote of ayes and noes, dispense with this provision), and the last reading shall be at length. The President shall give notice, at each of the second and third readings, which reading it is, and no bill shall be read at either reading until the Senate has so determined by a vote (should any Senator object to such reading). Joint and concurrent resolutions shall be treated the same as bills, provided they shall be read but once, unless the Senate, by a majority vote of all the Senators present, otherwise direct; *and provided, further*, that joint and concurrent resolutions and constitutional amendments shall not be deemed bills within the meaning of section 2 of article IV of the Constitution and shall not be referred to the Committee on Introduction of Bills and shall not require a vote to authorize their introduction.

2. The titles of all bills, joint and concurrent resolutions, and constitutional amendments introduced shall be printed in the Journal.

3. When a bill amending a code section is introduced, the author of the bill shall cause the new matter, if any, to be underscored, and the place in the bill where portions of the law are proposed to be omitted, if any, to be indicated by closed brackets; *provided, however*, that where the subject consists of an entirely new section the words thereof need not be underscored, and when any bill introduced repeals an existing law in whole the matter repealed need not be indicated.

All bills reported favorably or for consideration, if reported with amendments, shall have the new matter, if any, underscored, and the place of omission of parts of the law proposed to be omitted, if any, shall be indicated by brackets. All bills reported with amendments shall be immediately reprinted.

All matter underscored in the draft or amendment of any bill shall be printed by the Superintendent of State Printing in italics, and all brackets shall be reproduced.

Order of Engrossing and Enrolling Bills.

29. All bills ordered engrossed shall be delivered by the Secretary of the Senate to the Committee on Engrossment and Enrollment or to the clerk of that committee and a receipt in writing taken therefor, and all said bills shall be engrossed in the order of their receipt by that committee or its clerk. All Senate bills shall, after their final passage by, and receipt from the Assembly be delivered by the Secretary of the Senate in the order of their receipt from the Assembly, to the Committee on Engrossment and Enrollment or its clerk and a receipt in writing taken therefor; and said bills shall be enrolled in the order of their receipt from the Secretary of Senate.

Engrossed Bills to Be Examined and Reported.

30. All bills, amendments, and resolutions, after being engrossed, in pursuance of the order of the Senate, shall be carefully examined and returned back by the Committee on Engrossment and Enrollment, the engrossed copy to be transmitted to the Assembly with proper endorsements, and the original retained by the Senate.

Disposition of Assembly Bills.

31. When an Assembly bill has been received by the Senate, with a message announcing that it has passed the Assembly, such bill shall be read the first time and be referred by the President to a standing committee; *provided, however*, that when an Assembly bill is reported, the same of which is stated by a member to be identical with that of a Senate bill which has already been considered and reported by a standing committee of the Senate, such Assembly bill shall be referred to the Committee on Engrossment and Enrollment for comparison, which committee shall report without delay, whether or not such bill is identical with the Senate bill. If

reported identical, such Assembly bill shall be substituted for the Senate bill, shall take its place on the second reading file and be considered as having received the same committee recommendation as the Senate bill, *provided*, that the fact that the bills are identical shall be entered in the journal. Such Senate bill shall thereupon be placed upon the file of unfinished business.

Reference of Bills to Finance Committee.

32. All bills appropriating money from any fund shall be referred to the Committee on Finance before being read the second time.

Committee Amendments—How Made.

33. When amendments to a bill are reported by a committee, the clerk of such committee shall prepare three copies of amendments, one to go with the bill to the Superintendent of State Printing, one to the Minute Clerk, and one to the Secretary of the Senate.

Committee—When to Report.

34. All committees shall act upon bills referred to them as soon as practicable, and when acted upon each bill shall be reported back to the Senate forthwith, and the chairman of each committee is charged with the observance of this rule, *provided* that the Senate may at any time, by a majority vote, recall a bill from any committee.

Standing Committee, Quorum of—What Constitutes.

35. Each standing committee shall determine its own quorum, *provided*, that not less than one third of the number of members constituting such committee shall in any case constitute such quorum.

Leave of Absence to Committee.

36. When leave of absence shall be granted to any committee, special or standing, to visit public buildings or institutions, or for any other purpose, such leave shall be granted only by two-thirds vote, and no expenses or mileage of attaches shall be allowed.

Claims on Contingent Fund Must Go to Committee on Contingent Expenses.

37. No claim shall be paid out of the Contingent Fund of the Senate until the same shall have been referred to and reported on by the Committee on Contingent Expenses.

Executive Communications and Nominations to Committee.

38. When executive communications or nominations shall be sent by the Governor to the Senate for their confirmation, the same shall be referred to the Committee on Rules, unless otherwise ordered by the Senate, which motion shall be determined without debate.

The General File: Its Hours—Special Order of Bills on File.

39. The General File shall be the special order for each day between such hours as the Senate may determine, unless sooner disposed of, but no bill shall lose its place upon the file by expiration of the time or by adjournment of the Senate while it is under consideration.

Bills Passed on File Placed at Foot of File.

40. When bills have been passed on file for the second time they must be placed at the foot of the file in their regular order, unless otherwise ordered by the Senate.

Consideration of Bills.

41. All bills, after the second reading (if the same be not committed, then upon being reported), shall be placed upon the general file and shall be taken up for consideration and passage in the order of their being placed on file.

Order of Questions on Motion to Refer.

42. When a resolution shall be offered, or a motion made to refer any subject, and a different committee shall be proposed, the question shall be taken in the following order:

1. The Committee of the Whole Senate.
2. A Standing Committee.
3. A Select Committee.

Order of Questions Under Debate.

43. When a question is under debate, no motion shall be received but the following privileged questions, which shall have precedence in the following order:

1. To adjourn.
2. For a call of the Senate.
3. To lay on the table.
4. To postpone to a day certain.
5. To commit.
6. To amend.
7. To postpone indefinitely.

Motion Not to Be Debated Until Seconded and Announced.

44. No motion shall be debated until the same be seconded and distinctly announced by the President, and it shall be reduced to writing if desired by the President or any Senator, and read by the Secretary, before the same shall be debated.

Reading of a Paper, if Objected to, Determined Without Debate.

45. When the reading of a paper (except a petition) is called for, and the same is objected to by any Senator, the question shall be determined by a vote of the Senate.

Amendments and Substitutes—When in Order.

46. Substitutes may be offered at any time when a bill or resolution is open to amendment, previous to engrossment; and when adopted shall take the place of the original bill or resolution, and shall be open to amendment.

Amendments and Substitutes—Must Be Germane.

47. A substitute or amendment must relate to the same subject as the original bill, resolution or constitutional amendment under consideration.

Least Sum and Shortest Time in Filling Blanks.

48. In filling up blanks, the least sum or number and the shortest time shall be put first.

Constitutional Amendments and Bills Requiring a Two-thirds Vote May Be Amended by a Vote of Majority of Those Voting.

49. A constitutional amendment or bill requiring a vote of two thirds of the members elected to the Senate for final adoption or passage may be amended by a majority of those voting.

Notice of Reconsideration.

50. On the day succeeding that on which a final vote on any bill, concurrent or joint resolution, or constitutional amendment has been taken, said vote may be reconsidered on motion of any Senator, *provided*, notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken, by a Senator voting with the prevailing side; and it shall not be in order to reconsider on the day on which such final vote was taken. Said motion for reconsideration shall have precedence over every other motion, except a motion to adjourn. It shall require twenty-one votes to carry any motion to reconsider the vote by which any bill, concurrent or joint resolution has been passed or defeated, and twenty-seven votes to carry any motion to reconsider the vote by which any constitutional amendment has been passed or defeated. Notice of reconsideration shall not be in order on the day preceding the last day of the session.

Reconsideration of Bills Sent to Assembly.

51. When a bill, resolution, amendment, order or message upon which a vote has been taken shall have gone out of the possession of the Senate and been communicated to the Assembly, a motion to reconsider shall be preceded by a motion to request the Assembly to return the same, which last named motion shall be acted upon immediately and without debate, and if determined in the negative, shall be a final disposition of the motion to reconsider.

Secretary, Upon Notice of Reconsideration, Not to Report Bill to Assembly.

52. If a Senator gives notice that he intends to move a reconsideration, the Secretary shall not transmit the bill, concurrent or joint resolution, or constitutional amendment to the Assembly till the reconsideration is disposed of, or the time for moving the same has expired, unless the bill or resolution has already been transmitted to the Assembly.

Motion to Reconsider May Be Debated.

53. A Senator, after a notice to reconsider is given, as provided in Rule 50, may, at the reconsideration thereof, present the main question in his argument thereon, and the same may be debated by the Senate provided that the subject-matter is debatable.

Amendment to Original Question.

54. 1. An amendment may be laid on the table without prejudice to the bill. When an amendment proposed to any pending measure shall be laid on the table, it shall not carry with it or prejudice such measure.

2. If the question in debate contains several propositions, any Senator may have the same divided; except a motion to strike out and insert shall not be divided. The rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition, nor shall it prevent a motion to simply strike out, nor shall the rejection of a motion to strike out prevent a motion to strike out and insert; but pending a motion to strike out and insert, the part to be stricken out and the part to be inserted shall each be regarded, for the purpose of amendment, as a question. Motions to amend the part to be stricken out shall have precedence.

Final Question on Second Reading of Bill. No Amendment on Third Reading. Red Man Comment.

55. The final question on the second reading of every bill originating in the Senate shall be: "Shall the bill be engrossed?" And no amendment shall be received for discussion at the third reading of any bill, but it shall be in all places be in order, before the final passage of such bill, to move its commitment under special instructions to amend.

Special Orders.

56. Any subject may, by vote of a majority of those voting, be made a special order, and when the time fixed for its consideration arrives, the presiding officer shall lay it before the Senate.

Form of Previous Question. Call of Senate.

57. The previous question shall be put in the following form: "Shall the question be now put?" It shall only be admitted upon demand by a majority of the Senators present upon division, and its effect shall put an end to all debate except that the author of the bill or the amendment shall have the right to close, and the question under discussion shall thereupon be immediately put to a vote. On a motion for the previous question being put to a vote being taken by the Senate, a call of the Senate shall be in order.

Ayes and Noes: Members Must Answer. No Vote After Announcement of Vote.

58. When the ayes and noes shall be called for, every member present, every member within the bar of the Senate at the time the question has been put, shall declare openly, and without debate, assent or dissent to the question. In taking the ayes and noes, and upon the call of the Senate, the names of the Senators shall be called alphabetically. When the ayes and noes shall be taken upon any question, in pursuance of this rule, no Senator shall be permitted, under any circumstances whatever, to vote after the announcement of the vote by the presiding officer.

Rules in Senate and Committee of the Whole.

59. The rules of the Senate shall be observed in Committee of the Whole so far as may be applicable, except limiting the number of times a Senator may speak, and except that the ayes and noes shall not be taken.

Suspending or Changing Rules.

60. No standing rules or orders of the Senate shall be rescinded or changed without a vote of two thirds of the entire Senate, and one day's notice being given of the motion therefor; but a rule or order may be suspended temporarily by a vote of two thirds of the members of the Senate, except that portion of rule 29 pertaining to the order of enrolling bills. All proposed amendments to these rules shall, upon presentation, be referred to the Committee on Rules without debate.

Executive Session.

61. When a motion is adopted to close the doors of the Senate, on the discussion of any business, which may, in the opinion of the Senate, require an executive session, the President shall require all persons, except the Senators, President of the Senate, Secretary and Sergeant at Arms to withdraw and during the discussion of said business, the doors shall remain closed. Every Senator and officer present shall keep secret all matters and proceedings concerning which secrecy shall be imposed by order of the Senate.

Messengers. When Introduced.

62. Messengers may be introduced at any stage of business except while a question is being put, while the ayes and noes are being called, while ballots are being counted, or while a Senator is addressing the Senate.

Smoking.

63. No smoking shall be allowed within the Senate Chamber.

Leaves of Absence of Members of the Senate Visiting Public Institutions.

64. No leave of absence shall be granted any committee, special or standing, to visit any public institutions of the State or for any other purpose. Whenever any committee shall report to the Senate that it is desirable that such committee receive information concerning any public institution, the Senate may, by a two thirds vote of all its members, grant a leave of absence to not more than three members of such committee, to be designated by the Chairman thereof. Application for a leave of absence of such members of a committee shall be made to the Senate in writing by the Chairman thereof, and such application shall give the name of the institution or institutions to be visited and briefly recite the occasion and necessity for visiting the same, together with the names of the committeemen designated for that purpose. Such application shall immediately, and without debate, be referred to the Committee on Rules, with instructions, to report upon the same on the next legislative day. Said members shall be allowed their actual expenses.

Cases Not Provided for, Robert to Govern.

65. In all cases not provided for by these rules, the Senate shall be governed by the laws and practices as laid down in Robert's Rules of Order.

Necessary Votes on Senate Actions.

1. Twenty-one votes to pass all bills (except No. 2).
2. Two-thirds vote of members-elect to pass a bill increasing number of Superior Judges.
3. Two-thirds vote of members-elect to suspend the Constitution in case of urgency.
4. Two-thirds vote of members-elect to pass constitutional amendment.
5. Two-thirds vote of members-elect to pass urgency clause and urgency bills for preservation of public peace, health or safety.
6. A majority vote of those voting to amend a constitutional amendment.
7. Twenty-one votes to pass concurrent resolution ratifying a city charter or amendment thereto.
8. Two-thirds vote of members-elect to pass a bill over Governor's veto.
9. Three-fifths vote of members-elect to increase the number of attaches and employees.
10. A majority of those voting to pass all other resolutions.

RECESS.

At twelve o'clock and forty-five minutes p.m., on motion of Senator Breed, the President declared the Senate at recess until one o'clock p.m.

RECONVENED.

At one o'clock p.m. the Senate reconvened.

Lieutenant Governor William D. Stephens, President of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

REPORT OF COMMITTEE.

SENATE CHAMBER, SACRAMENTO, January 8, 1917.

MR. PRESIDENT: Your committee appointed to notify the Governor of the organization of the Senate, and that the Senate is now ready to receive any communication he may have to make, respectfully reports that it has communicated with the Governor as directed, and that His Excellency notified the committee that he would communicate with the Senate at his earliest convenience.

BENSON, Chairman.
LUCE.
MADDUX.

The committee was thereupon discharged.

MESSAGE FROM THE GOVERNOR.

On motion of Senator Breed, the following biennial message from the Governor was read and ordered printed in the Journal:

FOURTH BIENNIAL MESSAGE OF GOVERNOR HIRAM W. JOHNSON.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

To the Senate and Assembly:

In accordance with custom and the requirements of the constitution, I transmit this to you as my biennial message.

In four regular sessions of the legislature and two special sessions, we have together been striving for the common good. What otherwise would be a mere formal act in transmitting a biennial message to you, becomes with me a very solemn moment as I contemplate the last six years, with its early fears and hopes and aspirations and dimly seen possibilities, the first striving and struggle, the barriers apparently insuperable, one by one battered down, and then a great people entering the sunlight of political freedom and pressing forward upon the path of democracy triumphant.

In six years California has witnessed a complete political revolution, a unique metamorphosis in economic policies. To many and varied activities a new philosophy of government has given an impetus which no reaction can check. The newly created departments of state have duties widely divergent, covering fields far removed

from one another, but all resulting from a common purpose and from a common policy, announced in the inaugural address of 1911, reiterated in the legislative session of **that year, and since then pertinaciously and consistently carried out. It is my** purpose in this my last biennial message to present to you some account of the public service, but the underlying principles and the guiding strategic ideas which have been vigorously fought for and carried out are [illegible].

Prior to 1911 for two generations our state had been dominated politically and industrially by one railroad corporation. The public domain, by this one transportation and commercial enterprise had made California one of the most backward of states. The old and the correct method of government regarding alone to a private interest, scarcely heeded the problems that had come to democracy, with modern machinery and modern inventions, and the marvelous development of later years. The government of the old order had power to compress alone such property rights and little or none on human rights. And been concerned too much with problems of wealth and not enough with problems of society. Impossible as it seems the same unknown to our republic in its earlier days, but which had crowded upon us in recent years, the evils of monopoly, the rule of the slums, the evils which spring from the misuse of economic power; in short, all the **evils which constitute the great and fundamental problem of poverty.**

At first indistinctly and then clearly, our thoughtful and patriotic men and women saw that government must take a new attitude toward the poorest, or ultimately perish utterly; that not only must it continue to protect the wealth against depredations by the poor, and maintain its peace and its security, but that it must protect the poor also against exploitation, oppression and injustice. Not alone must it serve and safeguard and maintain its material and its business interests, but it must better protect the weak against the strong and must more wisely use the public revenue and the public money and property, but also the manhood and the womanhood and the childhood of the community, which are the best assets of the state.

We saw the changes in the social and economic setting which had brought woman into the industrial field required that she should have a voice and a right to participate in the public life of the state which so intimately affected her welfare and the welfare of her children. We realized that we could not by our efforts or in our generation solve the problem of poverty, but we clearly saw, we understood that we could attack it in detail, and to minimize a little of poor and that we could substitute in state government the spirit of those who seek to be [illegible] of wealth and of power. We believed that we could make the state government not only an agency for conserving wealth and protecting it against thief and robber, but an agency which, by conserving the common good in many directions, would become a valuable **servant to every member of the community.**

Our first problem, that of restoring the state government to the people, was attacked by removing from every responsible position, every servant of the old regime and filling their places with men whose loyalty was to the people alone. The old Railroad Commission, which had been merely a bureau of the railroads and had never attempted to exercise its powers, was supplanted by a commission composed of a different stamp of men, who, with constant courage, have represented the corporation which formerly regulated the State. Through the State Board of Control, through the Civil Service Commission, and through other agencies, the task of cleaning and keeping the state government efficient, economical and responsive to the public interest was completed. By the initiative, referendum and recall, the Australian ballot and direct primary and other such measures the people have been placed in a position to protect themselves in the future against the attempts which will be made by groups of corporations and special interests to capitalize again the **government of the State.**

The program of social and humane legislation was our next step. Through the establishment of workmen's compensation, through women's suffrage, through child labor laws, through the work of the Industrial Welfare Commission, whose chief endeavor is to establish a minimum wage and decent conditions for women who toil, through the Social Insurance Commission, whose principal task at present is to create a system of health insurance, through the work of the Labor Commission, the public employment offices, through which many of the evils and miseries of seasonal, unorganized and unskilled labor have been mitigated, through the Commission of Immigration and Housing, which, cooperating with the Labor Bureau has corrected and is in a way further to correct, the abuses and horrors of some camps in the country and tenements in the cities, through the radical reform and improvement of reform schools, and penitentiaries, through numerous laws designed to better the conditions under which men and women work such as the eight-hour law for women, and for underground miners, and the full-train-crew statute, through many other efforts and in many other directions, the State of California, since 1911, has relieved the economic pressure on men, women and children, has helped them to secure a larger share in the products of their toil, and the good things of life, and a more **comfortable place in the sun.**

The government of the State has been brought more closely home and made more useful to the ordinary citizen who pays the bills by the construction of highways, by the extension of the university, especially in the agricultural department, by the

reconstruction and adequate education of the bodies in San Francisco, by improvements in the school system of the State, by the provision of free textbooks for all pupils, by the efforts to solve the problem of conservation and flood control, by the work of the State Market Commission and by many other instances of like character.

Supplementing the old laws which protected wealth against poverty, the state now protects poverty against dishonesty and exploitation by the regulation of weights and measures, and by the pure food laws, by the work of the Commissioner of Corporations, enforcing the Blue Sky Law, by the Industrial Accident Act, by the requirement of periodical payment of wages, by the activities of the Bureau of Labor and the Housing and Immigration Commission, in the collection of claims of the unfortunate and the needy, and by various other laws designed to guard the ignorant, inexperienced and unfortunate against the crafty and unscrupulous. All these accomplishments, some of them monumental, and indeed, all of them, so successful and satisfactory in operation as to have nearly stilled the voice of opposition, have been steps forward in a consistent campaign and in a fixed policy, first, to make the government of California democratic, and popular; secondly, to make it honest, efficient and more widely useful to the people; and, thirdly, to solve in such measure as is possible in a state government, the problems that spring from poverty and from the conditions of the modern organized world.

Six years ago, we had a government that was owned and dominated, controlled, directed and manipulated, by a single corporation; today this government belongs to *all* its people. Six years ago, there was little need of our democracy, by government, to its men and its women and its children. Six years ago, California was one of the most backward states in the nation, today in its care of humanity and in social and industrial justice, it is the most advanced state whose democracy obtains.

This regenerated State, has left behind government as I shall soon leave to you and my successor. I shall leave it with the sincere and regret that one ever leaves that which, with all that God has given him to his service, for and fought for and won. I shall, however, lay down my work and rest it within a brief time with you and my successor, with full confidence that you and he will maintain and conserve, protect and preserve, with the same jealousy and the same singleness of purpose, the marvelous advance, achievement and accomplishment of our commonwealth.

THE REGULATION OF PUBLIC UTILITIES AND THE RAILROAD COMMISSION.

The story of the Railroad Commission is a striking and startling fashion illustrates the revolution in California's government. Prior to 1879 the system which finally made of our government a pliless railroad despotism had been developed. In that year, a new constitution was submitted to the people, providing for a Railroad Commission with regulatory powers. Under the system which had been gradually developed, however, the politics of the state were controlled by one great transportation company, and by the simple expedient of selecting the Railroad Commissioners and making the commission a part of its connected political system, the railroad company rendered nugatory the constitutional freedom from which the people had hoped so much. Political organization was perfected by the railroad company, in every part of the State, and under the old convention system this organization was invincible. The government was seized and dominated, administered. The political power gave financial dominance and the power was used for commercial profit. The rebate was a dual instrument of contracts and politics. The pass was a petty bribe to the convention delegate. Upon the industries of the State, upon the produce of the farmer and upon the shipments of the average merchant, there was levied an extortionate tax. The Railroad Commission was but a mockery at the homes and aspirations of a great people. During the year of its thirty years of existence, prior to 1910, the people of a single letter expressed it as sad business. The first gleam of sunshine came to our people with the direct primary in 1910. With the opportunity to choose for themselves under a direct primary the people rose in rebellion, changed their public officials and looked forward to the fulfilment of the promise of the successful candidates to eliminate the corrupt corporate influence from government. And then commenced the period of reconstruction.

The Railroad Commission, under the leadership of the late John M. Eshleman, with his colleagues, Alexander Gordon and H. D. Loveland, backed by all the power of the State administration, wrought in actual reconstruction transformation. Appropriate legislation was passed in 1911, and constitutional amendments submitted to the people at a special election called in October, 1911, at which those amendments were adopted. A special session of the Legislature was called that year and at that session a new public utilities act was passed and the Railroad Commission made appointive and enlarged to five. The additional members appointed were Max Thelen and Edwin O. Edgerton. Mr. Eshleman served until January, 1915, with a distinction that has won him the enduring love of a grateful people, and has given unto him a lasting fame. In his stead Frank R. Devlin was appointed.

The change in 1911, with a rejuvenated Railroad Commission, was startling and dramatic. Cynical opposition was met by the determination, thirty years of political dominance by a regenerated public service, the power of entrenched special

privilege with the power of a freed people, and the result was not long in doubt. The entire public utility rate schedule of the State of California was reconstructed, discrimination and extortion were counteracted, and the business life of the community. The work began with the railroad rates in the San Joaquin Valley and was completed there with a total reduction of $7,000,000 a year. Then rapidly followed in every section of the State the reduction of excessive rates. Reductions have been made only after careful investigations and painstaking hearings, and the majority of the reductions was denounced and the first year one of the carriers attacked them in the courts. It would be impossible in the limits of this message to detail the work that has been done by the Railroad Commission in the investigation and reduction of freight rates in the state and I must content myself with saying that every section of California—the Imperial Valley, the Owens River Valley, San Pedro and Los Angeles, the mountain territory and the great Sacramento and San Joaquin valleys—indeed, every community and every part of the State felt its beneficent results. **Not only did the commission justly reduce the railroad transportation rates,** but after two years of the most scientific investigation reduced Wells Fargo & Company's express rates $7,500,000 a year, and had nothing more impressive the good and the justice of the work that the Railroad Commission is doing than the focus found in the Wells Fargo case. Here a corporation doing business with a few thousand dollars from the people it had been sent to take from the people and investments the return had evidently by one year a dividend of $2,000,000.

Of course, the opposition to the work of the commission was vociferous and bitter, but it was the opposition of wind and heat against immovable rock. It was now a sovereign power, and since that opposition was still vociferous and **through its journalistic advocates will ever be just as vociferous and bitter, so long as a sovereign people rule and public servants have no allegiance except to the State,** there will be the same triumphant result.

The commission undertook to settle a question of long distance telephone charges and though they lessened these charges by $2,000,000 a year, the decision was accepted without contest. In like fashion the rates of all the railroad and gas companies have been regulated and to the corporations nearly thirteen million have been affected and the annual saving and reduction $10,000,000. Not only have the rates been lowered but the character of the service has been improved through well guided laboratory investigations. The utilities had accustomed and entrenched for a generation of a century a peculiar doctrine that these patrons should become facilities to the corporations and then pay a tribute to the corporation upon the property which they had thus given, and so long had this process been successfully operated that the corporations had come to regard it as a matter of legal right. It was found, for instance, that as prepayment for services patrons of the California corporations—gas, electric and telephone—had been charged to expend the enormous sum of $1,000,000. All this has now been changed.

The procedure of the commission is free from the usual restrictions that govern other judicial tribunals. Its object is to obtain the facts and upon them a just determination. Technicalities are unknown to its procedure. It hears from, there **to four formal cases daily. It conducts its work with a dispatch which contrasts** strikingly with the ordinary methods of courts. It hears upon of its own and **its decisions are speedily rendered and so accurately, apparently, that not a single** rate revision has been disturbed by the courts.

In its informal, or correspondence department, the commission adjusts an average **of ten issues daily. During the last five years it has rendered 4,000 decisions,** passed upon 3,300 distinct and formal orders which required the taking of testimony before determination. Its informal adjustments are many thousands. A two-cent stamp, a mere post card, may invoke the aid of the whole force of its organization, and complaints thus informally presented have led to some of the most important investigations and decisions. The general reduction of public utility charges in the state of California reaches an aggregate of $8,000,000 per year.

The cost of life's necessities in the United States every year heavier has imposed upon every home an additional burden, but in California, we may take a reasonable pride in the protection afforded against rising costs in public utility services. **While costs in other fields have mounted higher and higher, the gas and electric and** telephone charges here have steadily fallen, and all of this has been accomplished not only without injury to the public utility corporations, but actually to their advantage. Legitimate and solvent public utilities have sought what at first they resented, the approval of the commission of local issues, financial reorganization and the like. Their securities have an added value when passed upon favorably by **the commission.** Business legitimately conducted has been materially aided, and the statistics show the great increase in investment of outside capital. The justice of the decisions of the Railroad Commission, the beneficial results of their supervision **and control of public utilities are attested by the very representatives of these corporations.**

Of course, as in the activities of every human agency, decisions doubtless have been rendered by the Railroad Commission which have not met with universal approbation, but in the multiplicity of its work, the rarity of such instances is

remarkable. The commission in its dealings has not alone come in contact with the most powerful influences in the State, but with the most humble as well. No complaint has been too small, no complainant too humble, to have its full attention. No power has been too great to be attacked and regulated when attempting injustice or wrong. It has finally demonstrated that the people of the State of California represented by their duly elected officers, are greater and stronger than any agency within the State, and that all alike must yield to the common good.

STATE BOARD OF CONTROL.

During the past six years California has demonstrated that public business can be conducted as honestly and as efficiently as private business. The natural corollary of the old political system of California, as dimly pictured in the brief description of the Railroad Commission, was a lax, inefficient, and corrupt administration of the business of the commonwealth. It seems incredible now, that prior to 1911 there had not been for many, many years a state audit; that there was no centralized control over the business conducted by the state, no mode of accurately determining the necessity and amount of appropriations, and no supervision which would preclude favoritism in bidding. The despotism of a single transportation corporation, in our government, brought, of course, every ill to which democracy is heir, and with the elimination of that corporation and the return of the government to the people, it was obvious that there must be accomplished not only political reform, but economic and business reform as well.

The legislature of 1911, therefore, passed the law creating the State Board of Control, and gave to that board plenary powers over the business and financial affairs of the State. The board which was first appointed to undertake a task in relation to the business of the state as great as that of the Railroad Commission in reference to the regulation of public utilities consisted of James A. Johnston, John Francis Neylan, and Clyde Seavey. Mr. Johnston was succeeded by Fred C. Nelles, and he in turn by Wm. H. Humphrey and F. H. Bloodgood. Mr. Seavey was succeeded by Paul Herrion.

Investigations at once were held by the board, and corruption and fraud in the business of the State were uncovered. Ruthlessly the old methods were destroyed and the individuals who were guilty were removed from the service of the State. But the great work of the board was to systematize the business of California in such way that it might challenge comparison with the system in vogue in those great business concerns that are models of commercial enterprise. The problem presented was to organize an institution doing a business of approximately $15,000,000 a year in which for a quarter of a century the controlling thought had been the operation of the enterprise for the benefit not of the stockholders, but of a favored few.

The investigations of the Board of Control disclosed that during twenty years preceding 1910, $200,000,000 of the taxpayers' money were expended on the construction and maintenance of state institutions and departments without an audit; that the State law governing the award of contracts was frequently ignored that fraud might be practiced; that many reputable business houses would not do business with the State; that contractors had control of the business of certain departments and institutions; that it was not uncommon to deliver inferior materials where superior were contracted for.

This summary of the results of the investigation by the Board of Control is but a mild statement. The records on file of the investigation of certain institutions, the State Printing Office, and various individuals will disclose conditions of inefficiency and corruption that beggar description, but which were the necessary results of the old political machine methods. The old system has now yielded to the new order. The old log rolling methods, inefficiency, fraud, corruption and political control have been displaced by a budget system, a searching financial supervision, modern business methods, economy and efficiency.

The Board of Control conceived the idea that there should be some method of determining in advance of a legislative session the amount and the necessity for the various appropriations for the state institutions. The system by which the managers or superintendents of state institutions were required to dance attendance during a legislative session, log rolling to obtain the highest possible appropriation, was admittedly an imposition upon the State, and a system distasteful to those who desired to devote themselves wholly to the labors of their particular activities. The Board of Control devised the plan, therefore, of making a budget for each legislature; and although there is no written law upon the subject, by agreement between the board and the Executive, and by understanding with the various institutions, the Board of Control has its hearings in conjunction with the controller, prior to the session of the legislature, the necessity for appropriations is presented in evidentiary fashion and then judicially determined. When the legislature meets, therefore, it finds the report of this budget and any legislator desiring accurate information has but to inquire of the Board of Control and that accurate information derived from the hearings held is immediately accorded. Under the old system the State's funds were distributed in proportion to the political influence of the applicant; under the budget system, they are distributed in accordance with the needs of the state departments and the merits of the governmental projects.

The pre-audit system put in operation by the Board of Control [illegible] the requirement of a monthly budget. The Board asks the executive head of each state institution and department to furnish it prior to the beginning of each month with a certified estimate of the needs of the department or institution for the succeeding month. These estimates are examined in detail, unnecessary or extravagant purchases eliminated. Where an institution or department needs a supply of food of which another institution or department has a surplus, a transfer is arranged for. And every question regarding expenditures is thus settled in advance and the proper foundation laid for the subsequent audit of claims.

A purchasing department was created. Forty-three state departments and twenty-three state institutions were [illegible] to be separately in respect to common needs. All of them, for instance, required food, yet each [illegible] separate contract even at widely varying rates for the same [illegible]. The waste involved is plain and the State Purchasing Department was created that purchases might be made by one central organization for all the departments of the state government.

The provisions of the law governing award of contracts to [illegible] had been disregarded or by reason of [illegible] in the contracts [illegible] had been made nugatory. The Board of Control undertook to [illegible] the [illegible] men of California that the law relating to state contracts should be [illegible] that there should be fair competition in the business of the State and [illegible] in its dealings. Communications were addressed to chambers of commerce, business men's organizations and the like, and were skeptically received. Gradually the new order became apparent, even to business men, and many of them who [illegible] regarded the management of the State's business and who from bitter experience had learned that it was useless to bid for that business, all [illegible] contracts with the commonwealth. Twenty times as many firms now bid for the business of the State as formerly and no matter who they are, they receive like treatment. The Board of Control estimates that in the restoration of honest competition alone, no less than $1,000,000 has been saved to the State.

But the enforcement of honesty in awarding of contracts would be futile unless the state obtained what it bargained for. A favorite method of fraud, under the old system, was to take a low bid upon a given article, and then accept an inferior article for the one bid upon. By the confession of a [illegible] the [illegible] was exposed to the board. The board, therefore, [illegible] the pure food and drug laboratory of the University of California the [illegible] of all food supplies and drugs delivered to state institutions. The assistance rendered by the laboratory has been invaluable. The State now [illegible] demands it, but gets it. No one volume could describe the radical changes that have been made in the conduct of the business of the State. Where before there were waste and extravagance, today there is economy and efficiency; where corruption stalked honesty now rules; where the State was exploited for the benefit and profit of a few, all of the people now reap the advantage.

The business of the State of California is now conducted upon successful private lines and conducted as efficiently and as economically as any [illegible] and scientifically managed private enterprise.

WORKMEN'S COMPENSATION—INDUSTRIAL ACCIDENT COMMISSION

The new philosophy of government, which has obtained in California had its best and most sharply defined demonstration in the work of the [illegible] 1911, we stood at the threshold of a great unexplored governmental field. Behind us were the humiliation and shame of thirty years of exploited government, cynically administered for a few. With hope in democracy [illegible] with the direct primary, with undefined, yet certain knowledge of democracy's obligations, we turned from the old sordid materialism, and looked to the greater promise of activity for humanity itself. We entered faltteringly the unexplored field, and then our steps grew firm and our vision broad, and today no commonwealth has gone farther or built better for humanity.

Those who believed that industry should bear the burden of its accidents, that its maimed and its injured should not be cast forever upon the scrap heap of humanity, were tirelessly seeking a legal remedy. It was realized that the frightful burden of accident should not be wholly upon him least able to bear it, but the path to relief through the intricate mazes of the law was difficult to find. The legislature of 1911, adopted an elective law which, though not wholly effective, afforded opportunity for an educational propaganda and a thorough investigation.

The first Industrial Accident Commission, consisting of A. J. Pillsbury, Will J. French and Willis I. Morrison, prepared an elaborate workmen's compensation law which was presented to the legislature in 1913, was duly adopted, and became operative January 1, 1914. While this law was pending and before it had undergone the actual test of administration, it was the center of perhaps the bitterest contest that has been waged over any enactment of recent years. And out of all of the bitterness and abuse and denunciation of that contest may come to you who are now assuming legislative duties, the lesson that must ever be learned by him who would fearlessly represent those who have entrusted him with power. Every day, during the session of 1913, all those newspapers of the State of California which have been opposed to any sort of social justice, published page after page, not alone of so-called conservative argument against the "corroding socialism" of the state government, but of

the foulest abuse of every individual advocating the law. To public scorn and ridicule and contumely we were held up as "destroyers of industry," "looters of business," "traitors to the state," "arrant demagogues pandering to the worst elements of our citizenship." So hysterically mad became this part of the press that first there was uneasiness and then absolute fear among honest business men, not only as to our intentions, but as to the ultimate result to themselves and their enterprises, from this merciful and humane law. Committees and delegations from different sections of the State waited upon the legislature and upon the Chief Executive, and the disastrous results which would flow from caring for our maimed and our injured were painted in the most lurid colors. The newspaper opponents were as violently abusive as they have ever been in the heat of a political campaign. The law nevertheless passed. Six months after it had been operating, we had the satisfaction of listening to the leaders of labor and the representatives of the largest employers in the State of California, unite in a public gathering in universal praise of the act. Today, employer and employee alike join in commendation. It is only the part of the press that was so malicious and malignant and mendacious during the pendency of the measure before the legislature, that refuses to accord its praise, but even this press is now forced to be silent. No man in public life would have the temerity to suggest the repeal of the Workmen's Compensation Law, and this law has been the vindication and the justification of California's social program.

The administration of the law in January, 1914, was entrusted to A. J. Pillsbury, Will J. French, and Colonel Harris Weinstock. In 1915, Mr. Weinstock resigned, and since then his place has been filled by Meyer Lissner.

It was necessary because of the action of the insurance companies and in order to protect employers, that the State should in connection with compensation to the injured in industry enter the insurance field. This was a socialistic feature at which our opponents stood aghast. In hysterical indignation they cried aloud against the enormity of the State invading a field of private enterprise, and of the inability of the people, through their representatives, to compete, and of the ultimate ruin therefore to the finances of the State. And here is the demonstration that, with the elimination of the invisible government, with an administration by those who owe allegiance only to the people, the State may compete and successfully compete with any semipublic corporate enterprise within the State. On December 31, 1916, the state compensation insurance fund had been in operation three years. It came into competition with about 25 insurance corporations whose agency organizations were well established. The state's insurance business the first year amounted to more than double the anticipated volume and it led its nearest competitor by over $140,000 in premiums. The second year the State increased its lead over its nearest competitor to $250,000, and its volume of business for last year amounted to over $900,000. It is estimated that this will be double the business of any other insurance corporation writing workmen's compensation in California. The business of the fund has been handled, at an expense for management, acquisition, inspection, claim adjustment, and all other items (except actual loss payments) for about one-third of the average ratio of expense of the corporate insurance companies. The average expense ratio of private companies is approximately 45 per cent, while that of the fund has been only 14.47 per cent. This saving in operation costs alone has enabled the fund to declare dividends to policyholders amounting to 45 per cent of the premiums earned in each of the three years. In addition, the fund has accumulated a substantial surplus for protection against catastrophe. Not only is this remarkable showing made by California in the insurance business, but in efficiency of administration, the California department surpasses any privately-owned company. A larger percentage of cases is summarily settled and paid by the state fund than by any of its competitors.

An idea of the work of the commission may be formed from the number of cases reported to it. In 1915, there were reported 67,538 cases of injury of which 533 were deaths, 1264 permanently injured and 65,741 temporarily injured. Ninety per cent of the claims for compensation were settled without controversy other than such as could be adjusted by corrospondence or personal conference. About 10 per cent were filed for determination by the commission. In 1914, there were 628 cases decided by the commission; in 1915, 1123 and up to December 1, 1916, 1409. Not only did our act provide for compensation to the injured, but as well for the installation of safety devices for making the places of employment safe to work in. The commission has adopted safety rules and has covered almost all of the industries of the State. Under the inspection work of the commission, the industries of California, with reference to safety have been practically revolutionized.

In order to preclude the possibility of adverse decisions by the courts, certain provisions of the law will probably have to be re-enacted, and the amendments in this regard will be presented to you by the commission.

The commission has done its work well, efficiently and economically. Its record and the universal esteem in which it is held are its highest praise.

THE STATE HIGHWAY COMMISSION.

The act under which the eighteen millions were voted by the people for a system of state highways required the construction to be under the Department of Engineering. This department, already overburdened with state construction, of course

could not, without appropriate assistance, undertake the task. It would have been far better could a separate entity have been created to constitute a State Highway Commission, but the legislature was forced in the 1911 session to adopt the cumbersome method of adding three members to the State Advisory Board, and these three members, so far as they could be, were constituted our Highway Commission. The Advisory Board consists of certain ex officio members, the Governor, the State Engineer, the President of the San Francisco Harbor Commission, and the Commissioner of Hospitals and Lunacy. The three additional members as appointed were Charles D. Blaney, N. D. Darlington and Burton A. Towne and to them was entrusted the construction of our state highway system. On January 14, 1914, Burton A. Towne resigned and Charles Frank Stern was appointed in his stead.

The Highway Commission, by acquiescence of all of the members of the Advisory Board, was thus made practically an independent department of government, the Advisory Board formally approving its acts. The original act of 1909 adopted by the people, was the first essay of the state in highway construction upon a large scale. The framers of the act conceded that the $18,000,000 were wholly insufficient for the construction of 3,300 to 3,500 miles of trunk roads and laterals demanded, but it was deemed, at the time, that a larger sum could not be successfully carried. The California Highway Commission was at the outset confronted therefore with an impossible task. In every fashion it conserved the highway fund. It prevailed upon various counties to build the bridges and provide rights of way and the counties responded with generous cooperation. By its contracts for rock, gravel, sand and cement, the Commission saved from 25 to 60 per cent. The railroad companies gave the State a special tariff schedule, saving from 30 to 50 per cent in transportation of road material. The concessions received by the commission it accorded all building contractors and thus in the construction of the highways has effected a saving of from fifteen to twenty-five hundred dollars per mile. The Highway Commission was not more than well upon its way when the period with depression in securities occurred and its 4 per cent bonds could not be sold. These bonds were quoted during the period of depression at from 92½ to 95, but the industry and pertinacity of the members of the commission, aided by private civic bodies throughout the state, aroused in the various counties an interest in highway construction and finally disposed of more than $13,000,000 of the highway bonds at par to the counties themselves.

California began its highway construction when the science of road building was little understood. Experience had not yet established the best type. Automobile traffic severely tried every theory, and it remained for the California Highway Commission to pioneer the way in the art of road building. At first the determination of the commission of its standard type of road, with a solid concrete base, carpeted with a layer of trap rock screenings and bitumen, met with great opposition, but the commission's decision has been vindicated by the test of every experience, and there is now practically no division of sentiment as to the best type of construction. California now has more miles of solid concrete base roads than all the Eastern states.

In the immense organization required to be perfected to do the most efficient work, civil service was adopted by the Highway Commission, even before the State made it a distinct policy for every department. There is not a surveyor, a draftsman or an axman on the commission's pay roll who holds his position save through his personal merit and qualifications. The organization is as efficient as the most highly trained organization of any private corporation.

Briefly stated, the following is a summary of the Highway Commission's work at the end of the present year:

Miles of road surveyed, 2,400.

Miles of highway in system, oiled macadam	185
Miles of highway, concrete pavement	918
Miles of highway, asphalt pavement	53
Miles of highway, graded	288
Total	1,544

Miles of road paved by the counties and taken over and improved and maintained by the State, 156.

Practically 143 grade crossings have been eliminated and about 450 bridges have been built or transferred to the State by the counties of an aggregate value of nearly three and a half millions.

The Highway Commission of California has efficiently and economically expended $18,000,000 without a single scandal and without the slightest suspicion of graft. It has constructed roads that are the admiration of visitors and meet with the enthusiastic approval of our own citizens. No higher encomium could have been bestowed upon this commission than the overwhelming vote recently accorded to the new bond issue of $15,000,000 for the completion of their work.

The esteem in which the Highway Commission and its engineering staff are held was recently most flatteringly shown. The United States government entered upon its new national highway policy. It desired to inaugurate that policy under the most auspicious circumstances. It sought the aid of the most highly trained and successful highway engineers, and finally, after investigation, request was made to

the Governor to furlough the chief engineer of the Highway Commission of California, that he might, at Washington, render such assistance as he could to the United States government in the inauguration of its new policy, and upon furlough of the Governor, Chief Engineer Ekleaver went to Washington and acted with the federal authorities in their new important undertaking.

The chief of road economics of the United States Office of Public Roads recently writing concerning California highways said:

> "I have just returned from a thousand-mile tour of California highways, more than 600 miles of which traversed the state system of trunk lines. With due regard for the great work already completed and under way in the eastern states, I predict that the California highway system, now in the making, will be, when completed, the most notable system of highways in America, if not in the world."

The United States Department of Public Roads in connection with its work under the Federal Aid Road Act, appointed a committee last August to suggest standards for surveys, plans, contracts, specifications, etc., as a model for the several states to follow in the federal aid work. This committee has decided that the standards used by the California Highway Commission for California state highways be recommended, substantially in toto to the United States Office of Public Roads for adoption by the federal government.

This emphatic approval of California's work requires no comment.

ROAD CONSTRUCTION BY CONVICTS

A very radical departure from established precedent was made by the legislature when in 1915 it passed the Meek Convict Labor Bill. On the one hand, its enthusiastic advocates insisted upon the beneficial results alike to the State and to the men confined in the prisons, while those opposed most earnestly insisted that no good could come from the measure, and that it would do incalculable harm to free labor. Happily, experience has justified the law.

The sections of proposed highway selected for the convict road camps are of a character, and in locations, which otherwise could not be built with the means available. In Mendocino County the men have been working upon a 33-mile connection through a virgin wilderness difficult of access and of construction, but nevertheless a necessary link in the coast trunk lines. The first camp consisted of 25 with three unarmed guards in control, one acting as captain of the camp and the others as foremen on the work. Gradually the number of men was increased to 40 and then to 60 and there are now, in Mendocino County, two camps of 100 men each. The work in Eel River Canyon was started in midwinter and during the first six months the men worked in 72 inches of rain and sleet six days a week, eight hours a day, and worked cheerfully and efficiently.

The camps were built upon specifications of the Immigration and Housing Commission and are as well equipped as any labor camps in the nation. The commissary has been second to none. That the work has been well done is now conceded; that it has been beneficial to the human beings employed upon it, can not admit of doubt. Men have been taken soft from prison and turned into able and efficient units in a real work in which they have come to have a pride. The physical and the mental regeneration of the men in the camps is obvious and apparently with this physical and mental regeneration must come some moral reaction. Aside from the guards, truck drivers and engineers, the entire camp population is convict—convict cooks, waiters, muleteers, blacksmiths, tool men, powder men, cobblers and carpenters. There have been during the past year in the Mendocino camps 329 men. Of these 14 have been returned to prison and their credits forfeited for escaping or attempting to escape. Several attempts at escape were frustrated by the convicts themselves. There are now six escapes at large. The law has been a most beneficent and merciful one from a humanitarian standpoint.

The economic side seems to have been as conclusively demonstrated. The engineer's per estimate for the 33 mile section in Mendocino County varied from $346,000 to $365,000. In the work done by the convicts every item of expense has been charged to the job, including $14,030 for equipment. It has cost $1.3459 per man per day. In the twelve months the convicts have worked in Mendocino County approximately 195,000 cubic yards of excavation, averaging 51 per cent rock, have been moved. The two camps in that county average seven cubic yards and six and six-tenths cubic yards per man per day, respectively. On this basis the work has cost the Highway Commission 13.34 cents per cubic yard, or a minimum saving on yardage of about $26,000. It is expected that in the summer of 1917 the link of the coast highway will have been completed by twenty months of convict labor at a cost of approximately $200,000, and that this link will then finally open the coast highway two years earlier than would have otherwise been possible.

Not alone has this work been done in Mendocino County but as well in the other mountain counties of the state and with equally good results. More than 400 men from the prisons have been at work upon the roads of California in the most inaccessible parts of our territory. The work has been done efficiently and economically. Free labor has not been injured or imperiled and those who are answering to the state for their infractions of the law, in the sunshine and open air, mentally and physically have been regenerated.

STATE CORPORATION DEPARTMENT—BLUE SKY COMMISSIONER.

Only less vehement, but of like character to the opposition to the Railroad Commission and the Workmen's Compensation Law was the denunciation of what is commonly called the Blue Sky Law. Because of wildcat mining schemes, exploiting promotion conspiracies and the attempts which have been so common to exploit the public in fraudulent investments, there was presented to the legislature in 1913 the act establishing the State Corporation Department, under which the Blue Sky Commissioner is now operating. From exactly the same sources with which we have become familiar in six years of progressive government, from exactly the same newspapers that had cried we were hurting business, came the same vociferous assaults upon the proposed law, and its advocates. Indeed during the pendency of the act, in the city of Los Angeles a publication was devoted exclusively to its denunciation and denunciation of every individual in the administration. Some of those who maintained the publication, it subsequently developed were engaged in just the sort of enterprise the Blue Sky Law was intended to prevent—an enterprise which subsequently failed and involved in poor people's investment savings and an enterprise which never could have endured had there been a Blue Sky Law in California. Of course, it was a natural sequence that those engaged in that enterprise should be bitterly hostile to the law and bitterly hostile to the present administration. After the law was passed, by the legislature, a referendum was taken upon it by parties interested in preventing supervision by the State, but upon submission to the people the law was upheld, and H. L. Carnahan was appointed the first commissioner. The Commissioner had a complex, a difficult and an arduous task. He was the pioneer in an entirely new governmental policy—a policy designed to eliminate fraud, shackle trickery and promote legitimate business. Attacks upon the law had rendered legitimate business restless and fearful, and the Commissioner was confronted with the necessity of administering a drastic statute segregating the good and the evil enterprises, and warning the confidence of legitimate business, while absolutely eliminating doubtful or fraudulent speculation. Just as did all the humanitarian legislation of this decade, the Blue Sky Law, after a years administration by Commissioner Carnahan, won the respect and confidence and the enthusiastic praise of every legitimate and honest business man. Through the operation of the law, it is true, the State has lost corporate enterprises from other states which are now suffering. On the other hand California has gained investments which have organized as California corporations because of the protection afforded their business reputation and standing. Just as stocks and bonds of corporations approved by the Railroad Commission have been more salable and brought higher values because of the approval of that commission, so the stocks and bonds of California corporations that have been issued and sold under the supervision of the Corporation Commissioner have almost uniformly found a readier market than other securities not only in California, but elsewhere.

It is not the purpose of the law, nor has the State attempted to remove the ordinary hazard of business, nor to limit the right of the public to engage in speculative enterprises, so long as they are fairly conceived and honestly conducted. In authorizing the issuance of securities the State does not and necessarily can not, determine whether the project will certainly succeed, but the State does insist that the prospective investor shall be fairly and accurately informed of the character of his investment, and that the money which he invests shall be actually put to work for him, and not diverted into the pockets of the promoter, and that an honest effort will be made to develop the project along practical business lines.

The scope of the activities of the department may be gathered from the fact that more than 20,000 corporations in California are subject to its supervision in the issuance of their stocks and bonds and other securities. In the past two years, more than 2,400 corporations have been permitted to issue or offer for sale approximately 100,000,000 shares of stock at an authorized selling price of approximately $300,000,000 and bonds of the face value of approximately $70,000,000. In the same period the department has eliminated from the markets of the State worthless or fraudulent securities of the aggregate par value of approximately $25,000,000. This has been accomplished in some cases by denying authority to applicants, in others through the abandonment of their applications because of their refusal to furnish essential information or to conform to reasonable conditions, deemed necessary for the protection of the public.

In addition, securities representing par values of more than $40,000,000 issued for promotion services or in exchange for other unproven and intangible values, have been tied up in escrow and withheld from resale except under the supervision of the department.

Commissions on sale of stocks which not infrequently ran from 40 to 60 per cent or more of the gross selling price, have been limited to reasonable percentages approximating the actual selling cost.

The department through its control over the agents of corporations selling securities is weeding out the crooked salesmen who have knowingly shared with their employers misrepresentation in the sale of securities. Fraudulent and deceptive advertising, promising tremendous returns, made to trap the unwary, have been largely eliminated from the public prints. Every investor in corporate enterprise under the supervision of the department, now has a place to which he may appeal for disinterested and

authentic information regarding the affairs of the company in which he is interested. The department is not alone a protection to the investor, but is a bureau of service to the corporation and to the public as well. Its knowledge gained from its daily contact with every conceivable mode of conducting business enables it to advise those who seek the most advantageous way to conduct legitimate enterprise.

The cost of operation of the department for the period of two years has been approximately $67,000. Of this, the corporations authorized to sell securities have contributed in the form of fees, approximately $40,000. The aggregate sum of these fees represents a little more than one-ten-thousandth part of the securities authorized to be issued.

The Blue Sky Law has been an unqualified success. The success, however, has been made possible because of its painstaking, careful, discriminating, able, judicial and brilliant administration by Commissioner H. L. Carnahan.

INDUSTRIAL WELFARE COMMISSION.

The Industrial Welfare Commission, popularly known as the Minimum Wage Commission, was established by act of the legislature of 1913 for the purpose after thorough investigation of the women-employing industries of the State to fix, if needed, minimum time and piece rates to supply the cost of proper living, the maximum hours of work consistent with the health and welfare of women and the standard conditions of industry for their health and comfort.

In September, 1913, the first commission was appointed consisting of Judge Frank J. Murasky, A. Bonnheim, A. B. C. Dohrmann, Walter G. Mathewson and Katherine Philips Edson. The commission at once appreciated the nature of its work in pioneering minimum wage legislation and proceeded with the utmost care and caution. The personnel of the commission, the cautious and painstaking method in which they approached a new complex subject, evidenced not only the importance of their problem, but was the guarantee of the justice of their conclusions.

It was felt that California presented an ideal laboratory for this industrial experiment. Its citizenship boasted as unexcelled, was committed to a program of social and industrial justice. An eight hour law for women, violently opposed at first but finally approved by all, was already in successful operation. By over-whelming majorities every advance in humanitarian legislation had been endorsed and approved. But the commission mindful of its pioneering work in endeavoring to provide a living wage for women workers by legislative action wished its results to stand not only the test of local experience, but to point the way for accomplishment in more complex industrial communities. Therefore, scientific and careful investigations were made that there should be no injustice to employers and that the act should not by curtailing expansion of business defeat its very purpose. The commission followed, therefore, the plan of close cooperation with the industries of the state and it may be said that the conclusions of the commission are acquiesced in generally by these industries.

The investigation of 1914 and 1915 in San Francisco, Los Angeles, Oakland, Sacramento and San Diego, while showing that conditions in California and wages paid were infinitely better than those in congested industrial centers, revealed an abnormal number of women in all trades, with wages below what would be considered a living wage. The mercantile and laundry industries, in detail, were investigated, and these included about 63 per cent of the working women of the State exclusive of the canning industry and domestic service. A large percentage of the women thus working were found to receive less than $9.00 per week, the sum acknowledged as the lowest wage that should be accorded a self-dependent woman.

The canners of the State cooperated with the commission, in keeping records during 1914 of the number of women employed, their hours of work and earnings. This was supplemented in 1915 by an investigation by the commission of working conditions, sanitary conveniences, etc. Because of the close contact between the industries and the commission, when the Wages Board called under the law in 1916 met, the fear of regulation had been removed from the minds of employers and confidence in the commission had been firmly established.

In January, 1916, the first Wages Board in the fruit and vegetable canning industry met, consisting of R. I. Bentley, A. G. Gillin, E. H. Kennedy, representing the employers, and Mrs. Isabel Schmitz, Miss Jennie Balestreri and Miss Erma Corey, representing the employees, and Katherine Philips Edson, representing the commission. After three days of conference and study, this Wages Board reported unanimously on piece and time rates for the preparation and canning of five products which approximate 85 per cent of the State's total output of fruit and vegetables. The State's output of canned fruit and vegetables was estimated to be worth $21,000,000 in 1914 and fully 20,000 women are employed in this work during the brief season. The Wages Board refused to consider the question of limitation of hours of labor in the industry and it was referred to the commission with no recommendations. The commission, with the State Board of Health, submitted to the Wages Board a tentative draft of rules governing sanitary conditions of the factories and toilet accommodations. These were also unanimously recommended by the Wages Board.

In February, 1916, after the Wages Board report, the commission issued its Orders Nos. 1 and 2 in the fruit and vegetable canning industry, fixing the rates of wages to be paid women therein and providing for sanitary conditions, and the wages

thus fixed constitute the minimum wages in these industries. To the credit of the employers engaged in the industry, the minimum wage fixed has been accepted. Not alone has this been provided to the women an increase in wage rates but the commission eliminated in large degree what has been a great evil in many centers—that is the wasteful use of women's time by which they were kept waiting for hours for fruit or cans that had been delayed because of carelessness management.

The manager of one of the largest canneries in the State has publicly stated that although hostile to such regulatory legislation under the orders of the commission, he has put up the largest pack of fruit with the least unemployed expense in his experience, and that the regulation by the commission has been of benefit to the owners as well as to the women employed.

An exhaustive survey of the garment industry disclosed the fact that the decrease of wages in California in that industry is largely due to the importation in this State of great quantities of garments made by prison labor in our neighboring county and eastern prisons and reformatories. The only hope therefore for providing a decent living wage for women in the garment trades is by federal action.

The commission believes that the most important development of their work has been the demonstration that bodies such as theirs can work in conjunction with the industries affected, and that just results can be attained by this common effort. In the spirit of mutual understanding the commission has developed, labor and capital, with appropriate activity by the State, may solve many future industrial problems. California has tried now through this commission the experiment of artificially building a bulwark against low wages and their attendant horrors and the results have not only been merciful, humane and beneficial, but have pointed the way to a new humanitarian endeavor.

THE IMMIGRATION AND HOUSING COMMISSION.

The Immigration and Housing Commission represents the pioneering activities of the governmental movement inaugurated in California preparatory to the change or adaptation of governmental institutions to meet the new and changing needs of humanity. In 1912, to meet the problems which it was supposed would arise as the result of the influx of European immigrants to the Pacific Coast through the Panama Canal, a temporary commission, without appropriation, to investigate and report was appointed. This was the first step in the endeavor to establish a constructive immigration policy in any state. The commission suggested continuance of the investigation and recommended the creation of a permanent state department of immigration to develop and put into operation a state program for the proper and real Americanization of immigrants.

The legislature of 1913 created the Commission of Immigration and Housing. It was given certain powers to inspect and improve housing conditions because it was recognized that the two problems of immigration and housing were intimately connected. This commission consists of five nonsalaried commissioners, Simon J. Lubin, Archbishop Hanna, Mrs. Frank A. Gibson, Dr. J. H. McBride, and Paul Scharrenberg. The commission in preparing its act, which was passed by the legislature, was careful to provide that it should not duplicate the work of other immigration departments of other states, but should supply authority and legislate the real estate business of the State indiscriminately. It provided for a human institution that would look after the human element of our immigration.

The commission was appointed in September, 1913, and began its work in December of that year. In the three years that have elapsed it has been the pioneer in blazing the trail for a constructive immigration policy. It undertook first the cleaning up of the thousands of labor camps in the State. It found that approximately half of the workers in these camps were immigrants. A sanitary engineer was employed, and a complete handbook for the construction and management of model labor camps was prepared and published, and inspectors were sent out to educate employers to the real and even the mercenary advantages of providing sanitary rooms for their workers. The handbook or pamphlet has been officially adopted by the United States and Canadian Forestry Service and by many state sanitary departments. It provided such simple methods that it appealed to employers and the commission has been able to bring about an almost miraculous improvement in the living conditions of the thousands of migratory workers in California. Up to this time 1,850 different labor camps have been inspected and 1,170 of these reinspected, showing marked improvement in nearly 73 per cent of the camps. The population of these camps was 115,774.

In addition to the sanitary improvements, statistics have been gathered showing the number of women and children residing in the camps, and the school authorities have been enabled thereby to compel the attendance of the children at school. The extent of illiteracy has also been reported, the number of immigrants who have not learned English or become citizens has been determined, and steps taken to establish correspondence schools to bring about their Americanization, and the padrone system of labor control by which the ignorant foreigner has been exploited, has been very greatly decreased.

The commission commenced, as well, a campaign to improve housing conditions in cities and intensive surveys were made of all of the largest cities of our State. An educational propaganda followed, resulting in vast improvement in housing conditions in these localities.

Upon the invitation of the commission fourteen of the largest cities of the State were asked to send trained building experts and health or housing officials to a series of meetings with representatives of real estate boards, hotelmen's associations, architectural societies, etc., to study carefully the housing problems, and work out scientifically uniform laws. The various cities and organizations responded to this appeal and five meetings have been held devoted to the careful scientific study of the problem, and the result of the labors of these conferences will be submitted to the legislature. In addition, the commission has encouraged and vitalized the **movement for city planning.**

It was the commission's design to get in personal touch with the immigrant and for that reason it established a complaint and information department to which immigrants could come for advice and information or with their complaints of exploitation or imposition. Posters printed in twelve different languages were scattered throughout the State advising immigrants of this opportunity. The department has been in charge of trained investigators who have heard thousands of complaints of migratory and resident immigrant laborers. The commission has investigated fraudulent schemes affecting immigrants and in some sixty cases has instituted criminal proceedings. These prosecutions have discouraged the previous exploiters of immigrants and have stimulated local officials. Some 9,000 immigrants have applied to the commission for redresses of real or apparent wrongs and the commission has collected for them some $18,000 in claims. The commission, in considering the cases that have come to the complaint department, became convinced that the primary cause of the difficulties of the immigrant lay in his inability to speak the language and his general ignorance of our laws and customs. For two years a campaign has been waged to stimulate and develop the education of adult immigrants in citizenship. The commission has brought about the establishment **of evening classes for immigrants in some sixteen communities.**

The State is indebted for a most considerate report on the subject of unemployment furnished by the Immigration Commission in December, 1914, and also for the relief work for the destitute unemployed in this State undertaken by the commission during that time.

The most recent work of the commission is the establishment of a land information bureau. Some 600 cases of immigrant colonies and settlers who had been defrauded in the purchase of agricultural lands came to the attention of the commission and it was learned that the intending settlers were unable in most instances to obtain reliable information concerning land and its agricultural values. The commissioners now, by reason of cooperation with the extension department of the State University Agricultural College and the federal agricultural department, are able to give general information concerning different districts of the State to the immigrant applying.

Because of the European war the influx of immigration has not been as great as was contemplated, but the statistics demonstrate that even now California is third or fourth among the states in its number of immigrants. Whatever may be **in store for us in the future, we may feel that through the Immigration and** Housing Commission, California is the first and only state presented with a program and the machinery to carry out that program, for the assimilation and Americanization of those who come to us from foreign shores.

SOCIAL INSURANCE COMMISSION.

The Workmen's Compensation law, providing insurance against injuries to workmen, was a long and an important step in the solution of the problem of destitution among wage earners, but there yet remains a large field uncovered by compensation of industrial injuries. The larger field yet uncovered has been recognized in European countries, where reasonably the remedy has been provided, and the states of our own nation have come to understand the extraordinary importance of the problem. In the advance California has made, it was but the logical sequence that the question of social insurance should arise, and that there might be adequate data upon which to predicate action, the legislature in 1913 provided for the appointment of a commission for investigation and recommendations. This commission was handicapped by an insufficient appropriation and in 1915 the law was reenacted and the present Social Insurance Commission of California, consisting of Paul Herriott, Frances N. Noel, George H. Dunlop, Miss Katherine C. Felton and **Dr. Flora W. Smith, duly appointed.** *

The commission early reached the conclusion that the incorporation of a complete system of social insurance would be wholly impracticable, and they decided therefore to concentrate upon health insurance alone. This was but an attack from another angle upon the great human problem. Industrial accident insurance tided over the period of injury of him who was hurt at his toil. Health insurance sought to tide over the period of adversity of him who by illness was made jobless and deprived of his income. The commission has made a complete study of all forms of social insurance and in the report submitted to the legislature it presents a digest of all the European systems with their effect upon the people of their countries. A greater part of the activities of the commission, however, has been devoted to an intensive survey of actual conditions under which wage earners live in California. Through its agents and public hearings, the commission has gathered complete evidence of

the loss occasioned by sickness among wage earners and their dependents, and the practicability of social insurance as a remedy; and those investigations in detail are set forth in the commission's very elaborate report.

The commission after its painstaking investigation recommends that California should extend its activities in the field of social insurance to a system of health insurance. It insists that if health insurance were established its benefit would be conferred upon approximately three-fourths of a million wage earners and their families, and while admitting that the immediate cost would be great, it asserts that ultimately the entire cost would be absorbed in the economic readjustment and leave a large margin of economic gain.

Dr. I. M. Rubinow, of New York City, perhaps the ablest leader of the social insurance movement, has been in the employment of the commission as its expert. He has drafted for the commission complete estimates of the cost of a system of health insurance in California, and these estimates are submitted to the legislature.

I believe in health insurance, and that ultimately it will be established in this nation, and this within a brief period. If the State is to engage in this activity, however, the initial cost is so great that it ought not to be undertaken by direct appropriation by the legislature. The field is so vast and the cost so enormous that before embarking upon this new policy we should have the sanction of all of our people. This, I understand, is the program outlined by the commission, and in pursuance of it the commission will doubtless present to the legislature a constitutional amendment for submission to the entire electorate of the State at the general election in 1918.

STATE BANKING DEPARTMENT

The history of the State Banking Department from February 21, 1911, is the story of an effort to correct insidious evils that afflicted the affairs of state banks, to establish principles of governmental discipline in the transaction of these institutions, to revise the bank act into a statute that would have necessity to restrain bankers a needed liberty of action not in discord with established laws of safety, and primarily to determine the character of every banking unit in the state system as far as that character can be expressed in terms of solvency. With this endeavor has come accomplishment. Banks under state jurisdiction have been relieved from the whims of special privilege; they have advised their investors of a plane of absolute safety; they are prosperous under the administration of a law which is construed equally and soundly.

In the endeavor to make banks and bankers understand that the first duty of the State is to guard depositors there has not been, of course, immediate success. Gradually the lesson has been meditated until today many who formerly resented interference by the State recognize not alone the right in the interest of the depositors, but the beneficent results as well to the banks. A minority, however, yet resent any interference by the State or any suggestion of regulation of mismanaged methods, but happily this minority is constantly dwindling.

In the last few years, the bank act, in many important parts, has been amended and these amendments suggested in cooperation by bankers and the bank commissioner, have proved in general of vast advantage. The bankers themselves have suggested critical examination and drastic regulation by the State, but there were some among these bankers who meant by this, only drastic regulation and critical examination of their rivals in business, and when strictly the provisions of the law were applied to them their indignation and resentment knew no bounds. The present bank superintendent has done just what has been done in every other department of government in the State: he has eliminated special privilege and he has administered the law under his jurisdiction fearly and justly equally and without discrimination. No bank has been too small to escape the provisions of the law and none has been so powerful or so rich as to evade its responsibilities. With all alike, the law has been enforced.

The result of an equal and drastic enforcement of the law, while not satisfactory to those who deem themselves entitled to special privilege, has been to create an unprecedented degree of confidence in our financial institutions, and to place the banks of the State upon a sounder and better basis and to render them more prosperous. At the commencement of the term of office of Bank Commissioner Williams, the aggregate assets of state banks was $786,101,030, and the aggregate now is $835,718,403. Individual deposits at the commencement of his term of office amounted to $465,808,000 and now to $694,267,000. There are now in the savings banks of California more than half a billion of deposits, an increase during the past six years of $194,000,000. Six years ago the aggregate of loans and discounts in the banks under state jurisdiction was $365,000,000; at the present time there are $498,000,000.

During the progress of the immense labor of reform among the banking institutions of the State not a bank in the State's system has failed. In the first few months of the new administration three institutions were closed because of inherited infirmities, two other banks were compelled to liquidate but their depositors were paid in full. The solvency and standing at present of state banks, the fact that no state bank has closed its doors since December, 1913, are the demonstration of the efficiency of a just and impartial drastic administration of the law and the lasting tribute to the bank superintendent.

STATE PRISONS.

The prisons in the last few years have reflected the rejuvenated government of the State and our penitentiaries have been administered like our other departments of government, as instrumentalities not alone to protect society but to serve even the lowest and most helpless of humanity. The prison policy that prevails today is one of strict discipline and training but without harshness or cruelty. The prison directors and the wardens believe that they can contribute most to the lessening of crime by managing our prisons in such a manner that they may cure crime instead of being listed as one of its causes. The endeavor is made to supplant sickness with health, ignorance with knowledge, indolence with industry, and despair with hope.

In 1911, the "hooks" and "doors," the strait-jacket, the water torture and corporal punishment were all in vogue. Today there is no form of corporal punishment in our prisons. Notwithstanding the dire predictions that were made when corporal punishment was abolished, its abolition has changed the atmosphere of our penal institutions and discipline today is better in both state prisons than it was when every kind of physical torture was permitted.

Both prisons now study the individual. The newcomer is immediately given a physical examination. Physical defects are noted and corrected where possible. A tuberculosis ward is set apart particularly for those infected. Wassermann blood tests are taken. The physician, oculist, and the dentist in turn examine and prescribe. Thereafter the educational director attempts to obtain the mental measure and moral status of the prisoner. If illiterate, he is assigned to school. Men of mature years are placed in night schools. Classes are graded, supervised by an educational director, and state textbooks are employed. Correspondence courses and special classes have been formed. Once a week a professor from the University of California by lecture supplements the classroom work. One thousand four hundred forty-two men in San Quentin now are engaged in educational classes and a like proportion in Folsom. Under the state use system articles are manufactured for other state institutions and work at trades thus afforded for idle hands.

The parole law has been liberally administered by the prison directors, and though much has been heard about an undue liberality in this regard the statistics demonstrate the parole has been a source of infinite good. During the last five years 77 per cent of the prisoners paroled have made good—that is, they obey all the rules laid down for them when parole is granted, refrain from crime, serve their terms creditably until they secure final discharge; 23 per cent failed, but of this 23 per cent that have failed only 5 per cent were returned for committing new crimes while on parole. The other 18 per cent are merely weak and have failed because they quit their jobs or have not reported or in some other way violated the conditions of their ticket of leave.

In proportion to our total prison population, we have a smaller percentage of recidivists than we had ten years or twenty years ago, when our prisoners had few privileges and were subjected to all kinds of painful and humiliating punishment.

I quote for your earnest consideration from a recent report to me by Warden Jas. A. Johnston:

"The ominous thing that I find about the figures regarding prison population showing decrease in the number of repeaters, is that, since the prison populations all over the country are on the increase, the same set of figures that show decrease in repeaters necessarily show an increase in the number of first termers; and the causes for that alarming condition are not in the prisons, but on the outside.

"If it be true that the reduction in the number of recidivists can be traced to sane and humane system of management of prisons, to disciplinary measures, to health-building, mental and moral training and trade teaching, then it would seem that the same or similar measures applied *before* crime was committed would reduce the amount of crime and the number of first termers. While it might be highly creditable to the prison directors and wardens to be able to show that the number of repeaters was decreasing in proportion to the entire prison population—and indeed that is all that can be reasonably expected of prison management—it is not to the credit of society that the number of first termers is increasing.

"I have an idea that there is plenty of room for prison reform outside the prisons, and that more attention should be given to preventive measures, such as medical and dental inspection in the schools, education that really fits for citizenship, vocational training, serious attention to the question of unemployment, strict regulation and control of the sale of firearms; war on the habit-forming drugs and excessive use of alcohol; and recognition of the fact that youth is the time of lawlessness; that criminal tendencies usually assert themselves early in life and should be checked early by proper training at home, in school and in the church. All this is an important part in any plan of social insurance.

"In thinking of preventive measures, I see all around here at the prison evidence of the youthfulness of prisoners. Looking up the figures, I find that with a population of 2,390, over half, or more than 1,200, are under 30 years of age; 600 are under 25 years, and 300 are under 21. From these figures it is evident that in its very essence the crime problem is a *boy* problem, and I can not help but think that if we can arouse the fathers and mothers and the teachers and preachers to the

necessity of giving earnest attention to the boy problem, we shall have gone far toward a solution of the crime problem."

Under the direction and control of the Prison Directors, Charles L. Neumiller, Judge C. E. McLaughlin, Henry Eckhoff, R. B. Meek and Charles Sonntag, and the management of Wardens J. J. Smith and James A. Johnston, the penitentiaries of California in a modern, enlightened spirit, are more ably conducted both from the standpoint of the exactions of the law and the care of those confined than any penal institutions in the nation.

REFORM SCHOOLS.

In the two reform schools of the state, at Ione and Whittier, where there are approximately 600 boys, the new consciousness of the public service and the new philosophy of government have replaced the old mode of beating, of physical torture, of welding rings of iron about the ankles of recalcitrant boys, and of regarding them as hopeless and incurable, with the new conception, that these boys are a child problem and that the child is the paramount concern.

The superintendents of Whittier and Ione, Fred C. Nelles and Calvin A. Derrick, have not only wrought wonders in the discipline and the care and return of the boys entrusted to their care, but have become as well nation-wide authorities on the problem presented by erring youth.

Just as in the prisons of the state, there is a new atmosphere in the reformatories, a new attitude, and, at last, hope in those confined.

LABOR BUREAU.

The Labor Bureau of the State of California was established in 1883, but it is only within the last five years that it has been transformed from an unknown and useless institution into a useful and important department of the state. The bureau has come to be looked upon as the poor man's court, where the unfortunate toiler without means may secure speedy redress, and it has served, too, as an effective medium in the adjustment of irritating disputes that arise in the industrial field. During the past year free public employment bureaus in San Francisco, Los Angeles, Oakland and Sacramento have been established. In these months these bureaus have obtained positions for 38,000 persons without cost to them. The State, although it has but four offices, is now doing about one-fourth of the business done by all the private agencies in the commonwealth. The various practices formerly perpetrated by private agencies have been eliminated. The bureau in acting as a poor man's court has, in the past five years, undertaken the collection of 32,000 claims and has succeeded in collecting more than $504,000. During the past year 10,000 claims were handled and $179,000 in wages collected.

The payment of wages to those employed in seasonal labor has been supervised by the bureau, and the examiners of the bureau have secured to employees each season to work in the salmon canneries of Alaska over $250,000 annually for the past four years. In former years these unfortunate seasonal toilers were fleeced out of the major part of their earnings.

The labor laws of the state, particularly those relating to women and children, have been enforced by the bureau. During the past five years the bureau has investigated 44,000 complaints for violation of the labor laws.

The Labor Bureau, from a mere resting place for a politician, has been developed under Labor Commissioner McLaughlin into a department of the greatest importance. It is the court of the penniless, the haven of the poor, the refuge of the helpless.

WATER COMMISSION.

At the 1913 session, the present Water Commission law was enacted, but private individuals who had appropriated much of the water of the state subjected the act to a referendum and at the general election in 1914, the people approved it. A commission thereupon was appointed, consisting of W. A. Johnstone, A. E. Chandler and Irving Martin.

The design of those who first proposed the Water Commission act was to render definite and certain just appropriations of waters, to determine the rights of contending appropriators, and to conserve the waters of the State, and generally, to act as a tribunal for the solution of water problems. Prior to the adoption of the present law, water rights by appropriation were acquired upon posting of a notice of appropriation stating the source of supply, the amount of water claimed, the means of diversion and the purpose and place of use. After posting, a notice was required to be recorded in the office of the county recorder, work to be commenced within sixty days from that date and prosecuted with due diligence to completion. If the various requirements were carried out, the right dated from the posting of the notice. There was no supervising authority, or governing official, who was to determine whether or not the provisions of the law were met. Such a system when applied to so valuable a resource as the water supply of the state of California, readily lent itself to fraud and injustice. Because of the looseness of the system, water rights in California are badly tangled. The unraveling of the tangle will be a slow and tedious process, but one upon which the State through the Water Commission has finally commenced.

In the first seventeen months of its operation, the commission has received five hundred and thirty-one applications on which one hundred seventy-two permits have been issued.

In various important investigations of the waters of the State, the commission is now engaged. Some of those investigations are undertaken in connection with the authorities of the United States government. The commission has collected filings on all streams of the State and has now at its central office the appropriate data. The commission believes that the act fails in furnishing the necessary machinery to accomplish its full purpose, and has presented to the legislature certain amendments. It seeks to render effective the design of the law that it adjudicate the rights of all parties on a stream system and to carry out the full intent of the framers of the act, the commission believes that it should have power of supervision of the distribution of the waters of the State to those who are lawfully entitled to their use. The present act provides for supervision, but fails to give the necessary machinery.

With the amendments proposed, and with the work thus far accomplished, the Water Commission of California will be able to determine and give stability to the just claims of appropriators, and will as well conserve and foster and protect the waters of our State—a resource of most potential possibilities.

STATE BOARD OF EDUCATION.

The rapidly growing educational needs of the State, the marvelous increase in the number of our school children, made it impossible for the old ex officio State Board of Education efficiently to deal with the public school system. A constitutional amendment was passed in 1912 authorizing the legislature to provide for a State Board and in 1913, an act was duly passed directing the Governor to appoint a board to consist of seven members. The first board, under the new law, consisted of W. H. Langdon, Mrs. O. Shepard Barnum, George W. Stone, E. P. Clarke, Mrs. Agnes Ray, L. E. Chenoweth and Charles Frank Stern.

In 1914 Mr. Chenoweth resigned and was succeeded by Mr. Chas. A. Whitmore, and Mr. Stern by Mr. Marshall De Motte. In 1915 Mr. Langdon resigned and Mr. M. B. Harris was appointed in his place.

This board was designed to represent the people generally rather than the profession of teaching, and therefore its members were prohibited during their term of office from holding any salaried educational position. The board was directed to appoint three salaried commissioners, one experienced in the field of elementary education, one in the field of secondary education, and the other in vocational education. These commissioners were immediately selected and the greater efficiency thus obtained by the new State Board of Education and its representatives is generally recognized. Educational policies have been definitely shaped and the admitted progress of the last three years is due to the new system.

No state has been more generous than California to its educational institutions. More than 5,000 schools of various kinds and grades are maintained, and in 1915-16 the State expended for public education approximately $12 per capita of population.

Since 1910, the enrolment in the elementary schools has increased 32 per cent, in the kindergarten 200 per cent, in the high schools 147 per cent, normals 111 per cent. The growth of the kindergarten is due to the act of 1911, requiring the establishment of a kindergarten class upon petition of the parents of twenty-five or more children of kindergarten age.

The elementary school, of course, is regarded as the common school, enrolling practically all children between the ages of six and fifteen years. In recent years, the age of compulsory education has been raised from fourteen to fifteen years. The child labor law has been amended to prohibit the employment of children under fifteen years and higher standards of qualification for teaching have been required.

It was the design of progressivism in California that elementary education should be free in the fullest sense and in 1912, a constitutional amendment was submitted to our people providing for furnishing textbooks free to the pupils. The amendment was adopted, and since then, in the elementary schools textbooks have been distributed to the pupils. During the biennial period this distribution amounted to 948,829, and the total expense to the state was $172,422.10.

The endeavor has been made to make the high schools not only preparatory schools for the university, but for the community as well. Vocational courses and branches have been introduced and fostered.

The schoolhouse, in 1913, by act of the legislature, was made the center of neighborhood democracy. Under this law, the people were given the privilege of using their property not only for educational purposes, but for public discussion, instruction, and entertainment. This, with other incentives, has resulted in the organization of hundreds of Civic Centers and Parent-Teachers Clubs, with a membership of many thousands.

The courses of study in normal schools have been standardized and those institutions have been brought into closer relation to one another and to the elementary and high schools.

Upon the suggestion of Mrs. Mary A. Gibson, of the Immigration and Housing Commission, a law was duly passed authorizing the employment of home teachers to visit the homes of foreigners, to instruct mothers in English, sanitation, and household duties.

Among the important points suggested and adopted in the [illegible] are those that of the Teachers' Retirement Salary, [illegible] for the payment of a salary of $500 per annum to each teacher after thirty years of service in the public schools. This fund has been successfully administered by the state board.

California, with a generosity nowhere surpassed, has recognized that the public school system is of the very essence of our democracy.

STATE MARKET DIRECTOR.

At the last session of the legislature an act was passed creating a State Commission Market, with an appropriation of $25,000 and providing for the appointment of **a State Market Director. The measure duly became a law. It provided not alone** for the appointment of Market Director but for the establishment in any and all cities **and towns of the state, of depots and stations to be used as city markets for the** receiving, care, sale and distribution of the farm products of California. It seemed **obvious to me that in the hands of an inexperienced person or under the management of a well meaning enthusiast, [illegible] under the State in many instances disaster. Because he united every qualification in marked degree, I finally tendered** the appointment to Harris Weinstock and he accepted.

The view of Mr. Weinstock was that [illegible] the State should [illegible] to the relief of the farmer, by organizing producers into marketing associations, and assisting them in marketing their products, but that the State should not engage in the actual business of selling or commercial or otherwise, that the State Market **Director could be of very great service to the farm producers of California by per**forming the function of a market adviser; that individually the average farmer is helpless to better his marketing conditions, but that [illegible] great results in minimizing waste in the cost of distribution and in broadening and **widening his markets so that collective bargaining could take the place of individual** bargaining, thus making it more [illegible] for the farm producers to get the **value of their products, and also more possible to minimize waste and expense of** distribution for the benefit of the consumer.

The Market Director pointed out as well that even if it were desirable and practicable to establish state markets in every city and town in California, the appropriation of $25,000 was hopelessly inadequate and such an effort, under the conditions, would result only in failure.

The task undertaken by the State Market Director is a herculean one, but with remarkable energy he has been [illegible] the support of the State and strong and effective marketing associations. In the very brief period since his appointment, he has assisted in the organization of the California peach growers, and the necessity for such organization will be apparent when it is recalled that the dried peach industry of the State was in such a [illegible] condition, for [illegible] not more than one half the year, [illegible] was below the cost of production. Now, the industry is on a sound profitable basis, **having been incorporated on January 11, 1916, with a capital stock of $1,000,000.**

The poultry producers of [illegible] California, 700 in number, in October, 1916 **formed their organization and hereafter will have, what they never have had before, in California, a voice in fixing the prices at which their products shall be sold. The** poultry producers of southern California, 400 in number, have completed their **organization in the southern part of the State.**

The Associated Milk Producers, about 120, supplying San Francisco with milk, have organized, established and completed a pasteurization plant in San Francisco, and in like fashion the rice growers, prune and apricot growers, olive growers and **potato growers have come together.**

A voluntary cooperation of wholesale and retail dealers in fish and fishermen was secured and temporarily an educational campaign inaugurated which, for a time, greatly increased the consumption of fish, lowered the price to consumers and entirely stopped the dumping of fish. The plan was suspended because of the withdrawal of **one large wholesaler, but it is the hope of the Market Director that the legislature,** by appropriate legislation, will make the plan of regulating the fish industry compulsory.

A system has been worked out, and it is expected will soon be established, whereby **live stock yards for cattle and hogs and better markets will be provided.**

The necessary preliminaries have been taken to organize the honey producers into one or two market associations, and the arrangements have been made for standardization.

The Market Director, in addition, has negotiated with certain New York banking interests to advance to California producers' organizations, when appropriately capitalized and managed, up to 75 per cent of their market value on their warehouse receipts certified to by the State Market Director, with interest rate of only 3½ per cent per annum.

The work of the first year has been devoted largely to building the foundation for further effectiveness, and the results attained far exceed the original expectations. Apparently, California is now on the way to become the best organized state in the Union so far as farmers' marketing associations are concerned. The object of these **associations is, of course, twofold, to give to the farmer a fair price for his produce, and to minimize speculation in farm products; to lessen waste in the cost of distribution and to aid both producer and consumer.**

THE CIVIL SERVICE.

The first Civil Service Law of the State of California was passed in 1913 and in the latter part of that year, the commissioners, Charles Wesley Reed, Edgar Williams, and J. M. Hunter, began their duties. The law since has been drastically enforced. Examinations are continuously held to ascertain the fitness of those applying for positions and the merit of the applicant as shown by the examination now determines appointments to employment by the State. The design of the law and the endeavor of the commission have been to make merit the basis of appointment and to prevent expensive periodical upheavals, and to end the political spoils system in the public service. The last desideratum has been attained. It is an impossibility now in California to use the public service for political purposes or to direct the political activities of those who hold official position. The commission has jealously guarded, not only its rights under the law, but the rights of the humblest employee of the State. Whether efficiency is obtained by a drastic civil service law is yet debated. The Civil Service Commission insists that a greater measure of efficiency has come under the administration of the law. Many of the heads of the departments dispute this, but of one thing we may be certain, the spoils system has been eliminated, and a political machine among the employees of the State, under such an administration of a Civil Service Law as we have had in California, is an impossibility.

One of the favorite methods of denunciation on the part of those who oppose the state administration is groundlessly to assert that a powerful political machine has been built up in California; and because of a constant repetition of this sort of falsehood many, unacquainted with the facts, have been deceived. Substantially every state institution today, when it desires a new appointee or employee, applies to the Civil Service Commission. The commission sends its list of names and the lists are certified only after rigid examinations. From the certified lists appointees must be selected. The employees in the various state institutions understand not only because of the Civil Service Law, but because it has been a fixed and definite policy of the State, that they are free politically to act as they choose, and that they have acted as they chose is demonstrated by their votes in the various primaries and elections that have been held.

Merely as a matter of amusing incident, and for the benefit of some of our friends who talk of a political machine, inquiry was made in various precincts in 1914, and again in the primary election of 1916. In these precincts voted only employees of certain state institutions, which had been placed under civil service and in which the wages of the employees had been increased. The results were complimentary at least to the independence of the state employees if not to the head of the state administration.

Whether those who assert that efficiency does not follow civil service, or whether the commission, with its records and its responses from various departments, is right in its insistence that greater efficiency has been obtained under civil service, I am not entirely clear; but the tremendous advantage to the State in removing the old political spoils system and in preventing political upheavals in the public service by political parties, outweighs any possible disadvantage of civil service; and we may feel that from this standpoint alone the law has been justified and has been of immeasurable value.

THE STATE UNIVERSITY.

A walk through the grounds of the University of California, a mere inspection of its enrollment, a glance at the students, and it requires no effort of imagination to see upon this western shore, a center of education rivaling any on earth. Our university, the culmination of our public school system, has advanced with such leaps and bounds, that our own people little understand its progress, and its possibilities. It is gradually acquiring new structures of unexcelled architectural beauty. It has within its staff men whose reputations are nation wide. In number of students, it is practically the largest university in the United States. Those of us who long ago were a part of its less pretentious days, have eagerly watched its marvelous progress and have ever the fondest interest in its development and prosperity.

The State has been very generous to its great institution of learning, but no more generous than that institution deserved. We who knew it only from its academic side, and have with pride seen its academic side reach its present high state and fame, looked forward to a day when it should perform its other great functions for the people as well; and soon after 1911, the endeavor was made to enlarge its agricultural college and to bring the manifold advantages of its learning to all our people, and in this endeavor we have been measurably successful.

THE AGRICULTURAL COLLEGE.

During the past six years there were 325 graduates in agriculture from the university. In the forty years prior to this time, it graduated 150 persons from its College of Agriculture. During the same period certificates of graduation have been given to 147 farm school students, while prior to 1911, no certificates were issued. During those six years, 974 persons have completed short courses in agriculture. Prior to that time 171 persons had taken these courses. During the past three years, 7,368 persons have completed 9,488 correspondence courses in agriculture. Altogether

within this period 25,094 have been enrolled, and boys' high school agriculture clubs have been organized in more than one third of the high schools of the State. In 1914, 341 high school boys grew crops or raised animals under the direction of the College of Agriculture. In 1915, their number had increased to 622, while during the past year, 1,157 boys finished in these prize winning contests. A beginning has been made in organizing boys' clubs in the public schools, and farm bureaus have been organized in fourteen counties with 175 farm bureau centers, having a membership of about 6,000, while the aggregate attendance during the past year was 64,144.

Members of the staff of the Agricultural College are writing 100,000 letters a year, chiefly in answer to inquiries from those engaged or interested in agriculture. Bulletins to the amount of 3,000,000 copies covering every range of agricultural topics have been distributed. In the language of Dean Hart, who presides over the college, "These figures are not enumerated for any intrinsic value which they have, but to show a state of mind on the part of the citizens of California, which is more important than mere wealth. It is not the quantity of work done that is most significant, but it is rather the new vision which [illegible] increased pride of the citizens of the State in their calling. Already a much saner attitude obtains concerning the development of the State's resources, particularly in regard to the settlement of its lands."

The College of Agriculture has a staff of more than 150 trained men and women who are getting into intimate, daily touch with the people of a great industry.

California has an area equal to the nine Northern Atlantic States, the New England States plus New York, Pennsylvania and New Jersey, and California has every problem that exists in these states and has in addition to that, a capacity of problems which arise from the artificial use of water in an arid climate. Over 100 different plants are produced commercially in California. In the solution of the problems presented, the Agricultural College has done amazing work.

The realization of our dream that our great university shall be the melting pot of the every day problems of our people in agriculture is nearing realization.

WEIGHTS AND MEASURES.

From the very first session of the California legislature, there have been various enactments in regard to weights and measures. No comprehensive bill ever became a law until 1913. Under that act Charles G. Johnson was appointed the State Sealer, and since then, not only has the law of the 1913 session been enforced, but the two subsequently passed at the 1915 session. The net contents act and the public weighmaster act have been included in the duties of the department and there is now supervision practically, so far as weights and measures are concerned, of the transfer of nearly all commodities. Not only have these laws concerning weights and measures been justly enforced, but the department has carried on an educational policy in the endeavor to eliminate certain trade customs and trade practices which in former years were condoned, but which have been demonstrated to be unfair and those customs have been gradually destroyed. The development has been one for the promotion of honesty in business. Generally, with business men, it has met with hearty cooperation and in the instances where this has been lacking, drastic enforcement of the law and even prosecution have followed. By the [illegible] of the law, the household now receives, because of the intervention of the State, that which it pays for, and by the Public Weighmaster Act, the wrongs so long done the farming communities have been corrected.

Some conception of the amount of work done may be had when it is stated that during the past twenty-two months the total apparatus inspected has been 482,386, of which 174,688 have been corrected and 45,128 condemned, and that there have been inspected during that period 2,826,291 containers, 294,488 of which have been confiscated.

FLOOD CONTROL.

One of the grave problems of our State has ever been the control of the flood waters of the Sacramento River. The flood control project in which the legislature has participated and which is now under the control of the State Reclamation Board was planned originally by the federal government, primarily for the benefit of commerce and navigation and to remedy the injuries to the Sacramento River caused by hydraulic mining. If this project may be carried out, it will control the floods of the Sacramento River, the fourth largest river in the United States, and will make possible the development of inland waterways, and will open the way for permanent reclamation and safety of valuable lands, including the State Capitol itself.

Engineers are agreed that no other feasible plan than that suggested by the federal government will accomplish results. The progress that has thus far been made is shown by the report of the Reclamation Board. The work done by the United States government has been done with appropriations made under what has been termed the "minor project," recommended by the Chief Engineer for Rivers and Harbors, 1907, supplemented by equal appropriations from the State. The limit of that project will soon be reached, and further work must then depend on the adoption by congress of the "major project" as recommended in the reports of the Chief of Engineers for 1910 and 1913. Adoption of that project is provided for in the Flood Control Bill of

congress passed last spring by the House of Representatives and favorably reported recently by the Senate committee. That bill contemplates appropriations by congress in the aggregate of $5,500,000, conditional on California appropriating a similar amount to be expended in the opening of the river's mouth and the construction of four weirs, the portions of the project reported by the engineers to be in the interest of commerce and navigation.

The bill provides that not more than $1,000,000 shall be appropriated by congress for the purpose in any one year, that amount of appropriation being based upon the recommendation of the Chief Engineer for Rivers and Harbors. If this flood control bill shall be passed by the Senate, it will be incumbent upon the legislature to determine the attitude of the State and to fix the amount of the appropriation for the ensuing two years.

CALIFORNIA SCHOOL FOR GIRLS.

Until 1913, the girls who were the wards of the State were cared for at the Whittier School, but in the legislative session of that year provisions were made for the segregation of the girls, and the California School for Girls was established. A board composed entirely of women was appointed as the managers of this particular institution, and that board consists of Mrs. E. P. Foster, Mrs. Seward A. Simons, Mrs. D. G. Stephens, Mrs. L. B. Hogue, and Mrs. Mary C. Bell.

In the construction of the school the cottage plan was adopted. There are now four cottages with accommodations for 126 girls. The policy established in the new school is segregation and individual development. In the language of Mrs. Weymann, the superintendent of the school, "The moral development of the individual girl begins with the acceptance of the school as an opportunity; the only element of discipline or control in vogue is the teaching of self-control. All privileges and opportunities are won by this method. All punishment is the deprivation of privileges."

There have been one hundred paroles from the school since July, 1914. Six only have been returned as violators. Many of the girls have returned to spheres of usefulness and many have satisfactorily married. The school under the control of its women managers, with its woman superintendent, is an unqualified success.

THE STATE PRINTING OFFICE.

Since California's adoption of free textbooks for public school pupils, there has been an increased agitation in many states for a like policy. Many inquiries have come to me concerning our State Printing Office and the success of the commonwealth in printing school books. Many of the inquiries suggested that various reports have been circulated that the maintenance of our State Printing Office and the printing of our school books have been wasteful, extravagant and unsuccessful. Whence these reports emanated, I am unable to say. Perhaps they were justified by our experience under the old regime, but in the last few years, under the new order in California, we have demonstrated in this department, just as in every new activity of the State, that the State, when its service has an undivided allegiance to the State, can perform any task in successful competition with any private enterprise. The cost of the production, because of the prevalence of these methods which have been described in previous pages and because of the conditions which were unearthed and remedied by the Board of Control, formerly was scandalously high. Today the cost of output will challenge comparison with any competitors in the commercial field.

We are now producing through our state printing plant for $4.63 the series of textbooks for which the children of other states are paying $12.00. Since the inauguration of the free textbook system some 3,750,000 books have been distributed, and over the former cost of manufacture a saving has been effected of approximately $350,000. More than one and a half million of dollars have been saved from what the private book companies would have exacted.

In addition to this amazing showing as to the cost of textbooks, the printing plant has saved about $50,000 a year in comparison with the upkeep under the old regime. Just one concrete example, and the record is replete with many, will illustrate the difference. The price of ink before the State Printing Office was taken over by this administration was $2.50 per pound. Under business methods and fair competition, contracts for exactly the same ink were entered into by the new order at 35 cents a pound.

The first appointee of this administration as State Printer was Friend W. Richardson, and when he became State Treasurer, he was succeeded by Robert L. Telfer. The results attained under their management reflect not alone the highest credit upon them, but furnish an object lesson of efficiency and economy in the State's business.

THE NATIONAL GUARD.

The extraordinary events of the past year, the call by the federal government for the citizen soldiery of the nation, startled us for an instant into a realization of the necessity for some sort of adequate military preparedness, and our utter lack of it under the present system.

The California militia, under Adjutant General Forbes, and his successors, General Thomas and General Borree, had reached the highest state of efficiency the

present system permitted; and yet, when we saw assembled those who were near and dear to us, who constituted a part of our homes and made up our community life, there was impressed upon us with a distinctness which neither can nor should be effaced nor our love of peace ought ever to be permitted to obliterate, the great importance of the nation's present military establishment to meet sudden emergency or imminent peril. And these observations I make as a Californian, proud of the militia of this State, of the personnel of its soldiers and its officers, of its immediate patriotic and self-sacrificing response to our country's call, and of its record unsurpassed by any other state.

The first troops of California reached the State mobilization camp at Sacramento June 22, 1916, and the last of California's troops left for our border June 5, 1916. About 4,500 Californians answered the call and patriotically and bravely did their part.

The story of the mobilization of the militia of the nation, the lack of equipment from the federal government, the impossibility of men called in a moment from the ordinary walks of life being physically fit to undergo the rigors and hardships of an immediate military campaign, were so vividly and indelibly impressed upon us but yesterday that it is unnecessary to recall them. Of course, the issue of preparedness is a national and not a state problem. We could do our part only upon the basis that our nation should decree or in that detached sense within which, as a preliminary, be an aid to the national plan.

California six years ago entered upon a policy of preparedness socially and industrially. Those who have participated in the consummation of this policy are not in any sense militaristic, but the recent world wide events, the latest military operations of our own nation, have brought the sober and reflective conclusion that we may only maintain and preserve our governmental advance and accomplishments by our ability to defend them.

It is not my purpose to present to you any dissertation upon preparedness. I have endeavored to follow the views as expressed in other states of the Union, and I have read with interest such laws as that enacted in New York compelling public school pupils over the age of eight are now required to devote eight percent instruction twenty minutes per day to exercises which will render them most praiseworthy. I suggest to you the subject, not only as an appropriate one for consideration, but as one of transcendent importance.

SUPERINTENDENT OF CAPITOL BUILDING AND GROUNDS

By an act of the legislature of 1911, the position of Superintendent of Capitol Building and Grounds was created and the old system of a Capitol Commission abolished. The superintendent appointed was George C. Ringolsby. In the administration of his office, he has had not alone the care of the State Capitol and the capitol park adjacent thereto, but up to the time of the appointment of the park superintendent of the State, he furnished to the various officials stationery and the like required by their offices.

A greater efficiency in the management of the Capitol and in the Capitol Park resulted, and, as shown by the reports of the superintendent, his purchases were made for sometimes one half and often as little as one third the amount formerly paid for stationery, pencils, inks, pads, etc. The improved condition of the Capitol and park since the superintendent was appointed furnish ample justification for the new department.

HARBOR COMMISSION

The change in the spirit and character of administration has been nowhere more marked than in the control of the San Francisco harbor. Unlike most American harbors, the administration of San Francisco's has been, from its inception, retained in the direct control of the State. Its unique geographical location, its incomparable natural advantages, its perfect security from storms, its widespreading connected navigable river system, ramifying through an immense territory of fabulous agricultural and mineral wealth, mark it as destined to take foremost rank among the greatest ports of the world.

The necessities of the old political machine formerly made this harbor the damping ground of its henchmen. The control of that political machine by a single railroad made it of interest to that railroad to dwarf and cramp development. The great harbor of San Francisco for many years was used merely as a lot of private property for the advancement of political and business interests of the one great transportation company that dominated the State. When the old system was overturned it was found that about two-thirds of the existing twenty six piers were in such state of dilapidation as to be practically useless. The task undertaken by the Harbor Commissioners, J. J. Dwyer, Thos. S. Williams, and J. H. McCallum, was tremendous, and as their work proceeded, from those who had participated in the profit derived from a state owned harbor devoted to political exploitation, arose a storm of outcry, criticism and misrepresentation. The satisfactory answer today is that the gigantic task set for the Harbor Commission has been done, and well done. The system of private control has been eliminated, favoritism among shippers has been abolished, and all are treated justly and with equality. Seventeen wholly new piers have been constructed, nineteen have been largely reconstructed. The area of piers has been

increased 122 per cent. The berthing space available for vessels has grown from five miles to thirteen miles. In the new construction the best modern practices have been followed and San Francisco leads the world in the length and weight of reinforced concrete cylinders or pieces of reinforced concrete piles. Ship and rail have been brought together by new construction of state owned rail lines about the harbor.

In a brief period San Francisco harbor has been transported from a privately operated appurtenance of a single corporation into a tremendous asset not alone to **San Francisco but to the entire State of California.**

STATE WATER PROBLEMS CONFERENCE.

In 1915, an act providing for a conference on irrigation, reclamation, water storage, flood control, etc., in order that a united state policy with reference to these important subjects should be suggested, was duly passed. The commission consists of certain officials designated by the act, and certain appointees of the Governor, and when completed was as follows: Lieutenant Governor John M. Eshleman, Speaker of the Assembly C. C. Young, Senators I. J. Mandeville, W. F. Chandler, Assemblymen L. L. Dennett, E. L. Sisson, State Engineer W. F. McClure, Chairman W. A. Johnstone of the Water Commission, President V. S. McClatchy of the Reclamation Board, Chairman J. C. Beaugamyer of the State Conservation Commission, R. J. Anderson, W. P. Boone, Charles L. Dorotheo, L. J. Edwards, J. B. Olcese and F. E. Woodley.

A most careful and conscientious work has been performed by this commission. The tremendous importance to the State of its irrigation, reclamation and flood control problems is, of course, obvious and if a united policy could be determined upon which would utilize the efforts now being independently exerted in behalf of **each, the benefits to the State would be inestimable.**

An elaborate report has been filed by the conference and many recommendations have been made. The earnest labor that has been done and the extensive character of the report justify the most careful consideration of the subject by the Legislature. I am not clear as to the advisability of many of the recommendations, and no more important matter could engross your attention, and I commend to you the report of the conference and ask that after careful investigation you determine upon appropriate **action in the premises.**

LAND COLONIZATION AND RURAL CREDITS.

Your predecessors directed the appointment of a commission to investigate and consider the question of land colonization, the various forms of rural banks, cooperative credit unions and other rural credit systems. Subsequently, in accordance with this direction, Dr. Elwood Mead, Harris Weinstock, David P. Barrows, Mortimer Fleishhacker and Chester H. Rowell were appointed as commissioners.

The subject with which the commission dealt is one which, of late years, has been occupying our most intelligent thought. The opportunities for rewards have been so many and attractive, and the assuring from the country in such large numbers have sought the city as the goal of their ambitions that the balance between city and country has been seriously upset. Today it is recognized that policies must be adopted which will make farm life more attractive and increase its appeal to intelligent men and women. Growing economic pressure in European countries has more sharply presented the problem, and governments have undertaken to create conditions which would afford farmers and farm laborers a more independent and **more generous life.**

In all these European countries the methods for improving rural conditions are alike in essential features. Estates are bought, subdivided, made ready for settlement and cultivation, and then sold to frugal and industrious men of small capital. The use of the government's credit permits conditions of payment so liberal that the amount required to pay for the land and its equipment may be earned from the soil. The benefits which have followed have come not alone to the agricultural but to the political and social conditions.

In Germany, Denmark, Ireland and Russia, a country life which formerly had at one end of its social scale the owner of great landed estates, who often lived elsewhere, and at the other end a poverty stricken and discontented peasant or equally dissatisfied farm laborer, is being displaced by new conditions, in which extremes of wealth and poverty alike are absent, and in addition to this, those who now enjoy landed independence, have an added patriotism and affection for the government, because of what that government has done for them.

The conditions in our own vast country, which for many years kept from us the problem of European nations, are fast disappearing, and it is becoming more and more difficult for men of little capital to become farm owners. An increasing percentage of land is being cultivated by tenants and the population of the country is not keeping pace with that of the cities. The members of the commission selected by me to study the problem in its relation to our State possess more profound knowledge of the subject and deeper insight into the problem than perhaps any body of men who could be chosen. The commission in its report, which is a most valuable contribution to the particular subject, makes it clear that action by the State to broaden opportunities to establish homes on country lands will bring in no

other place greater results than in California. The commission insists and with this we can all agree, that the advantages of rural life in California are so great that they ought to be enjoyed, and that it is the state's duty to create opportunities worthy of this environment.

The commission suggests the purchase, subdivision and settlement by the State of a sufficient area of land to serve as a concrete example of the methods and policies that have proved so valuable elsewhere, and to demonstrate to the owners of great landed estates what can be done by scientific planning, thorough tenant organization and the use of adequate capital in the initial stages of development.

In the preceding pages I have attempted only to present in the briefest fashion some of the activities which have been initiated and administered under the new order that has obtained in California.

The achievements of these various departments may be measured not only by the beneficent results of their particular tasks, well performed, but by the changed viewpoint concerning the public service and the obligations of the public servant to the people. Into every activity of our government have been infused an enthusiastic effort, a healthy ambition and a new conscience. Volumes might be written of improvements in the hospitals for the insane of how they have been modernized and how their superintendents, conscious now that they have the full backing of the State administration in the performance of their allotted tasks, and that they are judged by the results in their particular fields, have, with added faith and renewed confidence, gone forward with their work. Every patient in these hospitals has been benefited, his living conditions have been improved and the property rights of the State finally receive the fostering and the tender care that is rarely due from the commonwealth. The service of the State which has become, in reality, a service for the people, in every department of government, has made tremendous advances.

The State Board of Health, under the presidency of Dr. Geo. H. Evans of San Francisco, has entered upon a marvelous career of usefulness. Has aided cities and towns and our towns and has solved problems involving fundamental existence with our people.

The Board of Charities and Corrections, the Horticultural Commissioner, the Building and Loan Commissioner, the State Board of Agriculture, the State Mineralogist, the State Library, the Motor Vehicle Department and every other activity fired by the religion of public service, inspired by a new faith in democracy, have given unto the people a conscientious devotion which has brought immeasurable advantages. And with all the renewed activity and ambitious projects that have been undertaken, the finances of the State were never in better condition. When we found a deficit of $268,000, there is today a surplus of $4,500,000, and for every dollar expended by the State, its full equivalent in value is received.

In closing, I say to you, as I said four years ago to the legislature which first assembled after the initiation of our new policies:

"California is a state to inspire the enthusiasm and the devotion of all who are privileged to live in it or called to serve it. Its resources are almost limitless. The imagination of our generation can not even picture the possibilities of its development. In the past decade its growth in population and industrial progress has been marvelous. The next decade will far exceed the last. Meanwhile our destiny and our rank among the states of the world are assured. In the most specific indications of environment our State stands alone. Nowhere else is there so much charm of climate and natural beauty, so much of the realization of possibilities and yet unfolded. Standing at the very foreground, not merely of a nation but of a race, the last station of the westward march of occidental civilization and the final frontier between the two halves of the world, we occupy a unique place which lays upon us a unique responsibility. To the material responsibilities, we shall arise. It is your task to see to it that we rise to the governmental responsibilities also, to afford this people the agencies of self-government with which to fulfill its destiny and as the representatives of the people to do in their interest that service well. The experience of your immediate predecessors determines that this is no impossible aspiration, and I look with confidence to see you carry even further forward the work they so well begun."

Sacramento, California, January 8, 1917.

HIRAM W. JOHNSON,
Governor.

APPENDIX.

PARDONS.

L. L. BARNARD, pardoned January 8, 1915. Convicted in Alameda County of embezzlement and sentenced November 6, 1910, to a term of six years in San Quentin. Pardon granted day before expiration of term; recommended by Superior Judge William H. Donohue, of Alameda County, Wm. Kehoe, State Senator, Judge C. H. Connick, of Eureka, and C. P. Cutten, former State Senator.

JOHN J. TANSEY, pardoned January 18, 1915. Convicted in San Francisco of manslaughter and sentenced June 1, 1908, to a term of ten years in San Quentin. Recommended by Wm. H. Langdon, who was District Attorney of San Francisco when Tansey was convicted, and by James M. Hanley, who, as Assistant District

Attorney, had active charge of the prosecution. Many others who knew the circumstances joined in the recommendation. Showing made of doubt as to guilt.

CHARLES H. THORNE, also known as Chas Dorsey, pardoned February 2, 1915. Convicted in Nevada County of murder and sentenced to serve his natural life in San Quentin, where he was received on March 15, 1883. Recommended by Chief Justice F. M. Angellotti, and Associate Justices M. C. Sloss, F. W. Henshaw and William P. Lawlor, of the Supreme Court, and by the State Board of Prison Directors.

WILLIAM WARBURTON, pardoned February 3, 1915. Convicted of murder in the second degree in Marin County and sentenced on June 17, 1901, to a term of thirty years in San Quentin. Recommended by Chief Justice F. M. Angellotti of the Supreme Court, who was the trial judge when the defendant was convicted; by Thos. J. Lennon, Presiding Justice of the District Court of Appeal of San Francisco, who defended Warburton, by Frank R. Devlin, member of the State Railroad Commission, and W. J. Palethorpe, of Los Angeles.

GEORGE ELLING, pardoned March 3, 1915. Convicted in Sutter County of interfering with electric wires and sentenced on July 28, 1913, to serve eighteen months in San Quentin. Term expired October 28, 1914. Recommended by Judge E. P. McDaniel, who imposed the sentence, and Lawrence Schillig, who conducted the prosecution.

HENRY MOYLE, pardoned March 20, 1915. Convicted in Calaveras County of murder in second degree and sentenced April 21, 1899, to a term of thirty-five years in San Quentin. Recommended by Judge John Hancock, District Attorney J. P. Snyder, Warren Dean, who was the official reporter of the trial, and by numerous citizens of Amador and Calaveras counties.

WESLEY M. WALDEN, pardoned May 5, 1915. Convicted in Fresno County of embezzlement in October, 1907, and sentenced to serve seven years in San Quentin. Pardoned December 17, 1910, on condition that he remain out of the State of California. Full and complete pardon recommended by Associate Justice Lucien Shaw of the Supreme Court. Conduct had been praiseworthy since release from prison.

A. J. RONSSE, pardoned August 7, 1915. Convicted in San Diego County of simple assault and sentenced to serve six months in the county jail, which term commenced on February 7, 1915, and was about to expire. Recommended by Deputy District Attorney W. F. Schuermeyer, by Colonel Ed Fletcher, by Chief of Police J. K. Wilson, of San Diego, and by E. Bell Robinson, police woman connected with the Juvenile Department of San Diego.

JOSE H. NEAL, pardoned September 16, 1915. Pleaded guilty in Alameda County to a charge of felony embezzlement, and sentenced March 11, 1913, to a term of three years in Folsom prison, which expired on July 16, 1915. Recommended by Judge Wm. H. Donohue, by Sheriff F. H. Barnet, and by T. S. Montgomery, Superintendent of the Pacific Portland Cement Company, by which Neal was employed during parole, and by State Senator E. K. Strobridge.

JOSEPH HARTZEL, pardoned September 17, 1915. Convicted in Sonoma County of arson and sentenced May 15, 1911, to a term of seven years in San Quentin. Recommended by Assistant District Attorney G. W. Hoyle, by District Attorney Clarence F. Lea, of Sonoma County, by Judge Frank H. Dunne, and many residents of Sonoma County.

SILAS M. SWINNERTON, pardoned November 6, 1915. Convicted in Imperial County of grand larceny, and sentenced on February 28, 1914, to serve a term of two years at San Quentin. He had paid the penalty the law demanded and a showing was made of exemplary conduct while on parole and following expiration of the term of imprisonment.

WILLIAM J. HUBBARD, pardoned November 22, 1915. Convicted in Yuba County of issuing fictitious check, and sentenced February 10, 1915, to one year in San Quentin. He was twenty one years of age, and the sentence was about to expire. Recommended by Judge K. S. Mahon, of Sutter County.

THOMAS CONWELL, pardoned December 17, 1915. Convicted in San Francisco of robbery, and sentenced March 10, 1910, to a term of fifty years in San Quentin. Recommended by Chief Justice F. M. Angellotti, Associate Justices M. C. Sloss, W. G. Lorigan, William P. Lawlor, Lucien Shaw, and Henry A. Melvin of the State Supreme Court. Dr. L. L. Stanley, Resident Physician at San Quentin, certified that the prisoner was about to die.

CHARLES GILSTRAP, pardoned January 22, 1916. Convicted in the court of the Justice of the Peace of Modesto Township, County of Stanislaus, of having engaged in the itinerant vending of drugs, etc., in violation of law, and sentenced to pay a fine of $100, with the alternative of serving 100 days in the county jail. Recommended by Judge W. H. Langdon, Judge L. W. Fulkerth, Sheriff George T. Davis, District Attorney J. M. Cross, Mayor D. W. Morris, Justice of the Peace W. H. Rice, Senator L. J. Maddux, and other officials of Stanislaus County.

WILLARD P. BURKE, pardoned January 26, 1916. Convicted in Sonoma County of depositing and exploding an explosive with intent to injure a human being, and sentenced on February 6, 1911, to a term of ten years in San Quentin. Recommended by Judge Emmet Seawell, by District Attorney Clarence F. Lea, by nine members of the jury, by State Treasurer Friend W. Richardson, by the five members of the Board of Supervisors of Sonoma County, and by such well known citizens of that county as Luther Burbank, State Senator H. W. Slater, former State Senator

L. W. Julliard, John L. Mercier, J. P. Overton, E. L. Finley, C. O. Dunbar, G. W. Libby, F. H. Kellogg, and Rolfe L. Thompson.

MICHAEL NOLAN, pardoned February 7, 1916. Convicted in San Francisco of robbery, and sentenced to a term of twenty-five years in San Quentin, where he was received August 13, 1903. A brief part of Nolan's sentence remained to be served. During his parole he had won the friendship of many persons who earnestly pleaded in his behalf. Overwhelming testimonials were given that he had completely redeemed himself.

WILLIAM J. TROUTEN, pardoned February 8, 1916. Pleaded guilty in San Joaquin County to a charge of burglary, and sentenced December 29, 1914, to a term of two years in San Quentin. Recommended by the State Advisory Board of Pardons, Judge J. A. Plummer, and by State Senator H. Stanley Resnedel.

ALBERT H. GOTZSCH, pardoned February 11, 1916. Convicted in Sonoma County of statutory rape, and sentenced to a term of sixteen years in San Quentin, where he was received on February 11, 1908. Recommended by Judge Emmet Seawell and by District Attorney Clarence F. Lea.

FRANK L. SEARS, pardoned March 13, 1916. Convicted in Alameda County of embezzlement and sentenced March 12, 1913, to a term of four years in San Quentin. He had paid the full penalty exacted by the law. Recommended by James M. Hanley, former Assistant District Attorney of San Francisco, and by Victor H. Metcalf and Chas. T. Rodolph, officials of the bank where Sears was employed when he embezzled the funds.

EDWARD J. DUNCAN, pardoned April 11, 1916. Convicted in San Francisco of murder in the second degree, and sentenced to serve nineteen years in Folsom, where he was received July 16, 1904. Term was about to expire. Recommended by Associate Justice William P. Lawlor, of the Supreme Court, Congressman John I. Nolan, and by numerous residents of San Francisco who had known Duncan for many years and gave assurance of his worthiness of character.

LLOYD P. WOOD, pardoned April 20, 1916. Convicted in Sutter County of embezzlement, and sentenced on April 19, 1913, to serve four years in San Quentin. His term had expired. Recommended by Judge K. S. Mathews and by Lawrence Schaffer, by W. H. Carlin of Marysville, and Assemblyman Louis Tuck of West Butte.

C. W. MCALPINE, pardoned April 20, 1916, on expiration of term. Convicted in Alameda County of violating section 593 of the Penal Code, and sentenced to serve five years in San Quentin, where he was received February 21, 1914. Sentence was commuted on April 10, 1915, from five to two and a half years. State Parole Officer Ed H. Whyte and many citizens gave testimonials of McAlpine's worthiness of character.

CHARLES VITERNA, pardoned April 22, 1916. Pleaded guilty in Santa Barbara to a charge of forgery and sentenced on March 18, 1908, to serve fourteen years in San Quentin. Only a few months remained of his term. Recommended by Judge S. E. Crow, District Attorney Squier and Sheriff Nat Stewart, by City Attorney W. B. Butcher, of Santa Barbara, and by the State Parole Officer.

HARRY H. THOMPSON, pardoned April 25, 1916. Pleaded guilty in Trinity County to a charge of burglary and sentenced on November 3, 1911, to serve seven years in San Quentin. Recommended by Judge J. W. Bartlett and District Attorney H. R. Given. Less than four months of the sentence remained to be served.

WILLIAM WILSON, pardoned April 26, 1916. Convicted in Contra Costa County of manslaughter, and sentenced August 4, 1913, to serve ten years in San Quentin. Recommended by Judge J. E. Barber, of Shasta County, and Judge A. B. McKenzie, and by Highway Commissioner Charles F. Stern.

ARTHUR R. POPP, pardoned May 29, 1916. Convicted in Sacramento County of robbery, and sentenced on June 1, 1910, to serve twelve years in San Quentin. He was then twenty years of age. Recommended by Superior Judge Malcolm C. Glenn, by former District Attorney E. S. Wachhorst, and Hugh Bradford, the present District Attorney.

PHILIP A. KIEFOH, pardoned July 13, 1916. Convicted in Los Angeles County of rape, and sentenced May 29, 1915, to serve twenty years in San Quentin. Recommended by Warden Jas. A. Johnston and Dr. L. L. Stanley, Resident Physician, who certified that the prisoner was about to die.

ANDREW E. WARMINGTON, pardoned August 14, 1916. Convicted in Los Angeles County of two offenses of forgery. Sentenced to serve two consecutive terms of five and two years in San Quentin, where he was received November 4, 1909. Pardoned April 4, 1913, as to sentence of two years. Term completed June 4, 1913. Recommended by Willis I. Morrison, former Superior Judge of Los Angeles, and many other citizens of southern California.

FRITZ SIEGEL, pardoned September 29, 1916. Convicted in Tehama County of manslaughter and sentenced May 9, 1914, to serve three years in San Quentin prison. His term had expired. Recommended by A. H. Ludeman, of Red Bluff, and by Superior Judge John F. Ellison, of Red Bluff. Siegel was seventy years of age.

NELSON C. OAKLEY, pardoned October 7, 1916. Convicted in San Diego County of violating section 17 of the Medical Practice Act, and sentenced July 22, 1916, to pay a fine of $200 or in lieu thereof to serve one hundred days in the county jail. Since his conviction and before the execution of judgment, the defendant had taken

the examination and qualified himself to practice his profession. Recommended by District Attorney Spencer M. Marsh, and by Louis H. Ward, Attorney for the State Board of Medical Examiners.

CHARLES A. FORD, pardoned December 8, 1916. Convicted in San Joaquin County of grand larceny and sentenced to serve five years in San Quentin, where he was received on March 14, 1914. Recommended by Superior Judge J. A. Plummer, by Charles L. Neumiller, Henry Eickhoff, C. E. McLaughlin, and B. B. Meek, State Prison Directors.

CHARLES R. BAKER, pardoned November 23, 1916. Convicted in San Francisco of manslaughter and sentenced September 21, 1914, to a term of three years at Folsom. His term was to expire within three months. Recommended by Superior Judge Geo. H. Cabaniss and Assistant District Attorneys Edward A. Cunha and James F. Brennan.

ROY S. LEADER, pardoned December 21, 1916. Convicted in Placer County of seduction under promise of marriage, and sentenced January 10, 1916, to a term of four years in Folsom. Recommended by Superior Judge J. E. Prewett, District Attorney J. B. Landis, Sheriff George McAulay, County Clerk Marshall Z. Lowell, and A. B. Reading, Official Court Reporter, all of Placer County; also recommended by the State Advisory Board of Pardons.

BENJAMIN P. HERNDON, pardoned December 21, 1916. Pleaded guilty in Los Angeles County to manslaughter and sentenced November 13, 1916, to a term of eighteen months in San Quentin. Recommended by Superior Judge Gavin W. Craig and by Mrs. Kemper B. Campbell, who, as representative of the District Attorney's office, conducted the preliminary examination. Affidavits also were submitted creating a reasonable doubt as to guilt of the prisoner.

DAVID MCNEAL, pardoned December 26, 1916. Convicted in San Diego County of rape and sentenced April 7, 1916, to a term of two years in San Quentin. Recommended by Judge T. L. Lewis, District Attorney Spencer M. Marsh, and William E. Blair, Probation Officer of San Diego County; by W. C. McChord, First Lieutenant First Cavalry, United States Army.

EDWARD C. MILLS, pardoned January 4, 1917. Convicted in San Francisco of grand larceny and sentenced to a term of five years in San Quentin, where he was received September 1, 1914. Recommended by Superior Judge F. H. Dunne and Maxwell McNutt, former District Attorney; also by State Advisory Board of Pardons, and by Chief Justice F. M. Angellotti.

FRANK W. ESOLA, pardoned January 4, 1917. Convicted in San Francisco of grand larceny and sentenced on June 14, 1913, to a term of five years at Folsom. Recommended by Superior Judge F. H. Dunne and James F. Brennan, Assistant District Attorney; also by Warden J. J. Smith. Term was about to expire.

N. F. STERLING, pardoned January 4, 1917. Convicted in Mariposa County of passing a fictitious check, and sentenced May 1, 1907, to serve twelve years in San Quentin. His term expired January 1, 1917. Recommended by Superior Judge J. J. Trabucco and J. A. Adair, who, as District Attorney, conducted the prosecution; also recommended by the State Advisory Board of Pardons.

CHARLES R. A. SWAILE, pardoned January 5, 1917. Convicted in San Diego County of placing explosive near a dwelling, and sentenced to a term of twenty years in San Quentin, where he was received January 15, 1910. Recommended by Superior Judge W. R. Guy and ten members of the jury, who stated that the sentence was unduly severe; recommended also by State Advisory Board of Pardons.

COMMUTATIONS.

CHARLES E. WALDMAN, sentence commuted January 18, 1915, from fourteen to ten years. Convicted in San Francisco of robbery and sentenced on March 4, 1911. Recommended by Judge Frank H. Dunne, who had been erroneously informed that the defendant was previously convicted of felony.

MARY L. BREWER, sentence commuted January 25, 1915, from thirteen to six years. Convicted in Alameda County of murder in the second degree, and sentenced on March 11, 1912. Recommended by State Senators Edward J. Tyrrell, Geo. J. Hans, Edw. K. Strobridge, A. H. Breed; Speaker C. C. Young, Assemblymen George Gelder, George Beck, Frank W. Anderson, Daniel Ferguson, Paul J. Arnerich, Harry Encell; also by W. J. Peterson, Chief of Police of Oakland.

JOSEPH DAZEVEADO, sentence commuted January 27, 1915, from five years to term ending January 29, 1915. Convicted in Butte County of grand larceny, and sentenced on January 16, 1914, when twenty-two years of age, to a term of five years in San Quentin. Recommended by Judge H. D. Gregory, District Attorney George F. Jones, Sheriff J. B. Webber, and Thurston Hill, complaining witness. The authorities of Butte County were agreed that one year of actual imprisonment was sufficient to satisfy the ends of justice.

LOUIS CHOUKALAS, also known as Louis Thonkalas, sentence of death commuted to life imprisonment January 30, 1915. Pleaded guilty in Inyo County to murder in the first degree, and sentenced on November 13, 1914, to be hanged at Folsom on February 5, 1915. Dr. F. W. Hatch, Superintendent of State Hospitals, and Dr. A. W. Hoisholt, Medical Superintendent of the Napa State Hospital, examined the prisoner and found him to be "so far mentally deficient either from epilepsy

or from inborn weaknesses that humanity and justice would best be served by a commutation to life imprisonment." Also recommended by Dr. Thos. J. Cox, of Sacramento; by Judge Wm. D. Dehy, by whom the sentence was imposed, and by District Attorney P. W. Forbes, Sheriff Chas. A. Collins and other officials and citizens of Inyo County.

MIKE SINKORITCH, sentence commuted March 3, 1915, from fourteen to eleven years. Convicted in Sacramento County of burglarly and sentenced to Folsom, where he was received February 8, 1908. Recommended by Judge Malcolm C. Glenn, by Eugene S. Wachhorst, former District Attorney, and by C. T. Jones, Chief Deputy District Attorney.

GEORGE BESSER, sentence commuted March 2, 1915, from twenty to ten years. Convicted in San Francisco in July, 1910, of murder in the second degree. Recommended by Judge Frank H. Dunne, by former employers, and others who were familiar with the circumstances and who knew Besser intimately.

SHAFER COPELAND, sentence commuted March 17, 1915, from life imprisonment to ten years. Convicted in Sacramento County of robbery, when nineteen years of age, and sentenced February 5, 1912. Recommended by the State Board of Prison Directors and by Warden Jas. A. Johnston, by C. E. Favero and F. A. Fisch, who were held up by the defendant and his companion.

RAYMOND L. LA ROSE, sentence commuted March 17, 1915, from life imprisonment to ten years. Convicted in Sacramento of robbery when twenty-two years of age, and sentenced February 5, 1912. Recommended by State Board of Prison Directors and by Wardens Jas. A. Johnston and J. J. Smith.

C. W. MCALPINE, sentence commuted April 10, 1915, from five to two and a half years. Convicted in Alameda County of violating section 593 of the Penal Code, and sentenced to serve five years in San Quentin, where he was received February 21, 1914. Recommended by John A. Britton, General Manager of the Pacific Gas and Electric Company, which owned the electric wire line that was tampered with. The district attorney had no objection to offer. Investigation established that the sentence of five years was unduly severe.

ROLLA ROBE, sentence commuted July 20, 1915, from life imprisonment to twenty-five years. Convicted in Los Angeles County of murder in the first degree and sentenced January 14, 1908. Recommended by State Senators Newton W. Thompson and Wm. E. Brown, by Warden Jas. A. Johnston, and by many residents of Los Angeles and Catalina. The defendant had no direct part in the crime and was under the dominance of a much older companion.

E. W. SCOTT, sentence commuted July 21, 1915, from fourteen to six years. Convicted in Sonoma County of rape and sentenced April 22, 1913. Recommended by Judge Emmet Seawell and by District Attorney Clarence F. Lea.

SYLVAN TAYLOR, sentence commuted July 31, 1915, from two and a half years to a term ending July 31, 1915. Convicted in Amador County, when eighteen years of age, of burglarly in the second degree, and sentenced to Folsom Prison, where he was received March 12, 1915. Recommended by Chief Justice F. M. Angellotti, Associate Justices Lucien Shaw, M. C. Sloss, and F. W. Henshaw, of the Supreme Court; by District Attorney Wm. H. Snyder, of Amador County; Superintendent C. A. Derrick of the Preston School of Industry and by Warden J. J. Smith.

MILTON SIMONS, sentence commuted August 19, 1915, from two years to term ending forthwith. Convicted in Mendocino County of grand larceny, and sentenced in November, 1914. Recommended by Judge J. Q. White, by former District Attorney Robert Duncan, and by Sheriff R. R. Byrnes.

CHARLES P. SCHMIDT, sentence commuted August 19, 1915, from life imprisonment to a term ending forthwith. Convicted in Los Angeles County of rape, and sentenced on April 5, 1913. Recommended by Judge Frank G. Finnegan, by District Attorney Thos. Lee Woolwine, and Malcolm McLaren. Affidavit was made by stepdaughter wherein she acquitted Schmidt of all blame and confessed that another was responsible for her downfall.

LEOPOLD MORENO, sentence commuted September 17, 1915, from one year to term ending September 20, 1915. Convicted in San Joaquin County of receiving stolen goods, and sentenced March 13, 1915. Recommended by Judge J. A. Plummer and by C. L. Neumiller, President of the State Board of Prison Directors.

CLIFFORD R. KENNARD, alias Bert Walters, sentence commuted September 22, 1915, from four years to term ending forthwith. Pleaded guilty in Kern County, when twenty-two years of age, to a charge of forgery, and sentenced August 3, 1914. Recommended by Judge Milton T. Farmer, by Judge Howard A. Pears, and by Warden J. J. Smith. District Attorney Barclay McCowan had no objection to offer.

KENNETH C. JOHNSON, sentence commuted November 16, 1915, from six years to a term ending forthwith. Convicted in Contra Costa County of rape, when he was eighteen years of age, and sentenced December 19, 1914. Circumstances subsequently came to light tending to mitigate the seriousness of the offense. Recommended by District Attorney T. D. Johnston and Deputies Wilbur S. Pierce and A. S. Ormsby; by E. D. Taylor, former Deputy District Attorney, who assisted in the prosecution; by the City Council of Richmond; by W. Lindsay, Police Magistrate; by J. F. Galvin; by Jas. P. Arnold, Chief of Police of Richmond, and Superior Judge A. B. McKenzie.

FRANK ROBERTS, sentence commuted November 19, 1915, from twenty-five to fifteen years. Convicted in Butte County of robbery and sentenced to Folsom, where he was received September 21, 1911. Recommended by Chief Justice F. M. Angellotti and Associate Justices Henry A. Melvin, Lucien Shaw, William P. Lawlor, and M. C. Sloss of the State Supreme Court.

FRANK J. TURNER, sentence commuted December 16, 1915, from six years to five years. Pleaded guilty in Los Angeles County to burglary in the second degree and sentenced October 23, 1913. Recommended by Judge Gavin W. Craig, the sentence being one year in excess of the minimum penalty.

JOSEPH SORISSI, sentence commuted February 4, 1916, from one year to term ending forthwith. Convicted in Santa Clara County of assault with intent to commit murder. Recommended by Judge W. A. Beasly, who stated that imprisonment for six months was adequate punishment, and by Warden Jas. A. Johnston.

JOHN SMITH, sentence commuted February 8, 1916, from twenty years to a term ending forthwith. Convicted in Sacramento County of robbery and sentenced July 18, 1911. Recommended by the State Advisory Board of Pardons; by Warden J. J. Smith; by Eugene S. Wachhorst, former District Attorney, and by C. T. Jones, Deputy District Attorney of Sacramento County.

F. H. FRANKLIN, sentence commuted March 31, 1916, from thirty years to twenty years. Convicted in Los Angeles County in 1909 of robbery. Recommended by Judge Frank R. Willis, and by Chief Justice F. M. Angellotti, and Associate Justices Lucien Shaw, M. C. Sloss, and William Lawlor, of the State Supreme Court.

JOE SIEGEL, sentence commuted April 8, 1916, from life imprisonment to fifteen years. Convicted in Los Angeles County of murder in the first degree, and sentenced August 11, 1911, when he was seventeen years of age. Recommended by State Advisory Board of Pardons, by Dr. Martin A. Meyer, Judge Frank R. Willis, and former Deputy District Attorney Shannon of Los Angeles County.

GEORGE P. FRIEDELL, sentence commuted April 20, 1916, from life imprisonment to a term ending forthwith. Convicted in Solano County of murder in the second degree, and sentenced on March 1, 1892. Recommended by Chief Justice F. M. Angellotti, Associate Justices Lucien Shaw, M. C. Sloss, F. W. Henshaw, and William P. Lawlor, of the State Supreme Court. Record showed that Friedell did not participate in the actual killing and that person directly responsible for the homicide received considerations of clemency several years ago.

CHARLIE DAVIS, sentence commuted May 8, 1916, from five years to term ending forthwith. Pleaded guilty in Fresno County to charge of manslaughter, and sentenced May 6, 1915. Recommended by the Chief Probation Officer of Fresno County, by Superior Judges H. Z. Austin and George E. Church; by Christopher Ruess, Probation Officer of Alameda County; by Chester H. Rowell, and by many citizens of Fresno County, including such well-known attorneys as M. B. Harris, W. A. Sutherland, Frank Kauke, James Gallagher, E. M. Harris, T. R. Thomson, L. L. Cory, James A. Burns, C. A. Bonestell, M. K. Harris, E. S. Van Meter, S. L. Strother; and by all the Justices of the Peace of the county.

THOS. W. DUNCAN, sentence commuted May 25, 1916, from life imprisonment to a term ending forthwith. Convicted in Trinity County of murder and sentenced April 13, 1912. Recommended by Warden J. A. Johnston and Dr. L. L. Stanley, Prison Physician, who certified that the prisoner was about to die.

CHRIS WRIGHT, sentence commuted July 15, 1916, from fifteen years to ten years. Convicted in Stanislaus County of murder in the second degree, and sentenced July 19, 1912. He was sixteen years of age at the time. Recommended by Superior Judge W. H. Langdon and State Senator L. J. Maddux.

JIM CIANO, sentence commuted July 31, 1916, from three years to term ending forthwith. Convicted in Fresno County of grand larceny, and sentenced December 15, 1915. Recommended by District Attorney M. F. McCormick and Superior Judge H. Z. Austin.

ADRIANO J. ROMERO, sentence commuted August 14, 1916, from ten years to a term ending forthwith. Convicted in Santa Barbara County of rape, and sentenced on November 18, 1913. Recommended by former Superior Judge Robert M. Clarke, now Deputy Attorney General; by H. Clifford More, of Gaviota; by Reginald Fernald and many other residents of Santa Barbara, and by Warden Jas. A. Johnston.

FRANK FORD CARLILE, sentence commuted August 21, 1916, from fourteen to ten years. Convicted in Sonoma County of assault with intent to commit murder, and sentenced February 3, 1913. Recommended by the State Advisory Board of Pardons; by Superior Judge Emmet Seawell and District Attorney Clarence F. Lea; by County Clerk W. W. Felts, Jr., and Sheriff J. K. Smith, of Sonoma County.

JOSEPH F. ROSSI, sentence commuted September 20, 1916, from twenty-five to fifteen years. Convicted in Sacramento County of burglary, and sentenced January 24, 1910. Recommended by the Supreme Court of the State and by the State Advisory Board of Pardons. Ten members of the jury joined in asking clemency.

GEORGE M. CAMPBELL, sentence commuted October 9, 1916, from ten to eight years. Convicted in Los Angeles County of statutory rape, and sentenced March 2, 1914. Recommended by the State Advisory Board of Pardons, by Superior Judge Gavin W. Craig, and by Deputy District Attorney George Cryer.

GEORGE STERLING, sentence commuted December 20, 1916, from twenty-five years to a term ending forthwith. Convicted in San Francisco of robbery and sentenced April 9, 1914. Recommended by the State Advisory Board of Pardons, Superior Judge F. H. Dunne, former District Attorney Randolph V. Whiting, and Chas. F. Reindollar, of San Francisco.

ADYSON BLAIR, sentence commuted December 20, 1916, from twenty years to a term ending forthwith. Convicted in San Francisco of murder in the second degree, and sentenced July 16, 1907. Recommended by the State Advisory Board of Pardons; by Franklin Swart, District Attorney of San Mateo County, and by Wm. Hoff Cook, former District Attorney of San Francisco, who conducted the prosecution.

JOHN EPPERSON, sentence commuted December 20, 1916, from thirty to eighteen years. Convicted in Plumas County of rape, and sentenced July 13, 1905. Recommended by the Advisory Board of Pardons; by Superior Judge J. O. Moncur, District Attorney M. C. Kerr, former District Attorney L. N. Peter, and Sheriff Braden, all of Plumas County, and by seven members of the jury.

WILLIAM B. STONE, sentence commuted December 20, 1916, from six years to a term ending December 21, 1916, on condition that Stone should immediately leave the State and not return. Convicted in Alameda County of forgery and sentenced November 30, 1915. Recommended by Chief Justice F. M. Angellotti, Associate Justices M. C. Sloss, Henry A. Melvin and William Lawlor.

CLAUD CAMP, sentence commuted December 21, 1916, from life imprisonment to twenty years. Convicted in Solano County of murder in the first degree, and sentenced October 4, 1909. Recommended by the late A. J. Buckles, Superior Judge, Jos. M. Raines, who, as District Attorney, conducted the prosecution; by H. J. Widenmann, former member of the Assembly, Arthur Lindauer, present District Attorney, and J. J. McDonald, Sheriff, of Solano County, by Frank R. Devlin, former District Attorney and Superior Judge, and at present a member of the State Railroad Commission, and by the State Advisory Board of Pardons.

OTHO HOGE, sentence commuted December 21, 1916, from ten years to a term ending forthwith. Convicted in Los Angeles County of robbery and sentenced February 13, 1914. Recommended by Superior Judge Wm. D. Doby, former Chief of Police C. E. Snively, of Los Angeles; Warden J. J. Smith, and by the State Advisory Board of Pardons.

REPRIEVES.

FERANDO MAMMILATO, reprieved January 6, 1915, from January 8, 1915, to February 19, 1915, in order that further investigation might be made. Reprieved February 4, 1915, from February 19, 1915, to May 21, 1915. Reprieved May 10, 1915, from May 21, 1915, to July 23, 1915. Reprieved July 20, 1915, from July 23, 1915, to September 24, 1915. Reprieved September 16, 1915, from September 24, 1915, to October 29, 1915. Reprieved October 25, 1915, from October 29, 1915, to December 10, 1915. Reprieved November 23, 1915, from December 10, 1915, to January 28, 1916. Sentence of death commuted on January 26, 1916, to life imprisonment. Recommended by Judge Wm. S. Wells, who presided at the trial; by Chief Justice F. M. Angellotti, and by the State Advisory Board of Pardons.

LOUIS BUNDY, reprieved April 8, 1915, from April 23, 1915, to June 18, 1915, in order that further investigation might be made. Reprieved June 2, 1915, from June 18, 1915, to August 13, 1915. Reprieved August 10, 1915, from August 13, 1915, to October 15, 1915. Reprieved October 9, 1915, from October 15, 1915, to November 5, 1915.

BURR HARRIS, reprieved April 16, 1915, from April 23, 1915, to June 11, 1915. Reprieved June 2, 1915, from June 11, 1915, to August 6, 1915. Reprieved August 3, 1915, from August 6, 1915, to October 8, 1915.

NAT WESTON, reprieved June 2, 1915, from June 18, 1915, to August 20, 1915. Reprieved August 16, 1915, from August 20, 1915, to October 22, 1915. Reprieved October 18, 1915, from October 22, 1915, to December 3, 1915. Sentence of death commuted on November 23, 1915, to life imprisonment. Recommended by the State Advisory Board of Pardons, by former Judge B. V. Sargent, by Assistant District Attorney James A. Koford, by Sheriff Barnet, and by eleven members of the jury.

EARL LOOMIS, reprieved August 30, 1915, from September 3, 1915, to November 5, 1915.

GLENN WITT, reprieved September 16, 1915, from September 24, 1915, to November 19, 1915. Reprieved November 15, 1915, from November 19, 1915, to January 21, 1916. Reprieved January 17, 1916, from January 21, 1916, to March 3, 1916.

CHARLES E. T. OXNAM, reprieved September 16, 1915, from September 24, 1915, to November 19, 1915. Reprieved November 15, 1915, from November 19, 1915, to January 21, 1916. Reprieved January 17, 1916, from January 21, 1916, to March 3, 1916.

SAM ROBERSON, reprieved November 11, 1915, from November 12, 1915, to December 17, 1915, upon representations and request of Warden Jas. A. Johnston, in order that an examination might be made of the sanity of the condemned man.

UNG SING, reprieved January 18, 1916, from January 21, 1916, to January 28, 1916. Reprieved January 26, 1916, from January 28, 1916, to February 18, 1916.

MESSAGE FROM THE ASSEMBLY.

The following message was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day perfected permanent organization and is ready to proceed with the business of the State, having elected the following statutory officers:

1. Speaker, C. C. Young.
2. Speaker pro tempore, James J. Ryan.
3. Chief Clerk, B. O. Boothby.
4. Assistant Chief Clerk, Moses Stern.
5. Minute Clerk, Charles J. McColgan.
6. Sergeant-at-Arms, W. J. Leflar.
7. Chaplain, Rev. W. S. Hoskinson.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

ADJOURNMENT.

At one o'clock and fifty minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until Tuesday, January 9, 1917, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, CAL., Tuesday January 9, 1917.

The Senate met at ten o'clock a.m.

Lieutenant Governor William D. Stephens, President of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—39.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, January 8, 1917, the further reading was dispensed with, on motion of Senator Rush.

APPOINTMENTS BY THE PRESIDENT.

January 9, 1917.

To the Senate of the State of California:

I beg leave to announce that I have this day appointed Erasmus Spurgeon and Mark Jones, as pages at two dollars and fifty cents ($2.50) per diem, and respectfully ask the consent of the Senate thereto.

WM. D. STEPHENS, President of the Senate.

Senator Breed moved that the Senate consent to the appointments by the President of the Senate.

The roll was called, and the consent of the Senate granted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—35.

NOES—None.

APPOINTMENTS BY THE SECRETARY.

The following communication was received and read:

MR. PRESIDENT: I beg leave to report that I have this day appointed J. A. Miller and W. B. Coombs Assistant Secretaries at seven dollars ($7) a day each, and respectfully request the consent of the Senate thereto.

CLIFTON E. BROOKS, Secretary of the Senate.

Senator Breed moved that the Senate consent to the appointments by the Secretary of the Senate.

The roll was called, and the consent of the Senate granted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—34.

NOES—None.

APPOINTMENT BY THE SERGEANT-AT-ARMS.

The following communication was received and read:

MR. PRESIDENT: I beg leave to report that I have this day appointed James B. Newsom, Bookkeeper to the Sergeant at Arms, and respectfully ask the consent of the Senate thereto.

THOS. A. BROWN, Sergeant at Arms.

Senator Breed moved that the Senate consent to the appointment by the Sergeant-at-Arms.

The roll was called, and the consent of the Senate granted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, McDonald, Maddux, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Thompson, and Tyrrell—32.

NOES—None.

RESOLUTION.

The following resolution was offered:

By Senator Flaherty:

Resolved, That a special committee of three be appointed on contingent expenses and mileage.

Resolution read and adopted.

APPOINTMENT OF SPECIAL COMMITTEE.

The President announced, in accordance with the above resolution, the appointment of Senators Flaherty, Thompson, and Evans.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That a special committee of three members be appointed by the President of the Senate to propose and present Standing Rules of the Senate for the forty-second session of the Legislature.

Resolution read and adopted.

APPOINTMENT OF SPECIAL COMMITTEE

The President announced, in accordance with the above resolution, the appointment of Senators Breed, Benson, and Slater.

RECESS

At ten o'clock and thirty minutes a.m., on motion of Senator Breed, the President declared the Senate at recess until eleven a.m.

RECONVENED

At eleven o'clock a.m. the Senate reconvened.

Lieutenant Governor William D. Stephens, President of the Senate, in the chair.

SECRETARY CLIFTON E. BROOKS AT THE DESK

ADDRESS TO SENATE.

The President introduced the Honorable R. F. del Valle of Los Angeles, former President of the Senate, who addressed the Senate.

RESOLUTION.

The following resolution was offered:

By Senator Luce:

Resolved, That the following named persons be and they are hereby appointed to the respective positions hereinafter set forth as provided by law with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants for the said respective amounts and the Treasurer is directed to pay the same:

John H. Martin, Assistant Minute Clerk	$7.00	per day
John McDonald, Journal Clerk	7.00	per day
Mrs. R. Robbins, Engrossing and Enrolling Clerk	7.00	per day
Mrs. Hattie M. Gibbs, Postmistress	4.00	per day
Mrs. Mary Finney, Assistant Postmistress	4.00	per day
William Vacher, Assistant Sergeant-at-Arms	5.00	per day
E. M. Gilleran, Assistant Sergeant-at-Arms	5.00	per day
Thomas F. Whalen, Assistant Sergeant-at-Arms	5.00	per day
E. Marion Plunkett, Assistant Sergeant-at-Arms	5.00	per day
Daisy Hanson, Stenographer	5.00	per day
M. M. Lyon, Stenographer	5.00	per day
F. W. Kant, Stenographer	5.00	per day
Grace Davis, Stenographer	5.00	per day
Miss F. B. Hatch, Stenographer	5.00	per day
Lillian Campbell, Stenographer	5.00	per day
Mrs. F. Hoxie, Stenographer	5.00	per day
Josephine McCann, Stenographer	5.00	per day
Florence Phillis, Stenographer	5.00	per day
W. Wilson, Cloak Room Clerk	4.00	per day

Resolution read.

Senator Luce moved that the resolution be adopted.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Caneva, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kelley, King, Luce, Lyon, Mobley, Nealon, Rigdon, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—33.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following concurrent resolution was offered.

By Senator Benson: Senate Concurrent Resolution No. 1—Relative to the appointment of Committee on Joint Rules.

CONSIDERATION OF CONCURRENT RESOLUTION [OUT OF ORDER].

Senator Benson moved that Senate Concurrent Resolution No. 1 be taken up for consideration without reference to committee.

Motion carried.

SENATE CONCURRENT RESOLUTION NUMBER ONE.

Relative to the appointment of Committee on Joint Rules.

Resolved by the Senate, the Assembly concurring, That a committee of three members of the Senate, one of whom shall be the President pro tempore, be appointed to confer with a committee of four members of the Assembly, one of whom shall be the Speaker, said committees to be appointed by the President of Senate and Speaker of Assembly, respectively, to propose and present joint rules of the two houses for the forty second session of the Legislature.

Senate concurrent resolution No. 1 read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 1 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Cinquin, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Rigdon, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—33.

NOES—None.

Senate Concurrent Resolution No. 1 ordered transmitted to the Assembly.

APPOINTMENT OF SPECIAL COMMITTEE.

The President announced, in accordance with the above resolution, the appointment of Senators Breed, Chandler, and Stuckenbruck.

RESOLUTION.

The following resolution was offered:

By Senator Luce:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate for the sum of one hundred dollars for rubber stamps, expressage, and postage, the same to be payable out of the contingent fund of the Senate, and the Treasurer is hereby directed to pay the same.

Resolution read, and referred to Committee on Contingent Expenses.

RESOLUTION.

The following resolution was offered:

By Senator Luce:

Resolved, That the following named persons be and they are hereby appointed to the respective positions hereinafter set forth as provided by law with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants for the said respective amounts and the Treasurer is directed to pay the same:

Mrs. Stella V. Scofield, Secretary to President ..... $5.00 per day
Mrs. Virginia R. Albright, Stenographer to President ..... 5.00 per day

Resolution read.

Senator Breed moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, F. M., Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Rigdon, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

RECESS.

At eleven o'clock and forty minutes a.m., on motion of Senator Breed, the President declared the Senate at recess until eleven o'clock and fifty minutes a.m.

RECONVENED.

At eleven o'clock and fifty minutes a.m. the Senate reconvened.

Lieutenant Governor William D. Stephens, President of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

REPORT OF COMMITTEE ON CONTINGENT EXPENSES.

SENATE CHAMBER, SACRAMENTO, JANUARY 9, 1917.

MR. PRESIDENT: Your Committee on Contingent Expenses, to which was referred the following resolution

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate for the sum of one hundred dollars ($100) for rubber stamps, expressage, and postage, the same to be payable out of the contingent fund of the Senate, and the Treasurer is hereby directed to pay the same—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

FLAHERTY, Chairman.
THOMPSON.
EVANS.

Senator Breed moved that the report and resolution be adopted.

The roll was called and the report and resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Haus, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Newlon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—35.

NOES—None.

MESSAGE FROM THE ASSEMBLY—OUT OF ORDER.

On motion of Senator Breed, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 9, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 1—Relative to appointment of a Committee on Joint Rules.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Concurrent Resolution No. 1 ordered to enrollment.

ADJOURNMENT.

At eleven o'clock and fifty-five minutes a.m., on motion of Senator Breed, the President declared the Senate adjourned until Wednesday, January 10, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Wednesday, January 10, 1917.

The Senate met at eleven o'clock a.m.

Lieutenant Governor William D. Stephens, President of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hess, Ingram, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nesson, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Thompson, and Tyrrell—36.

Quorum present.

PRAYER

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL

During the reading of the Journal of Tuesday, January 9, 1917, the further reading was dispensed with, on motion of Senator Flaherty.

LEAVES OF ABSENCE

Senator Stuckenbruck was, on motion of Senator Shearer, granted leave of absence for this day.

Senator Irwin was, on motion of Senator Ballard, granted leave of absence for this day.

MESSAGE FROM THE ASSEMBLY

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 9, 1917.

MR. PRESIDENT: I am directed to inform your Honorable Body that the Assembly on this day adopted Assembly Concurrent Resolution No. 1, relative to business of both Houses.

R. O. BOOTHBY, Chief Clerk of Assembly,
By M. STERN, Assistant Clerk.

SUSPENSION OF RULES

Senator Breed moved that the rules be suspended, and Assembly Concurrent Resolution No. 1 be taken up for consideration without reference to Committee.

Motion carried.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION—OUT OF ORDER

ASSEMBLY CONCURRENT RESOLUTION NUMBER ONE.

Resolved, That a special committee of three members of the Assembly, including the Speaker, be appointed by the Speaker of the Assembly, and that the Senate is invited to appoint a like committee, including the President pro tempore of the Senate, to confer with the Assembly Committee, to be appointed in the joint interests of the Legislature measures in the interest of expediting the business of this session.

Assembly Concurrent Resolution No. 1 read.

The question being on the adoption of the resolution,

The roll was called, and Assembly Concurrent Resolution No. 1 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hess, Ingram, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nesson, Purkitt, Rigdon, Rominger, Rush, Sharkey, Shearer, Slater, Thompson, and Tyrrell—34.

NOES—None.

APPOINTMENT OF SPECIAL COMMITTEE.

The President announced, in accordance with the above resolution, the appointment of Senators Breed, Maddux, and Kehoe.

RESOLUTIONS.

The following resolutions were introduced:

By Committee on Contingent Expenses and Mileage:

Resolved, That the State Controller be and he is hereby directed and ordered to draw his warrant upon the proper fund in favor of the following named Senators and officers of the Senate for the amount set opposite each of their names, and the State Treasurer is hereby directed and ordered to pay the same, being the mileage due them by law:

Name	County	Mileage	Total
Ballard, John W.	Los Angeles	894	$89 40
Benson, Frank H.	Santa Clara	246	24 60
Breed, A. H.	Alameda	168	16 80
Brown, William E.	Los Angeles	894	89 40
Burnett, Lester G.	San Francisco	180	18 00
Canepa, Victor J.	San Francisco	180	18 00
Carr, Frank M.	Alameda	168	16 80
Carr, Wm. J.	Los Angeles	894	89 40
Chamberlin, Harry A.	Los Angeles	894	89 40
Chandler, W. F.	Fresno	238	23 80
Crowley, J. J.	San Francisco	180	18 00
Duncan, W. E., Jr.	Butte	172	17 20
Evans, S. C.	Riverside	1,024	102 40
Flaherty, Lawrence J.	San Francisco	180	18 00
Gates, Egbert J.	Los Angeles	894	89 40
Hans, Geo. J.	Alameda	168	16 80
Ingram, Thos.	Nevada	154	15 40
Inman, J. M.	Sacramento	2	20
Irwin, J. L. C.	Kings	428	42 80
Johnson, M. B.	San Mateo	238	23 80
Jones, Herbert C.	Santa Clara	256	25 60
Kehoe, William	Humboldt	624	62 40
King, Lyman M.	San Bernardino	1,016	101 60
Luce, Edgar A.	San Diego	1,146	114 60
Lyon, Henry H.	Los Angeles	894	89 40
McDonald, Walter A.	San Francisco	180	18 00
Maddux, L. J.	Stanislaus	154	15 40
Nealon, James C.	San Francisco	180	18 00
Purkitt, Claude F.	Glenn	176	17 60
Rigdon, E. S.	San Luis Obispo	758	75 80
Rominger, Jos. A.	Los Angeles	894	89 40
Rush, Benj. F.	Solano	80	8 00
Scott, Wm. S.	San Francisco	180	18 00
Sharkey, Will R.	Contra Costa	124	12 40
Shearer, Wm. B.	Siskiyou	590	59 00
Slater, Herbert W.	Sonoma	180	18 00
Stuckenbruck, J. A.	San Joaquin	96	9 60
Thompson, J. R.	Santa Barbara	920	92 00
Tyrrell, Edward J.	Alameda	168	16 80
OFFICERS.			
Stephens, Wm. D., President	Los Angeles	894	89 40
Clifton E. Brooks, Minute Clerk	Oakland	168	16 80
Thos. A. Brown, Sergeant at Arms	San Francisco	180	18 00

FLAHERTY, Chairman.
EVANS.
THOMPSON.

Resolution read.

Senator Flaherty moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hess, Ingram, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddox, Norton, Parkitt, Rigden, Rominger, Sharkey, Shearer, Slater, Thompson, and Tyrrell—33.
NOES—None.

Also:

Resolved, That the persons herein named be allowed the several sums set opposite their respective names for services as stated rendered to the Senate preliminary to the organization of the forty-second session, payable out of the contingent fund of the Senate, and the Controller be and he is hereby directed to draw his warrant on the contingent fund in favor of the several persons hereinafter named for the sums set opposite their respective names, and the Treasurer is directed to pay the same:

Thomas A. Brown, Sergeant-at-Arms	3 days at	$8.00	$24.00
Jas. B. Newsom, Assistant Sergeant-at-Arms	3 days at	5.00	15.00
Edward M. Gilleran, Assistant Sergeant-at-Arms	2 days at	5.00	10.00
Wm. Vacher, Assistant Sergeant-at-Arms	1 day at	5.00	5.00
A. Zimmerman, Assistant Sergeant-at-Arms	1 day at	5.00	5.00
James Miller, Assistant Clerk	1 day at	7.00	7.00
Mrs. H. M. Gibbs, Postmistress	2 days at	4.00	8.00
Mrs. M. Lyon, Stenographer	1 day at	5.00	5.00
Miss F. Hatch, Stenographer	1 day at	5.00	5.00
John Young, Assistant Sergeant-at-Arms	1 day at	5.00	5.00
John McDonald, Assistant Sergeant-at-Arms	1 day at	5.00	5.00

FLAHERTY, Chairman.
THOMPSON
EVANS

Resolution read.

Senator Flaherty moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hess, Ingram, Johnson, Kehoe, King, Luce, Lyon, McDonald, Maddox, Norton, Parkitt, Rigden, Rominger, Rush, Scott, Shearer, Thompson, and Tyrrell—31.
NOES—None.

Also:

Resolved, That the Lieutenant Governor and each member of the Senate be and he is hereby allowed twenty-five dollars ($25.00) for contingent expenses as provided by the Constitution, payable out of the appropriation for the contingent expenses of the Senate.

FLAHERTY, Chairman.
EVANS
THOMPSON

Resolution read.

Senator Flaherty moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carson, Carr, F. M., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hess, Ingram, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddox, Norton, Rigden, Rominger, Rush, Scott, Shearer, Slater, Thompson, and Tyrrell—32.
NOES—None.

RESOLUTIONS.

The following resolutions were offered:

By Senator Luce:

Resolved, That the following named persons be and they are hereby appointed to the respective positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed

to draw his warrants for the said respective amounts and the Treasurer is directed to pay the same:

W. E. Wright, Assistant Minute Clerk	$7.00 per diem
Mrs. Lois J. Healey, Assistant Journal Clerk	5.00 per diem
Mrs. Zoe Dobson, Assistant Engrossing and Enrolling Clerk	5.00 per diem
Mrs. M. L. Wiesenhofer, Stenographer	5.00 per diem
J. Diamond, Assistant Sergeant-at-Arms	5.00 per diem
Joseph Figone, Jr., Assistant Sergeant-at-Arms	5.00 per diem
V. N. Thompson, Stenographer	5.00 per diem
Miss Mae Mudd, Stenographer	5.00 per diem
Theo. Lafayette, Assistant Sergeant-at-Arms	5.00 per diem
Wellington Bowser, Assistant Journal Clerk	5.00 per diem
Anna Abrams, Stenographer	5.00 per diem
Mrs. Rose A. Cromer, Stenographer	5.00 per diem
J. Bagley, Assistant Sergeant-at-Arms	5.00 per diem
Philip F. Dugan, Assistant Sergeant-at-Arms	5.00 per diem
John T. Young, Assistant Sergeant-at-Arms	5.00 per diem
C. Olivier, Cloakroom Clerk	4.00 per diem
Everett Dearwater, Mail Carrier	3.00 per diem
Mrs. Berta Benjamin, Stenographer	5.00 per diem
Miss Dorothy Kyes, Stenographer	5.00 per diem
Miss Gladys Pomeroy, Stenographer	5.00 per diem
Marion Burnett, Assistant Sergeant-at-Arms	5.00 per diem

Resolution read.

Senator Luce moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Shearer, Slater, Thompson, and Tyrrell—34.

NOES—None.

Also:

Resolved, That the name of the following person be and it is hereby stricken from the pay roll of the Senate:

Mrs. Mary Finney, Asst. Postmistress, $4.00 per diem.

Resolution read.

Senator Luce moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Duncan, Flaherty, Gates, Hans, Ingram, Johnson, Jones, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Shearer, Slater, Thompson and Tyrrell—31.

NOES—None.

APPOINTMENT BY THE PRESIDENT.

The following communication was received and read:

January 10, 1917.

To the Senate of the State of California:

I beg leave to announce that I have this day appointed Albert Coyle as page at $2.50 per diem, and respectfully ask the consent of the Senate thereto.

WM. D. STEPHENS, President of the Senate.

Senator Benson moved that the Senate consent to the appointment by the President of the Senate.

The roll was called, and the consent of the Senate granted by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Shearer, Slater, Thompson and Tyrrell—32.

NOES—None.

RESOLUTIONS.

The following resolutions were offered:

By Senator Hans:

Resolved, That the Secretary of the Senate be and he is hereby directed to procure for the use of the members of the Senate and Senate committees the necessary index letter files, and the Controller of the State is authorized to draw his warrant for the payment of the same, and the Treasurer is hereby directed to pay the same.

Resolution referred to Committee on Contingent Expenses and Mileage.

Also:

By Senator Lyons:

Resolved, That the Secretary of the Senate be and he is hereby directed to procure for the use of the Senators forty (40) tin office boxes for use of private papers.

Resolution referred to Committee on Contingent Expenses and Mileage.

Also:

By Senator Ingram:

Resolved, That the Sergeant at Arms of the Senate or the Bookkeeper of the Sergeant-at-Arms of the Senate be and he is hereby authorized and empowered to receipt to the Controller for all warrants for payments to members, officers, and attaches of the Senate.

Resolution read and on motion of Senator Ingram adopted.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following concurrent resolution was introduced:

By Senators Benson and Johnson: Senate Concurrent Resolution No. 2—Relative to the adjournment out of respect to the memory of John Morton Eshleman, late Lieutenant Governor of the State of California.

CONSIDERATION OF CONCURRENT RESOLUTION—(OUT OF ORDER).

Senator Benson moved that Senate Concurrent Resolution No. 2 be taken up for consideration without reference to committee.

Motion carried.

SENATE CONCURRENT RESOLUTION NUMBER TWO.

Relative to adjournment in respect to the memory of John Morton Eshleman.

WHEREAS, Those of us who came into intimate association with John Morton Eshleman, late Lieutenant Governor of our State, cherish the sentiments of affection and regard which his fine, wholesome personality engendered; and

WHEREAS, All of us cherish his memory because of his great works and the inspiring object lesson he gave of devoted service to the public good; and

WHEREAS, He will be accounted in history as a foremost leader in his time in the advancement and progress of our State, and as one of California's most illustrious men; now therefore be it

Resolved, by the Senate, the Assembly concurring, That when the respective houses of the Legislature of the State of California shall this day adjourn, they shall do so in respect to the memory of John Morton Eshleman, late Lieutenant Governor of our State; and be it further

Resolved, That the Secretary of the Senate and the Chief Clerk of the Assembly are hereby directed to convey to the family this expression of tribute from the Senate and Assembly of California.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 2 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Thompson and Tyrrell—31.

NOES—None.

Senate Concurrent Resolution No. 2 ordered engrossed and transmitted to the Assembly.

ADDRESS BY PRESIDENT OF THE SENATE.

In declaring the concurrent resolution adopted, the President of the Senate stated that he had been intimately acquainted with the late Lieutenant Governor, John Morton Eshleman, and in addition to the formal expression of the Senate in the resolution, desired to add a personal tribute to his memory as a friend and his eminent worth as a man and an officer of the State.

Senate Concurrent Resolution No. 2 ordered engrossed and transmitted to the Assembly.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(RESUMED).

By Senator Benson: Senate Bill No. 1—An act making an appropriation to pay the expenses of electors of President and Vice President of the United States of America.

Senator Benson moved that Senate Bill No. 1 be ordered to print without reference to Committee.

Motion carried.

ADJOURNMENT.

At eleven o'clock and thirty-five minutes a.m., on motion of Senator Breed, the President declared the Senate adjourned until Thursday, January 11, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Thursday, January 11, 1917.

The Senate met at eleven o'clock a.m.

Lieutenant Governor William D. Stephens, President of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—38.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, January 10, 1917, the further reading was dispensed with, on motion of Senator Slater.

PROPOSED STANDING RULES OF THE SENATE.

Senator Breed, chairman of the Special Committee on Rules, proposed the following as the standing rules of the Senate, and moved that they be printed in the Journal.

Motion carried.

PROPOSED STANDING RULES OF THE SENATE.

Convening of the Senate.

Rule 1. The sessions of the Senate shall be daily (Sundays excepted) beginning at ten o'clock a.m. Commencing on the second day after the constitutional recess a recess shall be taken daily at the hour of twelve o'clock and thirty minutes p.m. until the hour of two o'clock p.m. unless otherwise ordered by a vote of the Senate. (Senate Rule 1.)

2. The President, President pro tempore, or senior member present shall call the Senate to order at the hour stated, and if a quorum be present proceed with the order of business. (Senate Rule 2.)

Introduction of Bills.

3. When a bill amending a code section is introduced the author of the bill shall cause the new matter, if any, to be underscored and the place in the text where portions of the law are proposed to be omitted, if any, to be indicated by closed brackets, provided, however, that where the subject consists of an entirely new section the words thereof need not be underscored, and when any all introduced repeals an existing law in whole, the matter repealed need not be indicated. (Senate Rule 28, sub. 3, par. 1.)

4. Any Senator desiring to introduce a bill shall rise in his seat and address the President, and upon being recognized shall present the same. The title shall be announced by the Secretary, the bill shall be read the first time and thereupon referred by the President to a standing committee. (Rule 28, sub. 1, sents. 1–2.)

5. *Any committee may introduce a bill pertinent to any subject within the proper consideration of such committee. Whereupon the bill shall immediately be read the first time, ordered to print* and placed upon the second reading file. (Assembly Rule 8.)

6. The Committee on Rules shall constitute a standing committee on introduction of bills to serve after the constitutional recess. *All motions to have to introduce bills after the constitutional recess shall be sent to the desk or written under the* ***order of "Introduction of Bills" and at no other time. The motion shall give the title of the bill and shall be accompanied by the bill. The bill shall thereupon be referred to the Committee on Introduction of Bills.***

Joint and concurrent resolutions and constitutional amendments shall not be referred to the Committee on Introduction of Bills, and shall not require a rule to authorize their introduction.

The committee shall examine bills referred to it with particular reference to ***the question as to whether there is already any bill in either house of the same character which might be amended to effect the result sought, and generally as to the advisability of introducing the measure.*** (Assembly Rule 75.)

No bill shall be introduced without the consent of three-fourths of the members *after report thereupon by the Committee on Introduction of Bills*, nor shall more than two bills be introduced by any one member after the constitutional recess. (Senate Rule 28, sub. 1, sent. 3.)

7. Joint and concurrent resolutions and constitutional amendments shall be treated the same as bills; provided, that they shall have but one reading, which reading shall occur after they have been reported by committee. (Senate Rule 28, sub. 1, sent. 6.)

8. The following standing committees shall be appointed by the President of the Senate:

1. Agriculture, nine members.
2. Banking, eleven members.
3. Civil Service, five members.
4. Commerce and Navigation, nine members.
5. Contingent Expenses, three members.
6. Corporations, eleven members.
7. County Government, eleven members.
8. Drainage, Swamp and Overflowed Lands, seven members.
9. Education, fifteen members.
10. Elections, eleven members.
11. Engrossment and Enrollment, three members.
12. Federal Relations, five members.
13. Finance, seventeen members.
14. Fish and Game, seventeen members.
15. Hospitals and Asylums, eleven members.
16. Insurance, eleven members.
17. Irrigation, five members.
18. Judiciary, nineteen members.
19. Labor and Capital, eleven members.
20. Military Affairs, five members.
21. Mines and Mining, five members.
22. Municipal Corporations, nine members.
23. Oil Industries, nine members.
24. Prisons and Reformatories, thirteen members.
25. Public Health and Quarantine, eleven members.
26. Public Morals, seven members.
27. Public Utilities, nine members.
28. Revenue and Taxation, fifteen members.
29. Revision and Printing, five members.
30. Roads and Highways, fifteen members.
31. Rules, five members.
32. Constitutional Amendments, nine members.
33. Universities, nine members. (Senate Rule 8.)

Reference of Bills to Committees.

9. ***At the time of introduction the President shall first indicate to what committee a bill or resolution ought to be referred, and it shall be so referred, unless upon a motion, without debate, the Senate by a majority vote refer it to some other committee. No debate shall be allowed on any motion to refer a bill or resolution to a committee.*** (Assembly Rule 12.)

10. When a resolution shall be offered, or a motion made to refer any subject and a different committee shall be proposed, the question shall be taken in the following order:

1. The Committee of the Whole Senate.
2. A Standing Committee. (Senate Rule 42.)
3. A Select Committee. (Senate Rule 42.)

11. All bills appropriating money from any fund shall be referred to the Committee on Finance before being read the second time. (Senate Rule 32.) *Concurrent resolutions for adjournment sine die shall in all cases whether originating in the Senate or coming from the Assembly be referred to the Committee on Finance.* (Assembly Rule 43.)

12. No claim shall be paid out of the contingent fund of the Senate unless the same shall have been referred to and reported on by the Committee on Contingent Expenses. (Rule 37.)

13. When executive communications or nominations shall be sent by the Governor to the Senate for their confirmation, the same shall be referred to the Committee on Rules, unless otherwise ordered by the Senate, which motion shall be determined without debate. (38.)

The Committee of the Whole.

14. ***The rules of the Senate shall be observed in the Committee of the Whole so far as they may be applicable, except as to the matter of limiting the number of times a Senator may speak, and except that the ayes and noes need not be taken. (39.) A motion that the committee rise shall always be in order, and shall be decided without debate.*** (Assembly Rule 35.)

General Provisions Governing Committees.

15. Each standing committee shall determine its own quorum; provided, that not less than one-third of the number of members constituting such committee shall in any case constitute such quorum. (35.)

16. All committees shall act upon bills referred to them as soon as practicable, and when acted upon each bill shall be reported back to the Senate forthwith, and

the chairman of each committee is charged with the observance of this rule; provided, that the Senate may at any time, by a majority vote, recall a bill from any committee. (134.)

17. When amendments to a bill are reported by a committee, the clerk of such committee shall prepare three copies of each amendment, one to go with the bill to the Superintendent of State Printing, one to the Minute Clerk and one to the Secretary of the Senate. (23.)

18. All bills amended or reprinted by committee shall have the new matter, if any, underscored, and the place of omission of parts of the original bill, if any indicated by brackets. (Rule 28, sub. 3.)

19. *The chairman or clerk of each committee of the Senate shall notify the author of any bill or resolution pending before such committee of the hour and place of hearing or acting upon such bill or proceeding.* (Assembly Rule 7.)

20. No leave of absence shall be granted any committee special or standing, to visit any public institution of the State or for any other purpose. Whenever any committee shall report to the Senate that it is desirable that such committee receive information concerning any public institution, the Senate may, by a two-thirds vote of all its members, grant a leave of absence to not more than three members of such committee, to be designated by the chairman thereof. Application for a leave of absence of such members of a committee shall be made to the Senate in writing by the chairman thereof, and such application shall give the name of the institution or institutions to be visited and briefly recite the reasons and necessity for visiting the same, together with the names of the committeemen designated for that purpose. Such application shall immediately and without passing the reference to the Committee on Rules, with instructions to report upon the same on the next legislative day. Said members shall be granted duty upon application, but no expenses or mileage of attaches shall be allowed. (Senate Rules 36 and 64.)

Engrossment and Enrollment.

21. All bills ordered engrossed shall be delivered by the Secretary of the Senate to the Committee on Engrossment and Enrollment, or to the clerk of said committee and a receipt in writing taken therefor, and all said bills shall be engrossed in the order of their receipt by that committee or its clerk. All Senate bills shall, after their final passage by, and receipt from the Assembly, be delivered by the Secretary of the Senate in the order of their receipt from the Assembly to the Committee on Engrossment and Enrollment or its clerk and a receipt in writing taken therefor; and said bills shall be enrolled in the order of their receipt from the Secretary of the Senate. (Senate Rule 29.)

22. All bills, amendments, and resolutions after being engrossed, in pursuance of the order of the Senate, shall be carefully examined with reports back to the Committee on Engrossment and Enrollment; the engrossed copy to be transmitted to the Assembly with proper endorsements and the original retained by the Senate. (Senate Rule 30.)

The General File.

23. Every bill shall be read on three several days (unless on its passage, unless in case of urgency, two thirds of the membership of the Senate in which it is being considered shall by vote of the ayes and noes dispense with this requirement) and the last reading shall be at length. The President shall give notice, at each of the second and third readings, which reading it is, and no bill shall be read at either reading until the Senate has so determined by a vote (should any Senator object to such reading). (Senate Rule 28, sub. 1, parts 4 and 5.)

24. *When bills are reported from committees they shall be placed upon the General File, to be kept by the Secretary as follows: All bills when reported to the Senate by the committees shall be placed at the foot of the second reading file, in the order in which the reports are made, and after the second reading they shall be placed at the foot of the third-reading file, in the order of reading, and precedence shall be given in the consideration of bills in the following order: Third-reading file and second-reading file, unless otherwise ordered by unanimous consent or by a two-thirds vote of the Senate. The bills upon third reading shall be considered in the order in which they appear upon the file, unless otherwise ordered by unanimous consent or by vote of majority of the members present; such vote to be taken by roll call; provided, that if a bill is passed on file for any reason, other than absence of the author by leave of the Senate, note of the fact shall be made in the General File, and when passed on file a second time unless otherwise ordered by the Senate, the bill shall be ordered at the foot of the file, and notice of the fact of the bill having been passed on file prior to the order placing it at the foot of the file shall be omitted from the General File.* (Assembly Rule 14, Senate Rules 40 and 41.)

25. The General File shall be the special order for each day between such hours as the Senate may determine, unless sooner disposed of; but no bill shall lose its place upon the file by expiration of the time or by adjournment of the Senate while it is under consideration. (Senate Rule 39.)

26. Any subject may, by vote of a majority of those voting, be made a special order, and when the time fixed for its consideration arrives, the presiding officer shall lay it before the Senate. (Senate Rule 56.)

[illegible]

[illegible] Shall the bill be [illegible] (Senate Rule [illegible])

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] or while a member is addressing the Senate. (Senate Rule [illegible])

[illegible]

[illegible] Assembly bill has been received by the Senate, with a message [illegible] Assembly bill is received, the text of which is stated by a member to be [illegible] of a Senate bill, which has already been considered and reported [illegible] and Enrollment for comparison, which committee shall [illegible] assembly bill shall be substituted for the Senate bill, shall [illegible] the second-reading file and be considered as having received the [illegible] shall thereupon [illegible]

[illegible]

[illegible] or amendment must [illegible] bill requiring a vote of two-thirds of the [illegible] measure shall be laid on the table, it [illegible]

[illegible] strike out and insert shall not be divided. [illegible] insert one proposition shall not prevent [illegible] the rejection of a motion to strike out prevent [illegible]

[illegible] discussion at the third reading of any [illegible]

[illegible]

[illegible] that on which a final vote on any bill, concurrent or [illegible] in order on the day preceding [illegible]

[illegible] of the possession of the Senate and been communi- [illegible] Assembly, a motion to reconsider shall be preceded by a motion to [illegible]

42. If a Senator gives notice that he intends to move a reconsideration, the Secretary shall not transmit the bill, concurrent or joint resolution, or constitutional amendment to the Assembly till the reconsideration is disposed of, or the time for moving the same has expired, unless the bill or resolution has already been transmitted to the Assembly. (Senate Rule 52.)

43. A Senator, after a notice to reconsider is given as provided in Rule 41, may, at the reconsideration thereof, present the main question in his argument thereon, and the same may be debated by the Senate, provided that the subject matter is debatable. (Senate Rule 53.)

Debates.

44. 1. When a Senator desires to address the Senate he shall rise in his place, address the President, and when recognized he shall proceed to speak.

2. No Senator shall speak more than twice in any one debate at the same day, and at the same state of the bill, without leave; and Senators who have once spoken shall not again be entitled to the floor (except for explanation) so long as any Senator who has not spoken desires to speak.

3. No Senator shall be interrupted when speaking, and no question shall be asked him except those through the presiding officer.

4. The author of a bill, motion, or resolution shall have the privilege of closing the debate. (Senate Rule 17.)

45. When two or more Senators arise at the same time to address the Senate, the presiding officer shall designate the Senator who is entitled to the floor. (Senate Rule 18.)

46. When a Senator shall be called to order he shall sit down, until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any Senator.

If a Senator be called to order for words spoken, the objectionable language shall immediately be taken down in writing by the Secretary of the Senate. (Senate Rule 19.)

47. When a question is under debate, no motion shall be entertained but the following privileged questions, which shall have precedence in the following order:

1. To adjourn.
2. For a call of the Senate.
3. To lay on the table.
4. To postpone to a day certain.
5. To commit.
6. To amend.
7. To postpone indefinitely. (Senate Rule 43.)

Provided, however, that during a call of the Senate, if any [illegible] any matter of business, that the Senators then present shall [illegible] to consider, but no call of the Senate shall be had during a call of the Senate on any matter so taken up or considered while the Senate is under call.

48. No motion shall be debated until the same is seconded and distinctly announced by the President; and it shall be reduced to writing if desired by the President or any Senator, and read by the Secretary before the same shall be debated. (Senate Rule 44.)

49. When the reading of a paper (except a petition) is called for, and the same is objected to by any Senator, the question shall be determined by a vote of the Senate. (Senate Rule 45.)

50. The previous question shall be put in the following form: "Shall the question be now put?" It shall only be admitted when demanded by a majority of the Senators present upon division, and its effect shall be to cut an end to all debate except that the author of the bill or the amendments shall have the right to close, and the question under discussion shall thereupon be immediately put to a vote. On a motion for the previous question prior to a vote being taken by the Senate, a call of the Senate shall be in order. (Senate Rule 57.)

Voting.

51. When the ayes and noes shall be called for by three members present, every member within the bar of the Senate at the time the question was put shall declare openly, and without debate, assent or dissent to the question. In taking the ayes and noes, and upon the call of the Senate, the names of the Senators shall be taken alphabetically. When the ayes and noes shall be taken upon any question in pursuance of this rule, no Senator shall be permitted, under any circumstances whatever, to vote after the announcement of the vote by the presiding officer. (Senate Rule 58.)

52. When a Senator declines to vote on a call of his name he shall be required to assign his reasons therefor, and having assigned them the presiding officer shall submit the question to the Senate: "Shall the Senator, for the reasons assigned by him, be excused from voting?" which shall be decided without debate. And these proceedings shall be had after the roll call and before the result is announced, and any further proceedings in reference thereto shall be after such announcement. (Senate Rule 20.)

The Governor.

53. Messengers from the Governor may be introduced at any stage of business except while a question is being put, while the ayes and noes are being called, while ballots are being counted, or while a Senator is addressing the Senate. (Senate Rule 62.)

54. When executive communications shall be sent by the Governor to the Senate for their confirmation, the same shall be referred to the Committee on Rules, unless otherwise ordered by the Senate, which motion shall be determined without debate. (Senate Rule 38.)

The President and President pro tempore.

55. The President, President pro tempore, or senior member present, shall call the Senate to order at the hour stated, and if a quorum be present proceed with the order of business. (Senate Rule 2.)

56. The rooms, passages, and buildings set apart for the use of the Senate shall be under the control and direction of the President of the Senate, and he shall have the control and direction of the journals, papers, and bills of the Senate. He shall see that all officers of the Senate perform their respective duties, and may assign places to properly accredited newspaper representatives. (Senate Rule 4.)

57. In case of a disturbance or disorderly conduct in the lobbies, the President (or Chairman of the Committee of the Whole) shall have the power to order the same cleared. (Senate Rule 5.)

58. The President shall have the right to name any Senator to perform the duties of the chair, who shall be vested, during such time, with all the powers of the President; but such substitute shall not lose the right of voting on any question while so presiding. (Senate Rule 6.)

59. All standing committees of the Senate shall be named by the President of the Senate unless otherwise ordered, and the first named shall be the chairman thereof. All other committees shall be appointed in such manner as the Senate shall determine. (Senate Rule 7.)

60. The President pro tempore shall, in the absence of the President, take the chair and call the Senate to order at the hour of the meetings of the Senate, and have the same power as the President; but the President pro tempore shall vote only as any other member of the Senate. (Senate Rule 9.)

Secretary of the Senate.

61. 1. It shall be the duty of the Secretary of the Senate to attend every session, call the roll, read all bills, amendments, resolutions, and all papers ordered read by the Senate or the presiding officer.

2. To superintend all copying and work to be done for the Senate. To have supervision over all attaches and employees of the Senate. To assign, reassign or transfer all attaches or employees to their respective duties. To certify to and transmit to the Assembly all bills, joint and concurrent resolutions, constitutional amendments and papers requiring the concurrence of the Assembly, immediately after their passage or adoption by the Senate.

3. To keep a correct journal of the proceedings of the Senate.

4. To notify the Assembly of the action by the Senate on all matters originating in the Assembly, and requiring action on the part of the Senate.

5. To permit no papers or records belonging to the Senate to be taken out of its custody otherwise than in the regular course of business. (Senate Rule 10.)

62. The Secretary of the Senate shall not permit any records or papers to be taken from the desk, or out of his custody, by any person except a chairman of a committee; but he shall deliver any bill or paper to be printed to the Superintendent of State Printing, and all bills ordered engrossed or enrolled to the Committee on Engrossment and Enrollment, and take receipts therefor. (Senate Rule 11.)

Smoking.

63. No smoking shall be allowed within the Senate Chamber.

The Sergeant-at-Arms.

64. A Sergeant-at-Arms shall be elected, to hold his office during the pleasure of the Senate, whose duty it shall be to attend the Senate during all of its sittings, to execute the commands of the Senate from time to time, together with all such process issued by authority thereof, as shall be directed to him by the President. The Sergeant-at-Arms is authorized to arrest for contempt all persons outside the bar, or in the gallery, found in loud conversation, or otherwise making a noise to the disturbance of the Senate. The actual expenses of the Sergeant-at-Arms for every arrest, for each day's custody and releasement, and the traveling expenses for himself and special messenger going and returning shall be paid out of the contingent fund and no other fees shall be paid him beyond his per diem. It shall also be the duty of the Sergeant-at-Arms to keep the accounts for pay and mileage of Senators. (Senate Rule 12.)

65. The Sergeant-at-Arms shall place copies of all bills, joint and concurrent resolutions, constitutional amendments, and journals and histories when printed, on the desks of Senators at least one hour previous to the opening of session. (Senate Rule 13.)

66. It shall be the duty of the gatekeeper to prevent all persons, except Senators, ex-Senators, members of the Assembly, State officers, officers of the two houses, and such accredited newspaper representatives as have seats assigned to them by the President from coming within the bar of the Senate, unless upon written invitation of the President or a Senator; provided, that no visitor shall be allowed upon the floor while the Senate is in session. (Senate Rule 14.)

Printing.

67. Messages from the Governor (other than biennial messages and inaugural addresses), joint and concurrent resolutions and constitutional amendments when adopted, and the titles of all bills, joint and concurrent resolutions, and constitutional amendments, when acted upon by the Senate shall be printed in the Journal in full. (Senate Rule 24.)

68. Every vote and a brief statement of the contents of each petition, memorial or paper presented to the Senate shall be entered in the Journal. (Senate Rule 25.)

69. The titles of all bills, joint and concurrent resolutions, and constitutional amendments introduced shall be printed in the Journal. (Senate Rule 28, sub. 2.)

70. All bills amended, either in committee or on the floor of the House, shall be immediately reprinted, the new matter added by any amendments to be printed in italics, and any matter proposed to be omitted by such amendments to be included in brackets. (Assembly Rule 76, substituted for last sentence of Senate Rule 28.)

71. Fifteen hundred copies of all bills shall be printed; and the Sergeant-at-Arms shall be required to certify to the reception by the Senate of all printed matter, and the quantity. One copy of each bill or paper printed by order of the Senate shall be delivered to each Senator at his desk, and the balance shall be distributed according to law. (Senate Rule 21.)

72. Seven hundred and fifty copies shall be printed of each document or other matter ordered, unless the Senate especially directs a different number. (Senate Rule 22.)

73. The Superintendent of State Printing shall print one thousand copies of the Journal of each day's proceedings of the Senate, and one copy of the same shall be placed upon each Senator's desk, and a sufficient number sent to the Assembly to supply each Assemblyman with one copy; he shall also print a sufficient number of copies properly paged, to bind in book form as the Journal of the Senate, at the end of the session, as required by law. (Senate Rule 23.)

74. The proceedings of the Senate, when not acting as a Committee of the Whole, shall be entered in the Journal as concisely as possible, care being taken to record a true and accurate account of the proceedings. (Senate Rule 26.)

75. The Superintendent of State Printing shall not print for the use of the Senate any matter other than provided by law, unless upon a written order signed by the Secretary. The Secretary may, when necessary, require, in order from the State Printer such printing as he deems necessary to be printed in advance of the regular order of business under a specially prepared written order, to be known as a "Rush Order." (Senate Rule 27.)

Admission to Senate Chamber.

76. No person engaged in presenting to the Senate or any of its committees any business, claim, or legislation shall be permitted to engage in such business in the Senate Chamber or be permitted on the floor of the Senate at any time while the Senate is in session. Any person transgressing this rule shall be removed from the floor of the Senate and shall be debarred from the privilege of the floor during the remainder of the entire session. The President and President pro tempore are charged with the enforcement of this rule, and this rule can not be suspended except by a two-thirds vote of the entire Senate. (Senate Rule 15.)

77. When a motion is adopted to close the doors of the Senate, on the discussion of any business, which may, in the opinion of the Senate, require an executive session, the President shall require all persons, except the Senators, President of the Senate, Secretary, Minute Clerk, and Sergeant-at-Arms, to withdraw, and during the discussion of said business, the doors shall remain closed. Every Senator and officer present shall keep secret all matters and proceedings concerning which secrecy shall be enjoined by order of the Senate. (Senate Rule 61.)

Duties of Members.

78. No Senator shall absent himself from attendance upon the Senate without leave first obtained. A less number than a quorum of the Senate is hereby authorized to send the Sergeant-at-Arms, or any other person, for any and all absent Senators at the expense of such absent Senators, respectively, unless such excuse for nonattendance as shall be made to the Senate, when a quorum is convened, shall be judged sufficient, and in that case the expense shall be paid out of the Contingent Fund of the Senate; and this rule shall apply as well to the first convention of the Senate, at the legal time of meeting, as to each day of the session after the hour has arrived to which the Senate stood adjourned. The President or Acting President of the Senate, or less than a quorum present, shall have the power to issue process directed to the Sergeant-at-Arms, or to any other person, to compel the

[illegible] of Senators present without leave. Any Senator who shall refuse to obey such process [illegible] shall be deemed guilty of contempt of the Senate, and the Sergeant-at-Arms or any other person, to whom such process may be [illegible] shall have power to use such force as may be necessary to compel the attendance of such absent Senator, and for this purpose to may command the aid of the constabulary or any other county in the State. (Senate Rule 16.)

Suspension of Senate Rules.

7. No standing rules of order of the Senate shall be suspended or changed without a vote of two thirds of the entire Senate, and any Senator being absent on the morning, afternoon, [illegible] shall be considered voting [illegible] by a vote of two thirds of the members of the Senate present (but pursuant to Rule 21, [illegible] of the rules of [illegible]). All proposed resolutions to close rules shall, upon presentation, be referred to the Committee on Rules without debate. (Senate Rule 46.)

Order of Business.

Set Order of Business

1. Roll Call.
2. Prayer by the Chaplain.
3. Reading and Disposition of the Journal of the Preceding Day.
4. Presentation of Petitions.
5. Messages from the Assembly.
6. Messages from the Executive.
7. Reports of Standing Committees.
8. Reports of Select Committees.
9. Notices, Resolutions and Motions.
10. Introduction and First Reading of Bills.
11. Consideration of Bills on Third Reading.
12. Consideration of Bills on Second Reading.
13. Unfinished Business.
14. Special Orders of the Day.

Reports from the Committee on Engrossed and Enrolled Bills shall be in the order in which the messages from the Assembly which contain the bills to be reported and from the Assembly, and on motion of any Senator be considered at any time.

[illegible]

The following resolutions were adopted:

By Committee on Contingent Expenses and Mileage:

Resolved, That the persons whose names appear below be allowed the several sums set opposite their respective names for services as stated, rendered to the Senate subsequently to the organization of the Legislature, and that the Comptroller be and is hereby directed to pay the same out of the contingent fund in favor of the several persons hereinafter named for the sum set opposite their respective names, and the Treasurer is directed to pay the same.

[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]

[illegible]

Resolution read.

Senator Flaherty moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

[illegible]

Nays—None.

[illegible]

The following resolution was offered:

By Senator [illegible]:

Resolved, That the Legislature for the constitutional recess and for the reassembling of the Legislature after said recess, and fixing the date for said adjournment and reassembling.

REQUEST FOR UNANIMOUS CONSENT

Senator Benson asked the unanimous consent of the Senate to take up for consideration, Senate Concurrent Resolution No. 3 without reference to committee.

Objection was offered by Senator Stubblefield.

Senate Concurrent Resolution No. 3 ordered to print.

RESOLUTIONS

The following resolutions were offered:

By Senator Canepa:

WHEREAS, One of our beloved, honored and distinguished colleagues, Honorable Dominick Joseph Beban, has passed from our earthly ken into the Valley of Death; and

WHEREAS, In his demise the Senate has suffered the loss of one of its most energetic, efficient, public-spirited and useful members, and the State of California a highly honored, respected and esteemed citizen; and

WHEREAS, It is eminently fit and proper at this time that the members of the Senate should give a formal and public expression of their esteem for the departed and of their sense of profound loss in his death, and that they extend sympathy to his widow and relatives in their grievous sorrow for the deeper personal loss and bereavement which they suffer;

Honorable Dominick Joseph Beban was born in San Francisco on May [illegible], 1872. He received his education in the public schools of that city and graduated at an early age. By trade he was a plumber, [illegible] served as deputy sheriff of his native city. In November, [illegible] he was elected to the Assembly from the Forty-third District, the Republican and Union Labor parties honoring him with their respective nominations. Realizing and appreciating his faithful and efficient services in the Assembly, the constituency, [illegible] him on November 3, 1908, by a most lustrous majority, favoring him again with the Republican and Union Labor nominations. From 1910 to 1912 he again served as deputy sheriff of San Francisco. With the Republican nomination he was, on November 3, 1910, elected to the Senate from the Twenty-ninth Senatorial District, and on November 3, 1914, he was again elected to the Senate with the Progressive nomination—this time from the Eighteenth Senatorial District.

His three terms of faithful and efficient legislative service, his lofty and irreproachable character, coupled with a genial affinity that endeared him with Senator Beban a well spring of affectionate and generous [illegible] and all agree that the loss of his potent influence for right and justice, always was the outstanding characteristic of his legislative career.

Physically and mentally he was of straight courage. Disciplined, [illegible] brief life he knew but one fear, and that was the fear of doing an injustice to his fellowman. The legislative work he witnessed serving about, from his constituents, in its wisdom uninfluenced by thought of consequences personal and political, [illegible] to himself.

Senator Beban was a man who enjoyed to the utmost association with his friends. Possessed of a delightful sense of humor and of ability as a [illegible] he was a most lovable companion. His mind was richly stored with humorous and instructive anecdotes. He put honor before expediency. He loved his friends. He feared God, he was indifferent to [illegible], and he devoted his best efforts to the service of his constituents and to the people of the State at large.

His virtues as a man and citizen, his bearing as a legislator, his fidelity and signal ability in the discharge of the responsible trusts that were committed to his care, will ever be treasured in the memory of those who had the good fortune to know him; therefore be it

Resolved, That a copy of these resolutions be engrossed by the Secretary of the Senate, and that the same be conveyed to the widow of the late Honorable Dominick Joseph Beban; and be it further

Resolved, That when the Senate adjourns on this day, it does so out of respect to the memory of the late Honorable Dominick Joseph Beban.

Resolution read, and unanimously adopted by a rising vote of the Senate.

Also:

By Senator Luce:

Resolved, That the following named persons be and they are hereby appointed to the respective positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby

directed to draw his warrants for the said respective amounts and the Treasurer is directed to pay the same:

Mrs. J. Carter, Assistant Postmistress	$4 00 per diem
G. M. Seeley, Stenographer	5 00 per diem
Wm. Flowers, Assistant Sergeant-at-Arms	5 00 per diem
Joseph Moore, Assistant Sergeant-at-Arms	5 00 per diem
E. Herrmann, Clerk Mailing Department	4 00 per diem

Resolution read.

Senator Luce moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Hans, Inman, Irwin, Johnson, Jones, Kehoe, Luce, Lyon, McDonald, Maddux, Nealon, Rigdon, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

SUSPENSION OF RULES.

Senator Benson moved that the rules be suspended, for the purpose of considering Senate Bill No. 1 without reference to committee.

The question being on the motion to suspend the rules.

The roll was called, and the rules suspended by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Jones, Kehoe, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—34.

NOES—None.

CASE OF URGENCY.

The following resolution was offered:

By Senator Benson:

Resolved, That Senate Bill No. 1 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Senator Benson moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—35.

NOES—None.

Whereupon the President declared that section 15 of Article IV of the Constitution had been suspended for the purpose of considering Senate Bill No. 1.

Senate Bill No. 1—An act making an appropriation to pay the expenses of electors of President and Vice President of the United States of America.

Bill read first time previously.

Read second time and considered engrossed.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram,

Inman, Irwin, Johnson, Jones, Kehoe, King, Lane, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stockenbury, Thompson, and Tyrrell—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

At eleven o'clock and fifty minutes a.m., on motion of Senator Breed, the President declared the Senate at recess until eleven o'clock and fifty-five minutes a.m.

RECONVENED.

At eleven o'clock and fifty-five minutes a.m. the Senate reconvened. Lieutenant Governor William D. Stephens, President of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

MESSAGE FROM THE ASSEMBLY — OUT OF ORDER.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 2—Relative to Joint Rules of the Senate and Assembly.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senator Breed asked for and was granted unanimous consent to take up for consideration Assembly Concurrent Resolution No. 2 without reference to committee.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION.

ASSEMBLY CONCURRENT RESOLUTION NUMBER TWO.

Resolved, That the joint rules of the Senate and Assembly of the forty-first session of the Legislature as printed in the Journal of the Assembly of the forty-first session beginning page 369, be and the same are hereby adopted as the temporary joint rules of the forty-second session until otherwise ordered.

Assembly Concurrent Resolution No. 2 read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 2 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Cluness, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Lane, McDonald, Purkitt, Rigdon, Rominger, Scott, Sharkey, Slater, Stockenbury, Thompson, and Tyrrell—37.

NOES—None.

Assembly Concurrent Resolution No. 2 ordered transmitted to the Assembly.

TEMPORARY JOINT RULES OF SENATE AND ASSEMBLY.

JOINT ADDRESS TO GOVERNOR.

1. When the Senate and Assembly shall judge it proper to make a joint address to the Governor, it shall be presented to him in his audience chamber by the President of the Senate in the presence of the Speaker of the Assembly and a select committee of six members from each House appointed by the respective presiding officers.

STANDING COMMITTEES.

2. Subject to the right of either House to appoint additional committees, the following standing committees shall be appointed in the Senate and Assembly, the number of members and the manner of selection to be determined by the rules of each House:

(1) Agriculture.
(2) Banking.
(3) Commerce and Navigation.
(4) Corporations.
(5) County Government.
(6) Drainage, Swamp and Overflowed Lands.
(7) Education.
(8) Elections.
(9) Federal Relations.
(10) Finance in the Senate and Ways and Means in the Assembly.
(11) Fish and Game.
(12) Hospitals and Asylums.
(13) Insurance.
(14) Irrigation.
(15) Judiciary.
(16) Labor and Capital.
(17) Military Affairs.
(18) Mines and Mining.
(19) Municipal Corporations.
(20) Oil Industries.
(21) Prisons and Reformatories.
(22) Public Health and Quarantine.
(23) Public Morals.
(24) Public Utilities.
(25) Revenue and Taxation.
(26) Roads and Highways.
(27) Rules.

JOINT COMMITTEES.

3. Joint standing committees of Senate and Assembly shall be appointed as follows:

(1) Committee on Revision and Printing, to consist of three (3) members from the Senate and five (5) from the Assembly.

(2) Committee on Joint Rules to consist of the members of the Rules Committee of each House.

BILL OR RESOLUTION IN ONE HOUSE, REJECTED IN THE OTHER, REQUIRES NOTICE.

4. When a bill or resolution which shall have passed one House is rejected by the other, notice thereof shall be given immediately to the House in which the same shall have passed.

EACH HOUSE TO TRANSMIT PAPERS.

5. Each House shall transmit to the other papers on which any bill or resolution shall be founded.

JOINT AND CONCURRENT RESOLUTIONS.

6. Joint resolutions are those which relate to matters connected with the federal government. All other resolutions relating to matters to be treated by both Houses of the Legislature are concurrent resolutions.

JOINT RESOLUTIONS TREATED AS BILLS.

7. Joint resolutions shall be treated in all respects as bills; except that all joint resolutions shall be read but one time in each House. Joint and concurrent resolutions and constitutional amendments shall not be deemed bills within the meaning of section 2 of Article IV of the Constitution and shall not be referred to the Committee on Introduction of Bills, and shall not require a vote to authorize their introduction.

AMENDMENTS TO AMENDED BILLS MUST BE ATTACHED.

8. Whenever a bill or resolution which shall have been passed in one House shall be amended in the other it shall immediately be reprinted as amended by the House making such amendment or amendments. Such amendment or amendments shall be attached to the bill or resolution so amended, and indorsed "adopted," and such amendment or amendments, if concurred in by the House in which such bill or resolution originated, shall be indorsed "concurred in," and such indorsement shall be signed by the Secretary or Assistant Secretary of the Senate, or the Clerk or Assistant Clerk of the Assembly, as the case may be.

BILLS READ AND REFERRED TO COMMITTEE.

9. When a Senate bill has been received by the Assembly or an Assembly bill by the Senate, with a message announcing that the same has passed the Senate or Assembly, such bill shall be read the first time by the Secretary or Clerk and referred, to a standing committee, unless otherwise ordered by the House.

SPECIAL FILE.

10. On the second day after the close of the recess provided for in section 2, Article IV, of the Constitution, the Senate and Assembly shall each adopt and provide a special file upon which shall be placed, in the Senate only Assembly bills that have passed the Assembly, and in the Assembly only Senate bills that have passed the Senate. Such special file shall be taken up at two o'clock p.m. of each day, and be considered at least one hour and a half after being so taken up. This rule shall not be suspended in either House except by a three-fourths vote of each House.

AFTER A BILL HAS BEEN PASSED BY THE SENATE OR ASSEMBLY.

11. When a bill (if it be a Senate bill) has been received from the Senate by the Assembly, after its passage, or (if it be an Assembly bill) has been received from the Assembly by the Senate after its passage, it shall be taken up by the Senate or Assembly, as the case may be, under the regular order of business ("Senate messages" or "Assembly messages"), read the first time, unless otherwise ordered by the House, and shall then be assigned to the proper committee, unless otherwise ordered, who shall act upon the same as soon as practicable, and report the same back to the Senate or Assembly forthwith, and the chairman of each committee is charged with observance of this rule; provided, that the Senate or Assembly may, at any time, order such bill reported back from any committee by a majority vote.

PASSAGE OF BILLS BEFORE CONSTITUTIONAL RECESS.

12. Each House shall act in the usual course upon all bills that may be ready to take effect immediately, under the provisions of section 1, Article IV, of the Constitution.

TO CONCUR OR REFUSE TO CONCUR IN AMENDMENTS.

13. In case the Senate amend and pass an Assembly bill, or the Assembly amend and pass a Senate bill, the Senate (if it be a Senate bill) or the Assembly (if it be an Assembly bill) must either "concur" or "refuse to concur" in the amendments. If the Senate concur (if it be a Senate bill), or the Assembly concur (if it be an Assembly bill), the Secretary or Clerk shall notify the House making the amendments, and the bill shall be ordered to enrollment.

WHEN SENATE OR ASSEMBLY REFUSE TO CONCUR.

14. If the Senate refuse to concur (if it be a Senate bill) or the Assembly refuse to concur (if it be an Assembly bill), the Secretary or Clerk shall notify the House making the amendments of such refusal and ask that they recede from their amendments. If they refuse to recede, the presiding officer shall appoint a committee of three (3) on conference and the Secretary or Clerk shall immediately notify the other House of the action taken and request the appointment of a like committee. Two of the members comprising such committee from each House shall be selected from those voting with the majority on the point about which the difference has arisen, and the other member from each House of such committee shall be selected from the majority, in the event there is a minority vote. The first Senator named on the Conference Committee shall act as chairman of the committee from the Senate, and the first Assemblyman named on such committee shall act as chairman of the committee from the House, and the chairmen thus selected shall arrange the time and place of all meetings and prepare or direct the preparation of reports. The Committee on Conference shall report to both the Senate and Assembly.

COMMITTEE ON CONFERENCE.

15. In every case of an amendment of a bill agreed to in one House and dissented from in the other, if either House shall request a conference and appoint a committee to confer, the other House shall appoint a like committee; and such committee shall meet at a convenient hour, to be agreed upon by the respective chairmen of the committees.

COMMITTEE ON FREE CONFERENCE.

16. If the conference fail to agree or either House refuse to adopt the report of the committee, a Committee on Free Conference shall then be appointed which shall consist of three members from each House to be constituted and appointed in the same manner as a Committee on Conference. The Committee on Free Conference is hereby directed to include in its report any amendments which it may adopt as a committee, and such amendments shall be attached to the bill.

The report of the Committee on Free Conference shall not be subject to amendment, and if either House refuse to adopt such report the conferees may be discharged and other conferees appointed.

It shall require the affirmative vote of not less than four of the members constituting the committee to agree upon a report. No member who has served on a Committee on Conference shall be appointed a member of a Committee on Free Conference on the same bill.

WHEN CONFERENCE COMMITTEE REPORT IS IN ORDER.

17. The presentation of the report of a Committee on Conference or Free Conference shall always be in order, except when the Journal is being read or a question of order or a motion to adjourn is pending, or during roll call, and, when received, the question of proceeding to the consideration of the report, if raised, shall be immediately passed upon, and shall be determined without debate.

MESSAGES MUST BE ANNOUNCED BY THE SERGEANT-AT-ARMS.

18. When a message shall be sent from either House it shall be announced at the door by the Sergeant-at-Arms, and shall be respectfully communicated to the presiding officer by the person by whom it may be sent.

SECRETARY, CLERK, ETC., TO CARRY MESSAGES.

19. Messages shall be sent by the Secretary, Clerk, or by such person as a sense of propriety of each House may determine to be proper.

NOTICES TO BE IN WRITING UNDER PROPER SIGNATURES.

20. Notice of the action of either House to the other shall be in writing, and under the signature of the Secretary or Clerk of the House from which such notice is to be conveyed.

ENROLLED BILLS TO RECEIVE SIGNATURE OF PROPER OFFICERS.

21. After a bill shall have passed both Houses, it shall be duly enrolled and carefully compared by the Engrossing and Enrolling Clerk and Engrossing and Enrolling Committee of the Assembly, or of the Senate, as the bill may have originated, and shall first receive the signatures of the presiding officer and Clerk or Secretary of the House in which it emanated, before it shall be presented to the Governor of the State.

ENROLLING COMMITTEE TO COMPARE.

22. When the bills are enrolled they shall be reexamined by the Engrossing and Enrolling Committee of the House in which they originated, who shall compare the enrollment with the engrossed bill as passed in the two Houses, and correcting any errors that may be discovered in the enrolled bill, make their report forthwith to the House in which the bill originated, stating by whom such bill was examined.

PRESIDENT AND SPEAKER TO SIGN BILLS.

23. After the examination and report, each bill shall be signed in the respective Houses, first by the Speaker of the Assembly, then by the President of the Senate.

ENROLLING COMMITTEE TO PRESENT BILLS TO GOVERNOR.

24. After a bill shall have been thus signed in each House, it shall be presented by the Engrossing and Enrolling Committee of the House in which it originated to the Governor of the State for his approval (it being first endorsed on the back of the bill by the Secretary or Clerk, as the case may be, certifying in which House the bill originated). The said committee shall report the day of presentation to the Governor, which time shall be carefully entered on the Journal of the House in which the bill originated.

HISTORY OF BILLS, RESOLUTIONS AND CONSTITUTIONAL AMENDMENTS.

25. Each House shall cause to be printed on Monday of each week, during the session, a complete history of all bills, joint or concurrent resolutions and constitutional amendments originating in, or acted upon by the respective Houses.

Such history shall show the action taken upon each measure up to and including the legislative day preceding its issuance. For each legislative day intervening there shall be printed a supplementary history showing the action taken upon any measure since the issuance of the complete history. A regular form shall be prescribed and no other form shall be used.

Immediately following the adjournment for the constitutional recess the history shall be compiled and printed to date of recess.

SECRETARY AND CLERK TO KEEP REGISTER.

26. The Secretary of the Senate and Clerk of the Assembly shall keep a register, in which shall be recorded every action taken by the Senate and Assembly on every bill, concurrent or joint resolution, or constitutional amendment.

SECRETARY AND CLERK SHALL ENDORSE BILLS.

27. The Secretary of the Senate and Clerk of the Assembly shall endorse on every original bill a statement of any action taken by the Senate and Assembly.

URGENCY PROVISIONS IN BILLS.

28. Upon the third reading of an act which is an urgency measure within the meaning of section 1 of Article IV of the State Constitution, the presiding officer shall direct that the section of said act setting forth the facts constituting the necessity for such urgency (which shall be known as the urgency section) be then read and put to vote. The question shall be thus stated: "Shall the section setting forth the urgency features of this bill be passed?" If upon such final vote two-thirds of all the members elected to the House in which the vote is being taken shall vote in the affirmative, no further action shall be taken on the bill, but in case the identical bill without such an emergency clause be again introduced into such House, such bill shall be placed on file without reference to any committee.

ENDORSEMENT OF BILLS.

29. Bills introduced in either House shall be endorsed with the date of introduction.

COMMITTEE ON REVISION AND PRINTING.

30. Unless otherwise ordered by the House in which the bill was introduced, all bills before being printed shall be immediately sent to the Committee on Revision and Printing. The committee, by and with the written assent of the author thereof, shall have authority to correct any clerical error such as a orthography, adding or correcting the enacting clause, mistakes in numbering sections and references thereto, errors in grammar phraseology, or in the form of the bill; provided, that no bill which bears the stamp of the Legislative Counsel Bureau showing that before introduction it has been examined as to form, shall be sent to the Committee on Revision and Printing.

NUMBERING LINES OF BILLS.

31. The lines of all printed bills shall be numbered by page and not by sections, and amendments shall be identified by reference to title, page and line only.

REPORTS OF COMMITTEE ON REVISION.

32. The Committee on Revision and Printing shall return to the Secretary of the Senate or Clerk of the Assembly all bills in the order in which they were sent to it, but shall not retain any bill for longer than three legislative days, unless otherwise ordered.

JOINT MEETING OF COMMITTEES.

33. Whenever any bill has been referred by the Senate to one of its committees, and the same or a like bill has been referred by the Assembly to one of its committees, the chairmen of the respective committees, when in their judgment the interests of legislation or the expedition of business will be better served thereby, shall arrange for a joint meeting of their committees for the consideration of such bill.

BILLS, RESOLUTIONS, ETC.

34. Whenever the word "bill" is used in these rules it shall include constitutional amendments, joint and concurrent resolutions.

PRESS RULES.

35. A person desiring recognition by the Senate or Assembly as a newspaper correspondent shall make application in writing to the President of the Senate or Speaker of the Assembly.

(*a*) The applicant shall state in writing the name of the newspaper or newspapers he represents and that he is not engaged, and will not become engaged as a lobbyist for any person, copartnership, corporation or interest and that he is not and will not become the agent or representative of any person, copartnership, organization or corporation in advocating or attempting to defeat any measure pending in either branch of the Legislature, that he is not employed in any executive, administrative or legislative department of the State government and will not become so employed while accepting the privileges of a press representative.

(*b*) It shall be the duty of the President of the Senate and the Speaker of the Assembly to assign one or more rooms for the exclusive use of correspondents during the legislative session, which room shall be known as the press room. The press

room shall be under the control of the Superintendent of Capitol Building and Grounds; provided, that all rules and regulations shall be approved by the President of the Senate and Speaker of the Assembly.

ADJOURNMENT.

36. Adjournment for the constitutional recess and adjournment *sine die* shall be made only by concurrent resolution.

DISPENSING WITH JOINT RULES.

37. No joint rule shall be dispensed with except by vote of two-thirds of each House; and if either House shall violate a joint rule a question of order may be raised in the other House and decided in the same manner as in the case of the violation of the rules of such House; and if it shall be decided that the joint rules have been violated, the bill involving such violation shall be returned to the House in which it originated, without further action. Or, at the option of such House, the President or Speaker may direct the Secretary or Clerk to mark the section or sections in conflict with the rules as nonconcurred in or negatived.

ADJOURNMENT.

At twelve o'clock and ten minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned out of respect to the memory of the late Hon. Dominick Joseph Beban, Senator from the Twenty-fourth Senatorial District, until Friday, January 12, 1917, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Friday, January 12, 1917.

The Senate met at eleven o'clock a.m.

Lieutenant Governor William D. Stephens, President of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stockenbruck, and Thompson—35.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, January 11, 1917, the further reading was dispensed with, on motion of Senator Slater.

LEAVES OF ABSENCE.

Senator Maddux was, on motion of Senator Slater, granted leave of absence for this day.

Senator Tyrrell was, on motion of Senator Breed, granted leave of absence for this day.

Senator Ingram was, on motion of Senator Carr, F. M., granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Rush, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Father Wm. Cleary of Suisun.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed as a case of urgency SENATE BILL No. 1—An act making an appropriation to pay the expenses of electors of President and Vice-President of the United States of America.

P. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 1 ordered to enrollment.

RESOLUTION.

The following resolution was offered:

By Committee on Contingent Expenses:

Resolved, That the Superintendent of Capitol Building and Grounds is hereby directed to close the contingent expense accounts of Senators and the Lieutenant Governor, and forthwith transmit a statement of the same to the State Controller, and the Controller is hereby directed to draw his warrant in favor of each Senator and the Lieutenant Governor for the amount remaining in his account, and the Treasurer is directed to pay the same.

FLAHERTY, Chairman.
THOMPSON
EVANS

Resolution read.

Senator Flaherty moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Campo, Carr, F. M. Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gerrie, Inman, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Regdon, Remington, Rush, Scott, Sharkey, Shearer, Stuckenbruck, and Thompson—29.

NOES—None.

REPORTS OF SPECIAL COMMITTEES.

The following report of Special Committee was received and read:

ON RULES.

MR. PRESIDENT: Your Special Committee on Rules begs leave to submit the following as the standing rules for the forty-second session of the Legislature of the State of California and respectfully recommends that they be adopted:

STANDING RULES OF THE SENATE.

Convening of the Senate.

Rule 1. The sessions of the Senate shall be daily (Sundays excepted) beginning at ten o'clock a.m. Commencing on the second day after the constitutional recess, a recess shall be taken daily at the hour of twelve o'clock and thirty minutes p.m. until the hour of two o'clock p.m. unless otherwise ordered by a vote of the Senate.

2. The President, President pro tempore, or senior member present, shall call the Senate to order at the hour stated, and if a quorum be present proceed with the order of business.

Introduction of Bills.

3. When a bill amending a code section is introduced the author of the bill shall cause the new matter, if any, to be underscored, and the place in the bill where portions of the law are proposed to be omitted, if any, to be indicated by closed brackets; provided, however, that where the subject consists of an entirely new section the words thereof need not be underscored, and when any bill introduced repeals an existing law in whole, the matter repealed need not be indicated.

4. Any Senator desiring to introduce a bill shall rise in his seat and address the President, and upon being recognized shall present the same. The title shall be announced by the Secretary, the bill shall be read the first time and thereupon referred by the President to a standing committee.

5. *Any committee may introduce a bill germane to any subject within the proper consideration of such committee, whereupon the bill shall immediately be read the first time, ordered to print* and placed upon the second-reading file.

6. The Committee on Rules shall constitute a standing committee on introduction of bills to serve after the constitutional recess. *All motions for leave to introduce bills after the constitutional recess shall be sent to the desk in writing, under the order of "Introduction of Bills" and at no other time. The motion shall give the title of the bill and shall be accompanied by the bill. The bill shall thereupon be referred to the Committee on Introduction of Bills.*

Joint and concurrent resolutions and constitutional amendments shall not be referred to the Committee on Introduction of Bills, and shall not require a vote to authorize their introduction.

The committee shall examine bills referred to it with particular reference to the question as to whether there is already any bill in either house of the same character which might be amended to effect the result sought, and generally as to the advisability of introducing the measure.

No bill shall be introduced without the consent of three-fourths of the members *after report thereupon by the Committee on Introduction of Bills*, nor shall more than two bills be introduced by any one member after the constitutional recess.

7. Joint and concurrent resolutions and constitutional amendments shall be treated the same as bills; provided that they shall have but one reading, which reading shall occur after they have been reported by committee.

8. The following standing committees shall be appointed by the President of the Senate:

1. Agriculture, nine members.
2. Banking, eleven members.
3. Civil Service, five members.
4. Commerce and Navigation, nine members.
5. Contingent Expenses, three members.
6. Corporations, eleven members.
7. County Government, eleven members.
8. Drainage, Swamp and Overflowed Lands, seven members.
9. Education, fifteen members.
10. Elections, eleven members.
11. Engrossment and Enrollment, three members.
12. Federal Relations, five members.
13. Finance, seventeen members.
14. Fish and Game, seventeen members.
15. Hospitals and Asylums, eleven members.
16. Insurance, eleven members.
17. Irrigation, five members.
18. Judiciary, nineteen members.
19. Labor and Capital, eleven members.
20. Military Affairs, five members.
21. Mines and Mining, five members.
22. Municipal Corporation, nine members.
23. Oil Industries, nine members.
24. Prisons and Reformatories, thirteen members.
25. Public Health and Quarantine, eleven members.
26. Public Morals, seven members.
27. Public Utilities, nine members.
28. Revenue and Taxation, fifteen members.
29. Revision and Printing, five members.
30. Roads and Highways, fifteen members.
31. Rules, five members.
32. Constitutional Amendments, nine members.
33. Universities, nine members.

Reference of Bills to Committees.

9. *At the time of introduction the President shall first indicate to what committee a bill or resolution ought to be referred, and it shall be so referred, unless upon a motion, without debate, the Senate by a majority vote refer it to some other committee. No debate shall be allowed on any motion to refer a bill or resolution to a committee.*

10. When a resolution shall be offered, or a motion made to refer any subject and a different committee shall be proposed, the question shall be taken in the following order:

1. The Committee of the Whole Senate.
2. A Standing Committee.
3. A Select Committee.

11. All bills appropriating money from any fund shall be referred to the Committee on Finance before being read the second time. (Senate Rule 32.) *Concurrent resolutions for adjournment sine die shall in all cases which they originating in the Senate or coming from the Assembly be referred to the Committee on Finance.*

12. No claim shall be paid out of the contingent fund of the Senate unless the same shall have been referred to and reported on by the Committee on Contingent Expenses.

13. When executive communications or nominations shall be sent by the Governor to the Senate for their confirmation, the same shall be referred to the Committee on Rules, unless otherwise ordered by the Senate, which motion shall be determined without debate.

The Committee of the Whole.

14. *The rules of the Senate shall be observed in the Committee of the Whole so far as they may be applicable, except in the matter of limiting the number of times a Senator may speak, and except that the ayes and noes need not be taken. (59.) A motion that the committee rise shall always be in order, and shall be decided without debate.*

General Provisions Governing Committees.

15. Each standing committee shall determine its own quorum, provided, that not less than one-third of the number of members constituting such committee shall in any case constitute such quorum.

16. All committees shall act upon bills referred to them as soon as practicable, and when acted upon each bill shall be reported back to the Senate forthwith, and the chairman of each committee is charged with the observance of this rule; provided, that the Senate may at any time, by a majority vote, recall a bill from any committee.

17. When amendments to a bill are reported by a committee, the clerk of such committee shall prepare three copies of each amendment, one to go with the bill to the Superintendent of State Printing, one to the Minute Clerk, and one to the Secretary of the Senate.

18. All bills amended or redrafted by committee shall have the new matter, if any, underscored, and the place of omission of parts of the original bill, if any, indicated by brackets.

19. *The chairman or clerk of each committee of the Senate shall notify the author of any bill or resolution pending before such committee of the hour and place of hearing or acting upon such bill or proceeding.*

20. No leave of absence shall be granted any committee, special or standing, to visit any public institution of the State or for any other purpose. Whenever any committee shall report to the Senate that it is desirable that such committee receive information concerning any public institution, the Senate may, by a two-thirds vote of all its members, grant a leave of absence to not more than three members of such committee, to be designated by the chairman thereof. Applications for a leave of absence of such members of a committee shall be made to the Senate in writing by the chairman thereof, and such application shall give the name of the institution or institutions to be visited and briefly state the necessity and necessity for visiting the same, together with the names of the same members designated for that purpose. Such application shall immediately, and without debate, be referred to the Committee on Rules, with instructions to report upon the same on the next legislative day. Said members shall be allowed their actual expenses, but no expenses or mileage of attaches shall be allowed.

Engrossment and Enrollment.

21. All bills ordered engrossed shall be delivered by the Secretary of the Senate to the Committee on Engrossment and Enrollment or to the clerk of that committee and a receipt in writing taken therefor, and all said bills shall be engrossed in the order of their receipt by that committee or its clerk. All Senate bills shall, after their final passage by, and receipt from the Assembly, be delivered by the Secretary of the Senate in the order of their receipt from the Assembly to the Committee on Engrossment and Enrollment or its clerk and a receipt in writing taken therefor; and said bills shall be enrolled in the order of their receipt from the Secretary of the Assembly.

22. All bills, amendments, and resolutions after being engrossed, in pursuance of the order of the Senate, shall be carefully examined and reported back by the Committee on Engrossment and Enrollment, the engrossed copy to be transmitted to the Assembly with proper endorsements and the original retained by the Senate.

The General File.

23. Every bill shall be read on three several days previous to its passage (unless in case of urgency, two-thirds of the membership of the Senate in which it is being considered shall by vote of the ayes and noes dispense with this provision) and the last reading shall be at length. The President shall give notice, in each of the second and third readings, which reading it is, and no bill shall be read at

either reading until the Senate has so determined by a vote (should any Senator object to such reading).

24. *When bills are reported from committees they shall be placed upon the General File, to be kept by the Secretary as follows: All bills when reported to the Senate by the committees shall be placed at the foot of the second-reading file, in the order in which the reports are made, and after the second reading they shall be placed at the foot of the third-reading file, in the order of reading, and precedence shall be given in the consideration of bills in the following order: Third-reading file and second-reading file, unless otherwise ordered by unanimous consent or by a two-thirds vote of the Senate. The bills upon third reading shall be considered in the order in which they appear upon the file, unless otherwise ordered by unanimous consent or by vote of majority of the members present; such vote to be taken by roll call; provided, that if a bill is passed on file for any reason, other than absence of the author by leave of the Senate, note of the fact shall be made in the General File, and when passed on file a second time unless otherwise ordered by the Senate, the bill shall be ordered at the foot of the file, and notice of the fact of the bill having been passed on file prior to the order placing it at the foot of the file shall be omitted from the General File.*

25. The General File shall be the special order for each day between such hours as the Senate may determine, unless sooner disposed of; but no bill shall lose its place upon the file by expiration of the time or by adjournment of the Senate while it is under consideration.

26. Any subject may, by vote of a majority of those voting, be made a special order, and when the time fixed for its consideration arrives, the presiding officer shall lay it before the Senate.

27. All bills appropriating money from any fund shall be referred to the Committee on Finance before being read a second time.

28. The final question on the second reading of every bill originating in the Senate shall be: "Shall the bill be engrossed?"

29. All bills amended on second or third reading shall immediately be reprinted.

30. *No Senate bill shall be passed by the Senate within five days of the time set for adjournment sine die of the two houses of the Legislature.*

Consideration of Assembly Bills.

31. Messengers from the Assembly may be introduced at any stage of business except while a question is being put, while the ayes and noes are being called, while ballots are being counted, or while a member is addressing the Senate.

32. *Messages from the Assembly may be considered at any time by vote of the Senate.*

33. When an Assembly bill has been received by the Senate, with a message announcing that it has passed the Assembly, such bill shall be read the first time and be referred by the President to a standing committee; provided, however, that when an Assembly bill is received, the text of which is stated by a member to be identical with that of a Senate bill, which has already been considered and reported by a standing committee of the Senate, such Assembly bill shall be referred to the Committee on Engrossment and Enrollment for comparison, which committee shall report without delay, whether or not such bill is identical with the Senate bill. If reported identical, such Assembly bill shall be substituted for the Senate bill, shall take its place on the second-reading file and be considered as having received the same committee recommendation as the Senate bill; provided that the fact that the bills are identical shall be entered in the Journal. Such Senate bill shall thereupon be placed upon the file of unfinished business.

Amendments.

34. A substitute or amendment must relate to the same subject as the original bill, resolution or constitutional amendment under consideration.

35. In filling up blanks, the least sum or number and the shortest time shall be put first.

36. A constitutional amendment or bill requiring a vote of two-thirds of the members elected to the Senate for final adoption or passage may be amended by a majority of those voting.

37. An amendment may be laid on the table without prejudice to the bill. When an amendment proposed to any pending measure shall be laid on the table, it shall not carry with it or prejudice such measure.

If the question in debate contains several propositions, any Senator may have the same divided; except a motion to strike out and insert shall not be divided. The rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition, nor shall it prevent a motion to simply strike out, nor shall the rejection of a motion to strike out prevent a motion to strike out and insert; but pending a motion to strike out and insert, the part to be stricken out and the part to be inserted shall each be regarded, for the purpose of amendment, as a question. Motions to amend the part to be stricken out shall have precedence.

38. No amendment shall be received for discussion at the third reading of any bill; but it shall at all times be in order, before the final passage of such bill, to move its commitment under special instructions to amend.

Motions.

39. In all cases not provided for by the rules, the authority shall be Robert's Rules of Order.

40. On the day succeeding that on which a final vote on any bill, concurrent or joint resolution, or constitutional amendment has been taken, said vote may be reconsidered on motion of any Senator; provided, notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken, by a Senator voting with the prevailing side; and it shall not be in order to reconsider on the day on which such final vote was taken. Said motion for reconsideration shall have precedence over every other motion, except a motion to adjourn. It shall require twenty-one votes to carry any motion to reconsider the vote by which any bill, concurrent or joint resolution has been passed or defeated, and twenty-seven votes to carry any motion to reconsider the vote by which any constitutional amendment has been passed or defeated. Notice of reconsideration shall not be in order on the day preceding the last day of the session.

41. When a bill, resolution, amendment, order or message upon which a vote has been taken shall have gone out of the possession of the Senate and been communicated to the Assembly, a motion to reconsider shall be preceded by a motion to request the Assembly to return the same, which last-named motion shall be acted upon immediately and without debate, and if determined in the negative, shall be a final disposition of the motion to reconsider.

42. If a Senator gives notice that he intends to move a reconsideration, the Secretary shall not transmit the bill, concurrent or joint resolution, or constitutional amendment to the Assembly till the reconsideration is disposed of, or the time for moving the same has expired, unless the bill or resolution has already been transmitted to the Assembly.

43. A Senator, after a notice to reconsider is given as provided in Rule 41, may, at the reconsideration thereof, present the main grounds in his argument thereon, and the same may be debated by the Senate provided that the subject matter is debatable.

Debates.

44. 1. When a Senator desires to address the Senate he shall rise in his place, address the President, and when recognized he shall proceed to speak.

2. No Senator shall speak more than twice in any one debate on the same day, and at the same state of the bill, without leave; and Senators who have once spoken shall not again be entitled to the floor (except for explanation) so long as any Senator who has not spoken desires to speak.

3. No Senator shall be interrupted when speaking, and no question shall be asked him except those through the presiding officer.

4. The author of a bill, motion, or resolution shall have the privilege of closing the debate.

45. When two or more Senators arise at the same time to address the Senate, the presiding officer shall designate the Senator who is entitled to the floor.

46. When a Senator shall be called to order he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any Senator. If a Senator be called to order for words spoken, the objectionable language shall immediately be taken down in writing by the Secretary of the Senate.

47. When a question is under debate, no motion shall be received but the following privileged questions, which shall have precedence in the following order:

1. To adjourn.
2. For a call of the Senate.
3. To lay on the table.
4. To postpone to a day certain.
5. To commit.
6. To amend.
7. To postpone indefinitely.

Provided, however, that during a call of the Senate, it may consider and transact any matter or business that the Senators then present shall unanimously decide to consider, but no call of the Senate shall be had, during a call of the Senate, on any matter so taken up or considered while the Senate is under call.

48. No motion shall be debated until the same be seconded and distinctly announced by the President; and it shall be reduced to writing if desired by the President or any Senator, and read by the Secretary, before the same shall be debated.

49. When the reading of a paper (except a petition) is called for, and the same is objected to by any Senator, the question shall be determined by a vote of the Senate.

50. The previous question shall be put in the following form: "Shall the question be now put?" It shall only be admitted when demanded by a majority of the Senators present upon division; and its effect shall be to put an end to all debate except that the author of the bill or the amendments shall have the right to close, and the question under discussion shall thereupon be immediately put to a vote. On a motion for the previous question prior to a vote being taken by the Senate, a call of the Senate shall be in order.

Voting.

51. When the ayes and noes shall be called for by three members present, every member within the bar of the Senate at the time the question was put shall declare openly, and without debate, assent or dissent to the question. In taking the ayes and noes, and upon the call of the Senate, the names of the Senators shall be taken alphabetically. When the ayes and noes shall be taken upon any question in pursuance of this rule, no Senator shall be permitted, under any circumstances whatever, to vote after the announcement of the vote by the presiding officer.

52. When a Senator declines to vote on a call of his name he shall be required to assign his reasons therefor, and having assigned them the presiding officer shall submit the question to the Senate: "Shall the Senator, for the reasons assigned by him, be excused from voting?" which shall be decided without debate. And these proceedings shall be had after the roll call and before the result is announced, and any further proceedings in reference thereto shall be after such announcement.

The Governor.

53. Messengers from the Governor may be introduced at any stage of business except while a question is being put, while the ayes and noes are being called, while ballots are being counted or while a Senator is addressing the Senate.

54. When executive communications shall be sent by the Governor to the Senate for their confirmation, the same shall be referred to the Committee on Rules, unless otherwise ordered by the Senate, which motion shall be determined without debate.

The President and President pro tempore.

55. The President, President pro tempore, or senior member present, shall call the Senate to order at the hour stated, and if a quorum be present proceed with the order of business.

56. The rooms, passages, and buildings set apart for the use of the Senate shall be under the control and direction of the President of the Senate, and he shall have the control and direction of the journals, papers, and bills of the Senate. He shall see that all officers of the Senate perform their respective duties, and may assign places to properly accredited newspaper representatives.

57. In case of a disturbance or disorderly conduct in the lobbies, the President (or Chairman of the Committee of the Whole) shall have the power to order the same cleared.

58. The President shall have the right to name any Senator to perform the duties of the chair, who shall be vested, during such time, with all the powers of the President; but such substitute shall not lose the right of voting on any question while so presiding.

59. All standing committees of the Senate shall be named by the President of the Senate unless otherwise ordered, and the first named shall be the chairman thereof. All other committees shall be appointed in such manner as the Senate shall determine.

60. The President pro tempore shall, in the absence of the President, take the chair and call the Senate to order at the hour of the meetings of the Senate, and have the same power as the President; but the President pro tempore shall vote only as any other member of the Senate.

Secretary of the Senate.

61. 1. It shall be the duty of the Secretary of the Senate to attend every session, call the roll, read all bills, amendments, resolutions, and all papers ordered read by the Senate or the presiding officer.

2. To superintend all copying and work to be done for the Senate. To have supervision over all attaches and employees of the Senate. To assign, reassign or transfer all attaches or employees to their respective duties. To certify to and transmit to the Assembly all bills, joint and concurrent resolutions, constitutional amendments and papers requiring the concurrence of the Assembly, immediately after their passage or adoption by the Senate.

3. To keep a correct journal of the proceedings of the Senate.

4. To notify the Assembly of the action by the Senate on all matters originating in the Assembly, and requiring action on the part of the Senate.

5. To permit no papers or records belonging to the Senate to be taken out of its custody otherwise than in the regular course of business.

62. The Secretary of the Senate shall not permit any records or papers to be taken from the desk, or out of his custody, by any person except a chairman of a committee; but he shall deliver any bill or paper to be printed to the Superintendent of State Printing, and all bills ordered engrossed or enrolled to the Committee on Engrossment and Enrollment, and take receipts therefor.

Smoking.

63. No smoking shall be allowed within the Senate Chamber.

The Sergeant-at-Arms.

64. A Sergeant-at-Arms shall be elected, to hold his office during the pleasure of the Senate, whose duty it shall be to attend the Senate during all of its sittings, to

execute the commands of the Senate from time to time, together with all such process issued by authority thereof, as shall be directed to him by the President. The Sergeant-at-Arms is authorized to arrest for contempt all persons outside the bar, or in the gallery, found in loud conversation, or otherwise making a noise to the disturbance of the Senate. The actual expenses of the Sergeant-at-Arms for every arrest, for each day's custody and releasement, and the traveling expenses for himself and special messenger going and returning shall be paid out of the contingent fund and no other fees shall be paid him beyond his per diem. It shall also be the duty of the Sergeant-at-Arms to keep the accounts for pay and mileage of Senators.

65. The Sergeant-at-Arms shall place copies of all bills, joint and concurrent resolutions, constitutional amendments, and journals and histories when printed, on the desks of Senators at least one hour previous to the opening of session.

66. It shall be the duty of the gatekeeper to prevent all persons, except Senators, ex Senators, members of the Assembly, State officers, officers of the two houses, and such accredited newspaper representatives as have seats assigned to them by the President from coming within the bar of the Senate, unless upon written invitation of the President or a Senator: provided, that no visitor shall be allowed upon the floor while the Senate is in session.

Printing.

67. Messages from the Governor (other than biennial messages and inaugural addresses), joint and concurrent resolutions and constitutional amendments, when adopted, and the titles of all bills, joint and concurrent resolutions, and constitutional amendments, when acted upon by the Senate shall be printed in the Journal in full.

68. Every vote and a brief statement of the contents of each petition, memorial or paper presented to the Senate shall be entered in the Journal.

69. The titles of all bills, joint and concurrent resolutions, and constitutional amendments introduced shall be printed in the Journal.

70. All bills amended, either in committee or on the floor of the House, shall be immediately reprinted; the new matter added by any amendments to be printed in italics, and any matter proposed to be omitted by such amendments to be included in brackets.

71. Fifteen hundred copies of all bills shall be printed, and the Sergeant-at-Arms shall be required to certify to the reception by the Senate of all printed matter, and the quantity. One copy of each bill or paper printed by order of the Senate shall be delivered to each Senator at his desk, and the balance shall be distributed according to law.

72. Seven hundred and fifty copies shall be printed of each document or other matter ordered, unless the Senate especially directs a different number.

73. The Superintendent of State Printing shall print one thousand copies of the Journal of each day's proceedings of the Senate, and one copy of the same shall be placed upon each Senator's desk, and a sufficient number sent to the Assembly to supply each Assemblyman with one copy; he shall also print a sufficient number of copies properly paged, to bind in book form as the Journal of the Senate, at the end of the session, as required by law.

74. The proceedings of the Senate, when not acting as a Committee of the Whole, shall be entered in the Journal as concisely as possible, care being taken to record a true and accurate account of the proceedings.

75. The Superintendent of State Printing shall not print for the use of the Senate any matter other than provided by law, unless upon a written order signed by the Secretary. The Secretary may, when necessity requires it, order from the State Printer such printing as he deems necessary to be printed in advance of the regular order of business under a specially prepared written order, to be known as a "Rush Order."

Admission to Senate Chamber.

76. No person engaged in presenting to the Senate or any of its committees any business, claim, or legislation, shall be permitted to engage in such business in the Senate Chamber or be permitted on the floor of the Senate at any time while the Senate is in session. Any person transgressing this rule shall be removed from the floor of the Senate and shall be debarred from the privilege of the floor during the remainder of the entire session. The President and President pro tempore are charged with the enforcement of this rule, and this rule can not be suspended except by a two-thirds vote of the entire Senate.

77. When a motion is adopted to close the doors of the Senate, on the discussion of any business, which may, in the opinion of the Senate, require an executive session, the President shall require all persons, except the Senators, President of the Senate, Secretary, Minute Clerk, and Sergeant-at-Arms, to withdraw, and during the discussion of said business, the doors shall remain closed. Every Senator and officer present shall keep secret all matters and proceedings concerning which secrecy shall be enjoined by order of the Senate.

Duties of Members.

78. No Senator shall absent himself from attendance upon the Senate without leave first obtained. A less number than a quorum of the Senate is hereby authorized to send the Sergeant-at-Arms, or any other person, for any and all absent

Senators at the expense of such absent Senators, respectively, unless such excuse for nonattendance as shall be made to the Senate, when a quorum is convened, shall be judged sufficient, and in that case the expense shall be paid out of the Contingent Fund of the Senate; and this rule shall apply as well to the first convention of the Senate, at the legal time of meeting, as to each day of the session after the hour has arrived to which the Senate stood adjourned. The President or Acting President of the Senate, or less than a quorum present, shall have the power to issue process directed to the Sergeant-at-Arms, or to any other person, to compel the attendance of Senators absent without leave. Any Senator who shall refuse to obey such process, unless sick or unable to attend, shall be deemed guilty of contempt of the Senate, and the Sergeant-at-Arms, or any other person, to whom such process may be directed, shall have power to use such force as may be necessary to compel the attendance of such absent Senator, and for this purpose he may command the force of the county, or of any county in the State.

Suspension or Change of Rules.

79. No standing rules or order of the Senate shall be rescinded or changed without a vote of two-thirds of the entire Senate, and one day's notice being given of the motion therefor; but a rule or order may be suspended temporarily by a vote of two-thirds of the members of the Senate, except that portion of Rule 29, relating to the order of enrolling bills. All proposed amendments to these rules shall, upon presentation, be referred to the Committee on Rules without debate.

Order of Business.

80. Order of business:

1. Roll Call.
2. Prayer by the Chaplain.
3. Reading and Approval of the Journal of the Preceding Day.
4. Presentation of Petitions.
5. Messages from the Assembly.
6. Messages from the Governor.
7. Reports of Standing Committees.
8. Reports of Select Committees.
9. Motions, Resolutions, and Notices.
10. Introduction and First Reading of Bills.
11. Consideration of Daily File.
12. Unfinished Business.
13. Special Order of the Day.

Reports from the Committee on Engrossment and Enrollment shall at all times be in order; provided, that messages from State officers, other than the Governor, and from the Assembly, may, on motion of any Senator, be considered at any time.

BREED, Chairman.
BENSON.
SLATER.

MOTION.

Senator Breed moved that the report and the proposed standing rules of the Senate be adopted.

The question being upon the adoption of the report and rules.

The roll was called, and the report and rules adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—33.
NOES—None.

APPOINTMENT OF STANDING COMMITTEES.

The President announced that he had appointed the Senate standing committees, as follows:

I beg to inform you that I have appointed the following standing committees under the rules of the Senate:

Agriculture—King, Rush, Scott, Evans, Brown, Jones, Carr, F. M., Purkitt, Duncan.

Banking—Hans, Gates, Brown, Breed, King, Rominger, Carr, F. M., Tyrrell, Chandler, Nealon, Shearer.

Civil Service—Rigdon, Benson, Ingram, Johnson, Irwin.

Commerce and Navigation—McDonald, Carr, F. M., Canepa, Hans, Lyon, Rush, Rominger, Nealon, Thompson.

Constitutional Amendments—Ballard, Tyrrell, Carr, W. J., Breed, Benson, Burnett, Maddux, Irwin, Duncan.

Contingent Expenses—Nealon, Burnett, Hans.

Corporations—Sharkey, Canepa, Hans, Carr, W. J., Burnett, Gates, Jones, Flaherty, Chamberlin, Thompson, Shearer.

County Government—Inman, Breed, Lyon, Carr, F. M., Ballard, Johnson, Flaherty, Slater, Maddux, Purkitt, Nealon.

Drainage, Swamp and Overflowed Lands—Jones, Chandler, Rush, Inman, Evans, Rominger, Thompson.

Education—Gates, Johnson, Kehoe, King, Scott, Ballard, Evans, Carr, F. M., Ingram, Luce, Jones, Crowley, Rominger, Rigdon, Slater.

Elections—Flaherty, King, Benson, Johnson, Canepa, McDonald, Tyrrell, Ingram, Maddux, Slater, Shearer.

Engrossment and Enrollment—Canepa, Rominger, Stuckenbruck.

Federal Relations—Rush, Breed, Chandler, Gates, Benson.

Finance—Chandler, Tyrrell, Carr, W. J., King, Breed, Rush, Brown, Hans, Jones, Ballard, Crowley, Luce, Lyon, Scott, Benson, Maddux, Slater.

Fish and Game—Slater, Ingram, Scott, King, Luce, Tyrrell, Lyon, Sharkey, Flaherty, Canepa, McDonald, Gates, Chamberlin, Johnson, Purkitt, Rigdon, Thompson.

Hospitals and Asylums—Crowley, Sharkey, Rush, Ingram, Burnett, Chamberlin, Purkitt, Slater, Stuckenbruck, Thompson, Nealon.

Insurance—Burnett, Brown, Kehoe, Ballard, Inman, Gates, McDonald, Carr, W. J., Nealon, Shearer, Rigdon.

Irrigation—Maddux, Inman, Evans, Chamberlin, Irwin.

Judiciary—Kehoe, Luce, Tyrrell, Carr, W. J., Benson, Jones, Ballard, Burnett, Inman, Carr, F. M., Johnson, Chamberlin, Maddux, Purkitt, Irwin, Duncan, Thompson, Stuckenbruck.

Labor and Capital—Lyon, Scott, Flaherty, Carr, W. J., Chandler, Luce, Kehoe, Chamberlin, Crowley, Purkitt, Maddux.

Military Affairs—Scott, Lyon, Hans, Crowley, Shearer.

Mines and Mining—Ingram, Kehoe, Stuckenbruck, Rigdon, Duncan.

Municipal Corporations—Tyrrell, Ballard, Sharkey, Hans, Scott, McDonald, Rominger, Nealon, Stuckenbruck.

Old Industries—Thompson, McDonald, Tyrrell, Ballard, Sharkey, Lyon, Rigdon, Stuckenbruck, Purkitt.

Prisons and Reformatories—Brown, Crowley, Rush, Scott, Rominger, Inman, Sharkey, Canepa, McDonald, Carr, F. M., Benson, Duncan, Shearer.

Public Health and Quarantine—Carr, F. M., Luce, Johnson, Crowley, Chamberlin, Kehoe, Lyon, Brown, Canepa, Stuckenbruck, Irwin.

Public Morals—Luce, Brown, Flaherty, Sharkey, Evans, Chandler, Slater.

Public Utilities—Carr, W. J., Hans, Chandler, Gates, Burnett, Flaherty, Breed, Maddux, Inman.

Revenue and Taxation—Benson, Evans, Brown, Kehoe, Inman, Breed, King, Sharkey, Jones, Burnett, Crowley, Maddux, Rigdon, Thompson, Irwin.

Roads and Highways—Johnson, Carr, W. J., Jones, Rush, Chandler, Luce, Ingram, King, Ridgon, Evans, Canepa, Rominger, Slater, Irwin, Shearer.

Rules—Breed, Benson, Luce, Kehoe, Inman.

Revision and Printing—Stuckenbruck, Flaherty, Chamberlin, McDonald, Duncan.

Universities—Evans, Jones, Kehoe, Breed, Gates, Johnson, Brown, Duncan, Nealon.

MOTION.

Senator Benson moved that Senate Concurrent Resolution No. 3 be referred to Committee on Rules.

Motion carried.

REPORT OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, January 12, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 2—Relative to adjournment in respect to the memory of John Morton Eshleman—and report that the same has been correctly engrossed.

CANEPA, Chairman.

REPORT OF SPECIAL COMMITTEE

The following report of Special Committee on Expediting Business was received and read:

SACRAMENTO, January 12, 1917.

MR. PRESIDENT: Your special committee, appointed in accordance with the provisions of Assembly Concurrent Resolution No. 1, for the purpose of devising ways and means of expediting the business of the forty-second session of the Legislature, begs leave to submit the following recommendations, by way of report:

First. That the committee strongly urges the members to refrain from the use of companion bills, which for the most part merely confuse the members and congest the work of the Legislature, in addition to causing great unnecessary expense on account of extra printing. The companion bill system is a particularly vicious practice when used with uncontested matters and should be used only, if at all, in connection with matters of great importance which are apt to be closely contested.

Second. Your committee heartily endorses the proposition incorporated by the Rules Committee in rule 47 of the Senate Rules, which provides that uncontested business may be transacted during a call of the Senate. It is particularly desirable that the time at the close of the session should be economized, and while the committee would not question the advisability of having as many calls of the Senate as the occasion may seem to require, it is nevertheless very essential that the work of the Legislature be retarded as little as possible by these calls of the Senate. This new provision will save a great deal of valuable time by permitting to be transacted such matters as the second reading file, committee reports and even the third reading and passage of such measures as appropriation bills, county government acts, etc.

Respectfully submitted.

BREED.
CHANDLER.
KEHOE.

RESOLUTIONS.

The following resolutions were offered:

By Senator Luce:

Resolved, That the following named persons be and they are hereby appointed to the respective positions hereinafter set forth as provided by law with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants for the said respective amounts and the Treasurer is directed to pay the same:

Name and position.	Per diem.
Mrs. Zoe B. Fuller, Assistant Journal Clerk	$5 00
A. O. Stockenbrock, Assistant Engrossing and Enrolling Clerk	5 00
G. M. Warren, Assistant History Clerk	5 00
Emeline Miller, Stenographer	5 00
J. Zimmerman, Assistant Sergeant-at-Arms	5 00
W. R. Edwards, History Clerk	7 00
Frank Rouse, Assistant Minute Clerk	7 00
Edward A. Charlton, Assistant-at-Desk	5 00
W. H. Westphal, Assistant Sergeant-at-Arms	5 00
D. E. Keith, Assistant Sergeant-at-Arms	5 00
Stephen A. Byrne, Assistant Sergeant-at-Arms	5 00
Maud Cottier, Assistant Engrossing and Enrolling Clerk	5 00
Mrs. M. Williams, Press Mailing Clerk	4 00
W. H. Dexter, Assistant Sergeant-at-Arms	5 00
Miss Isadora Shartz, Stenographer	5 00
M. G. Riggs, Assistant Engrossing and Enrolling Clerk	5 00

Resolution read.

Senator Luce moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rush, Scott, Sharkey, Slater, and Thompson—28.

NOES—None.

Also:

By Senator Luce:

Resolved, That Mrs. E. Hoxie be transferred from the position of stenographer at $5.00 per day to the position of chief stenographer at a per diem of $6.00 [illegible] weekly, and the Controller is hereby directed to draw his warrants for said [illegible] and the Treasurer is directed to pay the same.

Resolution read.

Senator Luce moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, and Thompson—31.

NOES—None.

Also:

By Committee on Contingent Expenses:

Resolved, That the Secretary of the Senate be and he hereby is authorized to purchase for the use of the members of the Senate forty (40) sets of the 1915 edition of Deering's Pocket Codes of the State of California, [illegible] forty (40) volumes of Treadwell's latest edition of the Constitution of the State of California, with slips of the Constitutional Amendments pasted in each of the said volumes; also six (6) copies of the California Citation Manual, all of said sets and volumes to be paid for out of the contingent fund of the Senate.

That the Secretary of the Senate be, and he hereby is authorized and directed to deliver one of said sets of codes together with one volume of said [illegible] to each Senator who shall receipt for the same and each Senator at the close of the forty-second session of the legislature of the State of California shall turn over to the State Librarian the books so delivered to him.

FLAHERTY, Chairman.
THOMPSON.
EVANS.

Resolution read.

Senator Flaherty moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Thompson—33.

NOES—None.

Also:

By Senator Jones:

Resolved, That a committee of three be appointed by the President of the Senate to arrange and provide a calendar of committee meetings of the several standing committees of the Senate.

Resolution read and on motion of Senator Jones adopted.

Also:

By Senator Breed:

Resolved, That the following shall be the rules of procedure of the Senate in the introduction of bills on the first day when bills shall be introduced during the present session:

That the roll of Senators shall be called from "A" to "T" and then back from "T" to "A", and as each member's name is called he shall have the privilege of introducing one bill.

Resolution read and on motion of Senator Breed adopted.

MESSAGE FROM THE ASSEMBLY — OUT OF ORDER.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 2—Relative to adjournment in respect to the memory of John Morton Eshleman.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Concurrent Resolution No. 2 ordered to enrollment.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senators Benson and Jones: Senate Bill No. 2—An act providing for the purchasing, establishment and maintenance of a branch agricultural experiment station for experimental and research work appertaining to the culture, production and marketing of deciduous fruits and nuts, and making an appropriation therefor.

Bill read first time, and referred to Committee on Agriculture.

By Senator Breed: Senate Concurrent Resolution No. 4—A proposal to amend Article XX of the Charter of the City of Oakland, dealing with franchises, after due ratification by the qualified electors of said city.

Resolution referred to Committee on Municipal Corporations.

By Senator Burnett: Senate Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution by amending section 2 of Article IV, relating to sessions of the legislature.

Constitutional amendment referred to Committee on Constitutional Amendments.

By Senator Carr, W. J.: Senate Bill No. 3—An act to amend an act entitled "An act to provide for the regulation of the traffic in alcoholic liquors by establishing local option; authorizing the filing of petitions praying for elections to vote upon the question whether the sale of alcoholic liquors shall be licensed within the territory described in such petitions; providing for the calling and holding of such elections; making it the duty of the proper governing body to declare such territory to be no-license territory unless a majority of votes is cast in favor of license; providing that no licenses, permits or other authority to sell or distribute alcoholic liquors in no-license territory shall be granted; forfeiting and declaring void all such licenses or permits theretofore issued and in force; making it a penal offense to sell, give away or distribute alcoholic liquors within such territory, with certain exceptions; and providing penalties for such offenses," approved April 4, 1911, by amending sections 1, 2, 3, 4, 5, 6, 8, 10, 11, 13 and 14 thereof, by repealing section 7 thereof, and by adding thereto a new section to be known and numbered as section 20*a*.

Bill read first time, and referred to Committee on Public Morals.

By Senator Chamberlin: Senate Bill No. 4—An act to amend section 1313 of the Civil Code, relating to devises and bequests for charitable purposes.

Bill read first time, and referred to Committee on Judiciary.

By Senator Chandler: Senate Bill No. 5—An act relating to the use and furnishing of premiums, prizes, stamps, coupons, tickets, certificates, cards, or other similar devices, for, or with the sale of goods, wares, merchandise; and providing a penalty for the violation thereof.

Bill read first time, and referred to Committee on Judiciary.

By Senator Crowley: Senate Concurrent Resolution No. 5—Approving thirteen certain amendments to the Charter of the City and County of San Francisco, State of California, voted for and ratified by the electors of said City and County of San Francisco, at a general election held therein on the 7th day of November, 1916.

Resolution referred to Committee on Municipal Corporations.

By Senator Duncan: Senate Concurrent Resolution No. 6—Approving the Charter of the County of Butte, State of California, which was submitted to the qualified electors of the said county, voted for, and ratified at a general election held therein on the 7th day of November, 1916.

Resolution referred to Committee on County Government.

By Senator Flaherty: Senate Bill No. 6—An act to regulate the preparation of plans and specifications and awarding of contracts for the erection, construction and alteration of public buildings in the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Inman: Senate Bill No. 7—An act to amend section 4235 of the Political Code of the State of California, relating to the compensation and fees of officers of counties of the sixth class and their assistants, deputies and clerks.

Bill read first time, and referred to Committee on County Government.

By Senator Johnson: Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California to amend section 8½ of Article XI of the Constitution of the State, relating to city charters and to provisions therein for municipal courts.

Constitutional amendment referred to Committee on Constitutional Amendments.

By Senator Jones: Senate Bill No. 8—An act to amend section 1 of an act entitled "An act to secure to native-born and naturalized citizens of the United States the exclusive right to be employed in any department of the State, county, city and county and city government in this State, except in certain schools, to validate certain acts, and to repeal all acts in conflict herewith," approved May 19, 1915, relating to exceptions in cases of emergency.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Kehoe: Senate Bill No. 9—An act to amend section 61 of that certain act of the Legislature of the State of California, entitled "An act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act" and amended by act approved June 3, 1915.

Bill read first time, and referred to Committee on Banking.

By Senator King: Senate Bill No. 10—An act to amend an act entitled "An act to provide for the formation, organization and government of storm water districts, for the purpose of protecting the land therein from damage from storm water and from the waters of any

innavigable stream, water-course, canyon or wash, for the construction of the necessary works of protecting, by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Luce: Senate Bill No. 11—An act to amend section 1 of an act entitled "An act giving and granting to the board of park commissioners of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes," approved March 24, 1911, extending the terms of said section to include the year 1917.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Lyon: Senate Bill No. 12—An act to create a court to be known as the small debtors' court, to prescribe the jurisdiction of such court in the matter of the collection of small demands for wages and the like, the method for its procedure and the enforcement of its judgments.

Bill read first time, and referred to Committee on Judiciary.

By Senator McDonald: Senate Bill No. 13—An act to add a new section to the Political Code of the State of California, to be numbered 2939, prohibiting the employment of minors under eighteen years of age, from driving or operating vehicles engaged in carrying passengers, freight, or express matter, milk or foodstuffs, ice or fuel, building materials, or supplies of any kind or character whatever, on the public streets or highways of the State of California, and providing penalties therefor.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Nealon: Senate Bill No. 14—An act to carry into effect the provisions of subdivisions 6 and 7 of section 8½ of Article XI of the Constitution of the State of California as the said section of said article was amended on the third day of November in the year 1914; and also to provide for the alteration of the boundaries of and for the annexation of territory located in the County of San Mateo to the City and County of San Francisco, for the incorporation of such annexed territory in and as a part thereof, and for the government of such annexed territory as an integral part of such City and County of San Francisco.

Bill read first time, and referred to Committee on County Government.

By Senator Purkitt: Senate Bill No. 15—An act to amend section 4273 of the Political Code, relating to salaries of county officers in counties of the forty-fourth class.

Bill read first time, and referred to Committee on County Government.

By Senator Rigdon: Senate Bill No. 16—An act to amend section 274 of the Code of Civil Procedure, relating to fees of phonographic reporters.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rominger: Senate Bill No. 17—An act to amend section 310 of the Penal Code, relating to the use of the national flag for advertising purposes.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rush: Senate Bill No. 18—An act to amend section 1 of an act entitled "An act to prohibit the use of nets, seines, traps, or weirs in the Napa River and its tributaries in the counties of Sonoma, Napa and Solano," approved March 4, 1911.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Scott: Senate Bill No. 19—An act providing for the issuance of old age annuities by the State, represented and acting through the State Insurance Fund.

Bill read first time, and referred to Committee on Insurance.

By Senator Sharkey: Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the Constitution by amending section 2 of Article IV, relating to sessions of the Legislature.

Constitutional amendment referred to Committee on Constitutional Amendments.

By Senator Slater: Senate Bill No. 20—An act to amend section 634 of the Penal Code of the State of California, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Stuckenbruck: Senate Bill No. 21—An act to provide for the issuance of identification certificates and official ballots to duly registered voters, to enable voters to whom such certificates and ballots have been issued to cast their voters wherever they may be within the State of California, on the day of any general or primary election, and to provide the manner in which such votes shall be cast and counted.

Bill read first time, and referred to Committee on Elections.

By Senator Stuckenbruck: Senate Bill No. 22—An act to amend section 637½ of the Penal Code, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Sharkey: Senate Bill No. 23—An act to amend section 12 of an act entitled "An act to provide for the incorporation and organization and management of municipal water districts, and to provide for the acquisition or construction by said districts of waterworks, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts." Approved May 1, 1911.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Scott: Senate Bill No. 24—An act to regulate the examination of applicants for license, and the practice of those licensed to treat diseases, injuries, deformities, or other physical or mental conditions of human beings without the use of drugs, or what are known as medicinal preparations, and without in any manner severing or penetrating any of the tissues of human beings except the severing of the umbilical cord. To establish a board of examiners of drugless physicians for the State of California; to provide for their appointment and prescribe their powers and duties, and to provide penalties to enforce the provisions of this act; to provide that such board may suspend or revoke the right to practice of drugless practitioners, or drugless physicians; to revoke the licenses or certificates of such practitioners or physicians; to provide that the powers and duties of such board shall be exclusive; to provide for the transfer of a portion of the board of medical examiners' contingent fund to the board of drugless examiners'

contingent fund, and to repeal all acts and parts of acts inconsistent with, or in conflict with, this act.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Rominger: Senate Bill No. 25—An act to amend section 1313 of the Civil Code relating to bequests to charitable institutions.

Bill read first time, and referred to Committee on Judiciary.

By Senator Lyon: Senate Bill No. 26—An act to add a section to the Penal Code, to be known as section 1102*a*, providing that confessions obtained by peace officers from persons accused of crime must be in writing.

Bill read first time, and referred to Committee on Judiciary.

By Senator Luce: Senate Bill No. 27—An act to legalize bonds to be issued and sold by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator King: Senate Bill No. 28—An act to amend section 22 of the act known as the "Vehicle Act," approved May 11, 1915.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Kehoe: Senate Concurrent Resolution No. 7—Approving certain amendments to the Charter of the City of Eureka, a municipal corporation, in the County of Humboldt, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the 27th day of November, A.D. 1916.

Resolution referred to Committee on Municipal Corporations.

By Senator Jones: Senate Bill No. 29—An act to amend the Code of Civil Procedure of California by adding thereto a new section to be numbered and known as section 1871 relating to experts, their appointment by the court, or a judge thereof, and providing for their compensation and manner of examination as witnesses.

Bill read first time, and referred to Committee on Judiciary.

By Senator Johnson: Senate Bill No. 30—An act to amend sections 1 and 9 of an act entitled "An act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records," approved June 16, 1906, by extending the application of said act to real property, when the records covering the period when said real property was in another county, have been destroyed among the records of such other county, and to provide for notice of the pendency of actions brought under the provisions hereof.

Bill read first time, and referred to Committee on Judiciary.

By Senator Inman: Senate Constitutional Amendment No. 4—Resolution to propose to the people of the State of California an amendment to section 2 of Article IV of the Constitution of the State of California, in relation to sessions of Legislature of the State.

Constitutional amendment referred to Committee on Constitutional Amendments.

By Senator Duncan: Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an

amendment to the Constitution of said State, by amending section 1 of Article IV thereof, relating to legislative powers, and reserving to the people of the State of California the power to propose laws, statutes and amendments to the Constitution and to enact the same at the polls, independent of the Legislature, and also reserving to the people of the State of California the power to approve or reject at the polls any act or section or part of any act of the Legislature.

Constitutional amendment referred to Committee on Constitutional Amendments.

By Senator Crowley: Senate Bill No. 31—An act to establish a State hospital for the care, custody and maintenance of inebriates and drug habitues within the State of California, to be known as the California State Hospital, and to provide for the government and management thereof, and making an appropriation therefor.

Bill read first time and referred to Committee on Hospitals and Asylums.

By Senator Chandler: Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending section 2 of Article IV thereof, relating to the time and duration of sessions of the Legislature, and to the number of bills that may be introduced by members.

Constitutional amendment referred to Committee on Constitutional Amendments.

By Senator Chamberlin: Senate Constitutional Amendment No. 7—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending section 4 of Article VI thereof, to provide for additional justices for the district courts of appeal, and to provide for the salaries to be paid to the justices of the district courts of appeal; and to provide for the naming of justices pro tempore, and for the procedure in said courts.

Constitutional amendment referred to Committee on Constitutional Amendments.

By Senator Brown: Senate Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the Constitution, by amending sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 15, 16, 17, 19 and 23, of Article IV, and by repealing sections 14 and 23*a* of said article, all relating to the legislative department.

Constitutional amendment referred to Committee on Constitutional Amendments.

By Senator Benson: Senate Bill No. 32—An act to amend sections 190, 192, 193, 194, 195, 201 and 246 of the Code of Civil Procedure, relating to jurors.

Bill read first time, and referred to Committee on Judiciary.

By Senator Lyon: Senate Bill No. 33—An act to create the office of public defender, to provide for the appointment of such officers, and prescribing their duties and compensation.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 34—An act to provide for the payment in certain cases to the dependents of persons sentenced to imprisonment for crime of such sum as may be fixed by the court passing sentence,

not to exceed a sum certain per day for all the dependents of such sentenced person.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 35—An act to amend section 850 of the Code of Civil Procedure relating to notices of hearing in justices' courts, their form and service, and docket entries of such notices.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 36—An act to add a new section to the Penal Code to be numbered 345, defining the duties and liabilities of junk dealers.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 37—An act to amend section 2051 of the Code of Civil Procedure, relating to the impeachment of witnesses and prescribing the manner thereof.

Bill read first time, and referred to Committee on Judiciary.

By Senator Jones: Senate Bill No. 38—An act to amend an act known as the "Water Commission Act," approved June 16, 1913, by amending sections 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36 thereof and adding thereto six new sections, to be numbered 36*a*, 36*b*, 36*c*, 36*d*, 36*e*, 36*f*, relating to the ascertainment and adjudication of water rights.

Bill read first time, and referred to Committee on Irrigation.

Also: Senate Bill No. 39—An act to amend an act, known as the "Water Commission Act," approved June 16, 1913, by amending section 15 thereof, relating to the appropriation of water.

Bill read first time, and referred to Committee on Irrigation.

Also: Senate Bill No. 40—An act to amend an act known as the "Water Commission Act," approved June 16, 1913, by amending section 23 thereof, relating to fees to be collected by the State Water Commission.

Bill read first time, and referred to Committee on Irrigation.

Also: Senate Bill No. 41—An act to amend an act known as the "Water Commission Act," approved June 16, 1913, by amending section 37 thereof and adding thereto five new sections, to be numbered 37*a*, 37*b*, 37*c*, 37*d*, 37*e*, relating to the distribution of water and providing for the appointment of water masters and defining their duty.

Bill read first time, and referred to Committee on Irrigation.

Also: Senate Bill No. 42—An act to amend an act known as "The Building and Loan Commission Act," approved April 5, 1911, and amended by an act approved December 18, 1911, by adding thereto a new section to be known and numbered as section 15*a*, relating to the powers and duties of the Building and Loan Commissioner and the licensing of agents.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 43—An act to amend section 17 of an act known as "The Building and Loan Commission Act," approved April 5, 1911, and amended by acts approved December 18, 1911, and May 29, 1915, relating to the powers and duties of the Building and Loan Commissioner.

Bill read first time, and referred to Committee on Banking.

By Senator Johnson: Senate Bill No. 44—An act to amend section 5 of an act entitled "An Act to provide for and regulate the deposit of

county and municipal moneys in banks and banking corporations, limiting the amount of public moneys that may be deposited therein, and providing a penalty for the illegal deposit and use thereof," approved March 23, 1907.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 45—An act to amend section 1599 of the Political Code, relating to school elections.

Bill read first time, and referred to Committee on Education.

By Senator Kehoe: Senate Bill No. 46—An act appropriating money for painting the temporary buildings of Humboldt State Normal School.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 47—An act appropriating money for the equipment and furnishing of buildings of Humboldt State Normal School.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 48—An act appropriating money for the construction of buildings, sidewalks, sewers and grading of grounds on the property of the Humboldt State Normal School.

Bill read first time, and referred to Committee on Finance.

By Senator Duncan: Senate Bill No. 49—An act to repeal section 55*a* of the Penal Code relative to soliciting, demanding, or pledging votes for or against any particular bill or measure.

Bill read first time, and referred to Committee on Judiciary.

By Senator Scott: Senate Bill No. 50—An act to amend section 337 of the Code of Civil Procedure, relating to time within which certain actions must be commenced.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 51—An act to add a new section to the Code of Civil Procedure, to be numbered 337*a*, relating to the time when an action upon an open book account accrues.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 52—An act to add a new section to the Code of Civil Procedure, to be numbered 905*a*, relating to the enforcement or carrying into execution of judgments rendered by the justice's court after the lapse of five years from the date of entry.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 53—An act to amend section 848 of the Code of Civil Procedure, relating to service of summons in justice's court.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 54—An act relating to wearing the badge or emblems of the Grand Army of the Republic, the United Spanish War Veterans' Association, or the Army of the Philippines, making a violation of this act a misdemeanor, and providing a penalty therefor.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 55—An act to add a new section to the Code of Civil Procedure, to be numbered 512*a*, providing for the maintenance of the action of claim and delivery.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 56—An act to amend sections 1 and 2 of an act entitled "An act to secure the payment of the claims of material

men, mechanics, or laborers, employed by contractors upon state, municipal or other public work," approved March 27, 1897, as amended.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 57—An act making an appropriation for the purchase of lands in Marin County, State of California, for the use of the National Guard of California, for target, range, and camping purposes.

Bill read first time, and referred to Committee on Military Affairs.

Also: Senate Bill No. 58—An act to add a new section to the Civil Code, to be numbered 1716, relating to negligence and the enforcement of claims against municipal corporations because of negligence in certain cases.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Inman: Senate Bill No. 59—An act establishing and defining the powers and duties of a state athletic commission for the regulation of boxing, sparring and wrestling matches and exhibitions, and prescribing penalties for violations of the provisions thereof.

Bill read first time, and referred to Committee on Public Morals.

By Senator Stuckenbruck: Senate Bill No. 60—An act to amend section 637*a* of the Penal Code, relating to killing of birds other than game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator King: Senate Bill No. 61—An act to amend section 633 of the Penal Code, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 62—An act to amend section 626 of the Penal Code relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 63—An act to amend section 626*d* of the Penal Code, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Sharkey: Senate Bill No. 64—An act to amend section 718 of the Civil Code, relating to limits to certain leases.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 65—An act to add a new section to the Civil Code to be numbered 719, relating to limits to certain leases of property of minor or incompetent persons.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 66—An act to amend section 4245 of the Political Code of the State of California relating to the salaries, fees, and expenses of officers in counties of the sixteenth class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 67—An act to further divide the State into fish and game districts by establishing a district specially suited for propagation of game, and to provide for the management and protection thereof.

Bill read first time, and referred to Committee on Fish and Game.

REPORT OF STANDING COMMITTEE—OUT OF ORDER.

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, January 12, 1917.

MR. PRESIDENT: Your Committee on Rules to which was referred Senate Concurrent Resolution No. 3—Relative to the adjournment of the Legislature for the constitutional recess and to the reassembling of the Legislature after said recess and fixing the date for said adjournment and said reassembling—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

BREED, Chairman.
INMAN.
BENSON.
KEHOE.
LUCE.

Senate Concurrent Resolution No. 3 ordered on file.

ADJOURNMENT.

At twelve o'clock and forty-five minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until Monday, January 15, 1917, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Monday, January 15, 1917.

The Senate met at eleven o'clock a.m.

Lieutenant Governor William D. Stephens, President of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Meredith, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Shearer, Slater, Stackelbraeck, Thompson, and Tyrrell—38.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, January 12, 1917, the further reading was dispensed with, on motion of Senator Benson.

LEAVES OF ABSENCE.

Senator Sharkey was, on motion of Senator Luce, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Duncan, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Messrs. Sim and Jacob Moak of Chico, two Indian fighters of the early days of Butte County.

RESOLUTIONS.

The following resolutions were offered:

By Senator Nealon:

Resolved, That on and after this date the number of persons or newspapers to whom copies of bills shall be mailed shall be limited to ten to each Senator, and the Senators are requested to hand in their lists of names to the Press Mailing Clerk.

Resolution read and on motion of Senator Nealon adopted.

MINUTE CLERK JOSEPH A. BEEK AT THE DESK.

Also:

By Senator Scott:

WHEREAS, The work performed at the desk of this Senate is of momentous importance and calls for the exercise of undivided attention and absolute concentration; and

WHEREAS, It has come to the attention of this body that the high order of service rendered to this Senate by its Secretary is threatened with serious interruption and disastrous interference by reason of the divided allegiance between this Senate and one of California's most charming young women; and

WHEREAS, This Senate recognizes that the claims and attentions of the young lady take precedence over such slight and trivial matters as the affairs of state and the business of California; therefore be it

Resolved, That in order that our Secretary may not be placed in the position of dividing his allegiance between the Senate and the young lady, that the Senate expedite its business with all possible speed, so that the said young lady shall not long be deprived of the full attention and allegiance of our Secretary.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

By Senator Ingram: Senate Joint Resolution No. 1—Relative to the work of the California Debris Commission.

Referred to Committee on Federal Relations.

SECRETARY CLIFTON E. BROOKS AT THE DESK.

APPOINTMENT OF COMMITTEE.

The President announced the appointment of Senators Jones, Carr, W. J., and Rigdon as the Committee on Committee Meetings.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(RESUMED).

The following bills, etc., were introduced:

By Senator Lyon: Senate Bill No. 68. An act to add two new sections to the Penal Code of the State of California, to be numbered 384*b* and 384*c* relating to keeping perishable foods in cold storage, marking the date thereof, and providing a penalty therefor.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 69—An act prohibiting unnecessary labor and the pursuit of unnecessary occupations on Sunday, defining and excepting "works of necessity," and providing a penalty for the violation of the provisions hereof.

Bill read first time, and referred to Committee on Public Morals.

By Senator Brown: Senate Bill No. 70—An act to be known as the Usury Law relating to the rate of interest which may be charged for the loan or forbearance of money, goods or things in action, or on accounts after demand, or on judgments, providing penalties for the violation of the provisions hereof, and repealing sections 1917, 1918, 1919, and 1920 of the Civil Code and all acts or parts of acts in conflict with this act.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 71—An act for the acquisition, location, survey and construction of a highway beginning at or near Oxnard, in Ventura County, California, and extending to a point near San Juan, in Orange County, California, and making an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Ingram: Senate Bill No. 72—An act making an appropriation for the location, survey and construction of a highway to connect the State of California with the state of Nevada.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Johnson: Senate Bill No. 73—An act to amend section 1415 of the Code of Civil Procedure, relating to the duties of special administrators.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 74—An act to add a new section to the Code of Civil Procedure, to be numbered 1418, relating to payment of secured debts by special administrators.

Bill read first time, and referred to Committee on Judiciary.

By Senator Hans: Senate Concurrent Resolution No. 8—Approving the charter for the city of Alameda, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the 9th day of January, 1917.

Referred to Committee on Municipal Corporations.

By Senator Duncan: Senate Bill No. 75—An act providing for the appointment of a state weed commissioner and the maintenance of his office.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 76—An act defining commission merchants and consignors: Providing for filing of bond and certificates showing names of persons doing business or advertising as commission merchants, and providing penalties for the violation of the requirements herein contained.

Bill read first time, and referred to Committee on Agriculture.

By Senator Nealon: Senate Bill No. 77—An act to amend section 1094 of the Political Code of the State of California, relating to registration, approved April 28th, 1915.

Bill read first time, and referred to Committee on Elections.

Also: Senate Bill No. 78—An act to amend sections 1113, 1131, 1142, 1152, 1216 and 1258 of the Political Code, relating to elections, and to add a new section to the Political Code, to be known as section 1253, relating to the same subject.

Bill read first time, and referred to Committee on Elections.

By Senator King: Senate Bill No. 79—An act to add a new section to the Penal Code of the State of California, relating to the nonsale of trout in the twenty-ninth fish and game district, to be known as and numbered 632c of said code.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 80—An act to amend section 626 of the Penal Code, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Rominger: Senate Bill No. 81—An act to provide for the creation of a bureau of vocational information, defining its powers and duties and making an appropriation for carrying out the provisions hereof.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 82—An act to amend an act entitled "An act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction or completion thereof," which became a law under constitutional provision without the Governor's approval, February 25, 1901, as amended, by amending section 3 thereof, relating to elections to authorize the issuance of bonds, and by adding a new section thereto, to be numbered 6½, relating to the cancellation of unsold bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 83—An act granting to any city of the State whose corporate limits include or bound upon any harbor, bay, estuary, or other navigable body of water, the power to improve the same and to establish, acquire, construct, improve and maintain in, upon and along the waters thereof works for use in connection therewith.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Benson: Senate Bill No. 84—An act accepting from the Women's Relief Corps Home Association of California the conveyance of, and vesting in the State the title to, that tract of land in Santa Clara County known as the Women's Relief Corps Home, together with all improvements, appurtenances and personal property of every kind connected therewith, and establishing the same as a State Home.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 85—An act to amend sections 2210, 2210*c*, 2210*d*, 2210*f*, and 2210*g* of the Political Code and to repeal section 2200*c*, thereof, relating to the Women's Relief Corps Home.

Bill read first time, and referred to Committee on Finance.

By Senator Slater: Senate Concurrent Resolution No. 9—Approving two certain amendments to the charter of the city of Santa Rosa, county of Sonoma, State of California, voted for and ratified by a majority of the qualified electors of the said city of Santa Rosa, at the general municipal election held therein on Tuesday, April 4, 1916.

Referred to Committee on Municipal Corporations.

By Senator Luce: Senate Bill No. 86—An act to provide for the creation of the "State Market Commission," and the organization thereof; to carry on the business of receiving from the producers thereof the agricultural, fishery, dairy and farm products of the State of California and selling and disposing of such products on commission; to define its other duties and powers; to create the position of "State Market Director," to define his duties and powers; to create the "State Market Commission Fund," and to appropriate money to carry out the provisions of this act; and repealing that act known as "State Commission Market Act," approved June 10, 1915, chapter 713 of the Statutes of 1915, and all other acts and parts of acts in conflict with the provisions of this act.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 87—An act to empower the State Market Director of California to regulate and control the business of buying and selling fresh fish; to regulate the destruction of food fish; to create a State Fish Exchange; to license those engaged in marketing fish; to create a State Fish Exchange Fund; to provide penalties for violations of this act; to investigate and report on the fish industry; and to promote the sale of fish.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Rigdon: Senate Bill No. 88—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read first time, and referred to Committee on County Government.

By Senator Jones: Senate Bill No. 89—An act to add two new sections to the Civil Code of the State of California to be numbered 1116 and 1117, both relating to description of real property.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 90—An act to amend section 290 of the Civil Code of the State of California, relating to corporations.

Bill read first time, and referred to Committee on Corporations.

Also: Senate Bill No. 91—An act to prevent the providing for common use of receptacles for drinking purposes in public places, and prescribing penalties for violations thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 92—An act to prevent the keeping of towels for common use in public places and prescribing penalties for violations of the provisions thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Tyrrell: Senate Bill No. 93—An act to amend sections 2, 6, 17, 32 and 43 of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; provide

penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, and known as the "Weights and Measures Act," and amended June 8, 1915, and to add a new section thereto to be designated 32*a*, regulating sales and providing penalties.

Bill read first time, and referred to Committee on Judiciary.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Senator Nealon:

Resolved, That, as soon as printed, the Mailing Clerk of the Senate be, and he is, hereby directed to mail to each county clerk and public library in the several counties of the State of California, one printed copy of all bills introduced in the Senate, together with any and all amendments thereto; one printed copy of all bills finally passed by the Senate; and one printed copy of the Senate History as often as the same is printed; and that said mailing of said printed copies of said bills and histories continue during the session of the Legislature.

Resolution read and on motion of Senator Nealon adopted.

MOTION.

Senator Benson moved that Senate Concurrent Resolution No. 3 be taken up for consideration.

Motion carried.

SENATE CONCURRENT RESOLUTION NUMBER THREE.

Relative to the adjournment of the Legislature for the constitutional recess and to the reassembling of the Legislature after said recess and fixing the date for said adjournment and said reassembling.

WHEREAS, Section 2 of Article IV of the Constitution of the State of California requires that, after the Legislature has been in session for a period not exceeding thirty days, a recess must be taken by both Houses for a period of not less than thirty days; therefore, be it

Resolved by the Senate, the Assembly concurring, That the forty-second session of the Legislature of the State of California shall adjourn for said recess at twelve o'clock noon on Friday, January 26, 1917, and shall reassemble at the hour of twelve o'clock noon on Monday, February 26, 1917.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 3 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Haus, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—36.

NOES—Senator McDonald—1.

Senate Concurrent Resolution No. 3 ordered engrossed and transmitted to the Assembly.

MESSAGE FROM THE GOVERNOR.

On motion of Senator Breed, the following message from the Governor was read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, JANUARY 15, 1917.

To the Senate of the State of California:

I have the honor to inform your honorable body that since the adjournment of the forty-first session of the Legislature on the 9th day of May, 1915, I have made the following appointments and received your confirmations thereon and respectively signified:

July 17, 1915. George F. Wood, of Santa Barbara, a member of the board of trustees of the Santa Barbara State Normal School of Manual Arts and Economics, vice Jarrett T. Richards, resigned.

August 11, 1915. B. H. Pendleton, of Oakland, a member of the State Board of Charities and Corrections, vice W. S. Tinning, term expired.

September 2, 1915. Wilbur A. Sawyer, of Berkeley, a member of the State Board of Health, vice Donald H. Currie, resigned.

September 2, 1915. Robert A. Peers, of Colfax, a member of the State Board of Health, vice J. H. Parkinson, term expired.

September 17, 1915. Henry G. Brainard, of Los Angeles, a member of the board of managers of the Norwalk State Hospital.

September 17, 1915. Sidney A. Butler, of Los Angeles, a member of the board of managers of the Norwalk State Hospital.

September 17, 1915. Florence Collins Porter, of Los Angeles, a member of the board of managers of the Norwalk State Hospital.

September 17, 1915. George D. Jennings, of Covina, a member of the board of managers of the Norwalk State Hospital.

September 18, 1915. Irene Taylor Heinzen, of Los Angeles, a member of the board of trustees of the State Normal School at Los Angeles, vice Arthur Letts, resigned.

October 4, 1915. John N. Anderson, of Santa Ana, a member of the board of managers of the Norwalk State Hospital.

October 13, 1915. Ray Henry Edwards, of Ferndale, a member of the board of trustees of the Humboldt State Normal School, vice Charlotte Ross, resigned.

January 25, 1916. Anna Porterfield, of Ukiah, a member of the board of trustees of the Humboldt State Normal School, vice W. F. Cook, term expired.

March 1, 1916. Rudolph J. Taussig, of San Francisco, a member of the board of regents of the University of California, vice self, term expired.

March 1, 1916. A. W. Foster, of San Francisco, a member of the board of regents of the University of California, vice self, term expired.

March 10, 1916. W. S. James, of Los Angeles, a member of the board of managers of the Norwalk State Hospital, vice Florence Collins Porter, resigned.

April 1, 1916. B. G. Patocchi, of Petaluma, a member of the board of managers of the Mendocino State Hospital, vice W. A. S. Foster, resigned.

May 11, 1916. J. H. Guill, Jr., of Chico, a member of the board of trustees of the State Normal School at Chico, vice F. M. Rutherford, deceased.

May 30, 1916. W. S. Dorland, of San Diego, a member of the Board of Pilot Commissioners for the Harbor of San Diego, vice William R. Cochran, resigned.

May 30, 1916. W. M. Colburn, of San Diego, a member of the Board of Pilot Commissioners for the Harbor of San Diego, vice E. S. Potter, deceased.

July 26, 1916. George D. Cunningham, of Riverside, a member of the board of managers of the Southern California State Hospital, vice W. A. Avey, resigned.

September 12, 1916. E. M. Norton, of Healdsburg, a member of the board of managers of the Sonoma State Home, vice self, term expired.

September 12, 1916. Robert A. Poppe, of Sonoma, a member of the board of managers of the Sonoma State Home, vice self, term expired.

October 17, 1916. George M. Francis, of Napa, a member of the board of managers of the Napa State Hospital, vice H. J. Corcoran, resigned.

October 17, 1916. Henry J. Widenmann, of Vallejo, a member of the board of managers of the Napa State Hospital, vice self, resigned.

October 26, 1916. W. L. Lane, of Richmond, a member of the board of managers of the Napa State Hospital, vice David Rutherford, deceased.

December 8, 1916. Edward L. Bosqui, of San Francisco, a Fish and Game Commissioner of the State of California, vice Carl Westerfeld, resigned.

December 15, 1916. Rev. Charles A. Ramm, of San Francisco, a member of the State Board of Charities and Corrections, vice self, term expired.

December 15, 1916. Jessica B. Peixotto, of Berkeley, a member of the State Board of Charities and Corrections, vice self, term expired.

December 15, 1916. Dr. John R. Haynes, of Los Angeles, a member of the State Board of Charities and Corrections, vice self, term expired.

January 9, 1917. Bert B. Meek, of Oroville, a member of the State Board of Prison Directors, vice self, resigned.

January 15, 1917. F. J. Dietrich, of Stockton, a member of the board of managers of the Stockton State Hospital, vice self, term expired.

January 15, 1917. W. B. Nutter, of Stockton, a member of the board of managers of the Stockton State Hospital, vice self, term expired.

January 15, 1917. C. E. Haven, of Santa Rosa, a member of the board of managers of the Sonoma State Home, vice self, term expired.

January 15, 1917. Rolfe L. Thompson, of Santa Rosa, a member of the board of managers of the Sonoma State Home, vice Herbert W. Slater, term lapsed.

Respectfully submitted.

HIRAM W. JOHNSON, Governor.

The message from the Governor was referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, January 15, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Concurrent Resolution No. 1—Relative to the appointment of a committee on joint rules;

Also: Senate Bill No. 1—An act making an appropriation to pay the expenses of electors of President and Vice President of the United States of America—and reports that the same have been correctly enrolled, and presented the same to the Governor on this 15th day of January, 1917, at 11 o'clock and 30 minutes a.m.

CANEPA, Chairman.

RESOLUTIONS—(OUT OF ORDER).

The following resolutions were offered:

By Senator Luce:

Resolved, That the following named persons be and they are hereby appointed to the respective positions hereinafter set forth as provided by law with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants for the said respective amounts and the Treasurer is directed to pay the same:

Name	Position	Per Diem
John A. Williams,	Assistant Engrossing and Enrolling Clerk	$5 00
J. G. Bisbee,	Gatekeeper	4 00
Mrs. V. Dixon,	Committee Clerk	4 00
Walter Johnson,	Assistant Sergeant-at-Arms	5 00
Andy Lavelle,	Assistant Sergeant-at-Arms	5 00
Edward J. Shedd,	Committee Clerk	4 00
Lou Wall,	Stenographer	5 00
Don Graham,	Committee Clerk	4 00
H. B. Duchand,	Clerk of Finance Committee	6 00
Miss Edna Jacobs,	Stenographer	5 00
Mrs. A. Davenport Martin,	Committee Clerk	4 00
T. W. Bromley,	Assistant Journal Clerk	5 00
B. J. Cohn,	Committee Clerk	4 00
Dan'l. T. Crowley,	Committee Clerk	4 00
G. A. Burnett,	Stenographer	5 00
F. C. Howe,	Committee Clerk	4 00
Millie Richards,	Committee Clerk	4 00
Al Carroll,	Committee Clerk	4 00

Resolution read.

Senator Luce moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, Luce, Lyon, Nealon, Rigdon, Rush, Scott, Stuckenbruck, Thompson, and Tyrrell—26.

NOES—Senators Irwin, McDonald, and Rominger—3.

Also:

Resolved, That Miss Lillian Campbell be and she is hereby transferred from the position of stenographer at a per diem of five dollars, to the position of Clerk of the Judiciary Committee at six dollars per diem, payable weekly, and the Controller is hereby authorized to draw his warrant for said amount and the Treasurer is directed to pay the same.

Resolution read.

Senator Luce moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rush, Scott, Thompson, and Tyrrell—28.

NOES—None.

REPORTS OF SPECIAL COMMITTEES—OUT OF ORDER.

The following report of special committee was received and read:

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, January 15, 1917.

MR. PRESIDENT: Your committee, to which was referred the resolution for the preparation of a schedule on committee meetings, has had the same under consideration and reports the following schedule and recommends that it be adopted:

MONDAY:

9 a.m.—Civil Service. Military Affairs.
4 p.m.—Elections.
8 p.m.—Judiciary. Education. Insurance. Public Utilities.

TUESDAY:

9 a.m.—Agriculture. Mines.
4 p.m.—Prisons and Reformatories. Revenue and Taxation.
8 p.m.—Judiciary. Public Health. Drainage.

WEDNESDAY:

9 a.m.—Commerce and Navigation. Federal Relations.
4 p.m.—Banking.
8 p.m.—Judiciary. Education. Fish and Game.

THURSDAY:

9 a.m.—Corporations. Oil Industries.
4 p.m.—County Government.
8 p.m.—Judiciary. Public Health. Public Morals.

FRIDAY:

9 a.m.—Hospitals and Asylums. Universities.
4 p.m.—Roads and Highways.
8 p.m.—Judiciary. Labor and Capital. Municipal Corporations.

SATURDAY:

9 a.m.—Irrigation. Constitutional Amendments.

JONES, Chairman.
RIGDON.
CARR, W. J.

Senator Jones moved that the report be adopted.

Motion carried.

ADJOURNMENT.

At 12:20 p.m., on motion of Senator Breed, the President declared the Senate adjourned until Tuesday, January 16, 1917, at 11 o'clock a.m.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Tuesday, January 16, 1917.

The Senate met at eleven o'clock a.m.

Lieutenant Governor William D. Stephens, President of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Lace, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—38.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, January 15, 1917, the further reading was dispensed with, on motion of Senator Flaherty.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Benson, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Lillian Harris Coffin, former Chairman of Legislature Committee, New Era League; Mrs. W. B. Hamilton, President, New Era League; Mrs. Fred Bennett, Secretary, New Era League; Mrs. H. de C. Richards, Mrs. L. H. Montgomery, Mrs. Maury Holbrook, Mrs. C. S. Fitzsimmons, Mrs. Arthur Perry, Mrs. Wilbur Williams, Mrs. Mercedes Murrette, Mrs. Ida J. Farley, Mrs. W. H. O'Brien, Miss Lolita Perrine, Miss Margaret McGovern.

MESSAGES FROM THE ASSEMBLY.

On motion of Senator Brown, the following message from the Assembly was read:

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 3 Approving ten certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Los Angeles at a special municipal election held therein on the 24th day of October, 1916.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

MOTION TO REFER.

Senator Brown moved to refer the resolution to Committee on Municipal Corporations.

Motion carried and such was the order.

REPORT OF STANDING COMMITTEE.

The following report of committee was received and read:

ON RULES.

SACRAMENTO, January 16, 1917.

MR. PRESIDENT: Your Committee on Rules to which was referred the following message from the Governor:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 16, 1917.

To the Senate of the State of California:

I have the honor to inform your honorable body that since the adjournment of the forty-first session of the Legislature on the 9th day of May, 1915, I have made the following appointments and request your concurrence therein and consent thereto:

July 17, 1915. George F. Wood of Santa Barbara, a member of the board of trustees of the Santa Barbara State Normal School of Manual Arts and Economics, vice Jarrett T. Richards, resigned.

August 14, 1915. B. H. Pendleton of Oakland, a member of the State Board of Charities and Corrections, vice W. S. Tinning, term expired.

September 2, 1915. Wilbur A. Sawyer of Berkeley, a member of the State Board of Health, vice Donald H. Currie, resigned.

September 2, 1915. Robert A. Peers of Colfax, a member of the State Board of Health, vice J. H. Parkinson, term expired.

September 17, 1915. Henry G. Brainerd of Los Angeles, a member of the board of managers of the Norwalk State Hospital.

September 17, 1915. Sidney A. Barker of Los Angeles, a member of the board of managers of the Norwalk State Hospital.

September 17, 1915. Florence Collins Porter of Los Angeles, a member of the board of managers of the Norwalk State Hospital.

September 17, 1915. George D. Jennings of Covina, a member of the board of managers of the Norwalk State Hospital.

September 18, 1915. Irene Taylor Heineman of Los Angeles, a member of the board of trustees of the State Normal School at Los Angeles, vice Arthur Letts, resigned.

October 4, 1915. John N. Anderson of Santa Ana, a member of the board of managers of the Norwalk State Hospital.

October 13, 1915. Ray Henry Edwards of Ferndale, a member of the board of trustees of the Humboldt State Normal School, vice Charlotte Gale, resigned.

January 25, 1916. Anna Porterfield of Ukiah, a member of the board of trustees of the Humboldt State Normal School, vice W. E. Cook, term lapsed.

March 1, 1916. Rudolph J. Taussig of San Francisco, a member of the board of regents of the University of California, vice self, term expired.

March 1, 1916. A. W. Foster of San Francisco, a member of the board of regents of the University of California, vice self, term expired.

March 10, 1916. W. S. James of Los Angeles, a member of the board of managers of the Norwalk State Hospital, vice Florence Collins Porter, resigned.

April 1, 1916. B. G. Patocchi of Petaluma, a member of the board of managers of the Mendocino State Hospital, vice W. A. S. Foster, resigned.

May 11, 1916. J. H. Guill, Jr., of Chico, a member of the board of trustees of the State Normal School at Chico, vice F. M. Rutherford, deceased.

May 30, 1916. W. S. Dorland of San Diego, a member of the Board of Pilot Commissioners for the Harbor of San Diego, vice William R. Cushman, resigned.

May 30, 1916. W. M. Colburn of San Diego, a member of the Board of Pilot Commissioners for the Harbor of San Diego, vice E. S. Potter, deceased.

July 26, 1916. George D. Cunningham of Riverside, a member of the board of managers of the Southern California State Hospital, vice W. A. Avey, resigned.

September 12, 1916. E. M. Norton of Healdsburg, a member of the board of managers of the Sonoma State Home, vice self, term expired.

September 12, 1916. Robert A. Peppe of Sonoma, a member of the board of managers of the Sonoma State Home, vice self, term expired.

October 17, 1916. George M. Francis of Napa, a member of the board of managers of the Napa State Hospital, vice H. J. Corcoran, resigned.

October 17, 1916. Henry J. Widenmann of Vallejo, a member of the board of managers of the Napa State Hospital, vice self, resigned.

October 26, 1916. W. L. Lane of Richmond, a member of the board of managers of the Napa State Hospital, vice David Rutherford, deceased.

December 8, 1916. Edward L. Bosqui of San Francisco, a Fish and Game Commissioner of the State of California, vice Carl Westerfeld, resigned.

December 15, 1916. Rev. Charles A. Ramm of San Francisco, a member of the State Board of Charities and Corrections, vice self, term expired.

December 15, 1916. Jessica B. Peixotto of Berkeley, a member of the State Board of Charities and Corrections, vice self, term expired.

December 15, 1916. Dr. John R. Haynes of Los Angeles, a member of the State Board of Charities and Corrections, vice self, term expired.

January 9, 1917. Bert B. Meek of Oroville, a member of the State Board of Prison Directors, vice self, resigned.

January 15, 1917. F. J. Dietrich of Stockton, a member of the board of managers of the Stockton State Hospital, vice self, term expired.

January 15, 1917. W. B. Nutter of Stockton, a member of the board of managers of the Stockton State Hospital, vice self, term expired.

January 15, 1917. C. E. Haven of Santa Rosa, a member of the board of managers of the Sonoma State Home, vice self, term expired.

January 15, 1917. Rolfe L. Thompser of Santa Rosa, a member of the board of managers of the Sonoma State Home, vice Herbert W. Slater, term lapsed.

Respectfully submitted,

HIRAM W. JOHNSON, Governor.

Has had the same under consideration, and respectfully reports the same back and recommends that the Senate advise and consent to the several appointments.

BREED, Chairman.

MOTION CONFIRMING APPOINTMENTS OF GOVERNOR.

Senator Breed moved that the Senate advise and consent to the several appointments of the Governor.

The President put the question, "Will the Senate advise and consent to the appointment of George F. Weld of Santa Barbara, a member of the board of trustees of the Santa Barbara State Normal School of Manual Arts and Economics, vice Jarrett T. Richards, resigned?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—35.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of George F. Weld of Santa Barbara, a member of the board of trustees of the Santa Barbara State Normal School of Manual Arts and Economics, vice Jarrett T. Richards, resigned.

The President put the question, "Will the Senate advise and consent to the appointment of B. H. Pendleton of Oakland, a member of the State Board of Charities and Corrections, vice W. S. Tinning, term expired?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Thompson, and Tyrrell—33.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of B. H. Pendleton of Oakland, a member of the State Board of Charities and Corrections, vice W. S. Tinning, term expired.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At eleven o'clock and fifteen minutes a.m. Hon Arthur H. Breed, President pro tempore of the Senate, in the chair.

The President pro tempore put the question, "Will the Senate advise and consent to the appointment of Wilbur A. Sawyer of Berkeley, a

member of the State Board of Health, vice Donald H. Currie, resigned?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Brown, Burnett, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddox, Nealon, Parkitt, Rominger, Rush, Scott, Sharkey, Slater, Thompson, and Tyrrell—32.

NOES—None.

Whereupon the President pro tempore announced that the Senate had advised and consented to the appointment of Wilbur A. Sawyer of Berkeley, a member of the State Board of Health, vice Donald H. Currie, resigned.

The President pro tempore put the question, "Will the Senate advise and consent to the appointment of Robert A. Peers of Colfax, a member of the State Board of Health, vice J. H. Parkinson, term expired?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddox, Nealon, Parkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Thompson, and Tyrrell—35.

NOES—None.

Whereupon the President pro tempore announced that the Senate had advised and consented to the appointment of Robert A. Peers of Colfax, a member of the State Board of Health, vice J. H. Parkinson, term expired.

The President pro tempore put the question, "Will the Senate advise and consent to the appointment of Henry G. Brainerd of Los Angeles, a member of the board of managers of the Norwalk State Hospital?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddox, Nealon, Parkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Thompson, and Tyrrell—33.

NOES—None.

Whereupon the President pro tempore announced that the Senate had advised and consented to the appointment of Henry G. Brainerd of Los Angeles, a member of the board of managers of the Norwalk State Hospital.

The President pro tempore put the question, "Will the Senate advise and consent to the appointment of Sidney A. Butler of Los Angeles, a member of the board of managers of the Norwalk State Hospital?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddox, Nealon, Parkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—35.

NOES—None.

Whereupon the President pro tempore announced that the Senate had advised and consented to the appointment of Sidney A. Butler of Los Angeles, a member of the board of managers of the Norwalk State Hospital.

The President pro tempore put the question, "Will the Senate advise and consent to the appointment of Florence Collins Porter of Los

Angeles, a member of the board of managers of the Norwalk State Hospital?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—35.

NOES—None.

Whereupon the President pro tempore announced that the Senate had advised and consented to the appointment of Florence Collins Porter of Los Angeles, a member of the board of managers of the Norwalk State Hospital.

The President pro tempore put the question, "Will the Senate advise and consent to the appointment of George D. Jennings of Covina, a member of the board of managers of the Norwalk State Hospital?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—33.

NOES—None.

Whereupon the President pro tempore announced that the Senate had advised and consented to the appointment of George D. Jennings of Covina, a member of the board of managers of the Norwalk State Hospital.

The President pro tempore put the question, "Will the Senate advise and consent to the appointment of Irene Taylor Heineman of Los Angeles, a member of the board of trustees of the State Normal School at Los Angeles, vice Arthur Letts, resigned?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Thompson, and Tyrrell—34.

NOES—None.

Whereupon the President pro tempore announced that the Senate had advised and consented to the appointment of Irene Taylor Heineman of Los Angeles, a member of the board of trustees of the State Normal School at Los Angeles, vice Arthur Letts, resigned.

The President pro tempore put the question, "Will the Senate advise and consent to the appointment of John N. Anderson, of Santa Ana, a member of the board of managers of the Norwalk State Hospital?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Thompson, and Tyrrell—33.

NOES—None.

Whereupon the President pro tempore announced that the Senate had advised and consented to the appointment of John N. Anderson, of Santa Ana, a member of the board of managers of the Norwalk State Hospital.

The President pro tempore put the question, "Will the Senate advise and consent to the appointment of Ray Henry Edwards, of Ferndale,

a member of the board of trustees of the Humboldt State Normal School, vice Charlotte Gale, resigned?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Thompson, and Tyrrell—31.

NOES—None.

Whereupon the President pro tempore announced that the Senate had advised and consented to the appointment of Ray Henry Edwards of Ferndale, a member of the board of trustees of the Humboldt State Normal School, vice Charlotte Gale, resigned.

The President pro tempore put the question, "Will the Senate advise and consent to the appointment of Anna Porterfield, of Ukiah, a member of the board of trustees of the Humboldt State Normal School, vice W. E. Cook, term lapsed?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Thompson, and Tyrrell—30.

NOES—None.

Whereupon the President pro tempore announced that the Senate had advised and consented to the appointment of Anna Porterfield, of Ukiah, a member of the board of trustees of the Humboldt State Normal School, vice W. E. Cook, term lapsed.

The President pro tempore put the question, "Will the Senate advise and consent to the appointment of Rudolph J. Taussig, of San Francisco, a member of the board of regents of the University of California, vice self, term expired?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Chandler, Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Johnson, Jones, Kehoe, King, Luce, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Thompson, and Tyrrell—30.

NOES—None.

Whereupon the President pro tempore announced that the Senate had advised and consented to the appointment of Rudolph J. Taussig of San Francisco, a member of the board of regents of the University of California, vice self, term expired.

The President pro tempore put the question, "Will the Senate advise and consent to the appointment of A. W. Foster of San Francisco, a member of the board of regents of the University of California, vice self, term expired?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Johnson, Jones, Kehoe, King, Luce, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Whereupon the President pro tempore announced that the Senate had advised and consented to the appointment of A. W. Foster of San Francisco, a member of the board of regents of the University of California, vice self, term expired.

The President pro tempore put the question, "Will the Senate advise and consent to the appointment of W. S. James of Los Angeles, a member of the board of managers of the Norwalk State Hospital, vice Florence Collins Porter, resigned?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—33.

NOES—None.

Whereupon the President pro tempore announced that the Senate had advised and consented to the appointment of W. S. James of Los Angeles, a member of the board of managers of the Norwalk State Hospital, vice Florence Collins Porter, resigned.

The President pro tempore put the question, "Will the Senate advise and consent to the appointment of B. G. Patocchi of Petaluma, a member of the board of managers of the Mendocino State Hospital, vice W. A. S. Foster, resigned?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Whereupon the President pro tempore announced that the Senate had advised and consented to the appointment of B. G. Patocchi of Petaluma, a member of the board of managers of the Mendocino State Hospital, vice W. A. S. Foster, resigned.

The President pro tempore put the question, "Will the Senate advise and consent to the appointment of J. H. Guill, Jr., of Chico, a member of the board of trustees of the State Normal School at Chico, vice F. M. Rutherford, deceased?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

Whereupon the President pro tempore announced that the Senate had advised and consented to the appointment of J. H. Guill, Jr., of Chico, a member of the board of trustees of the State Normal School at Chico, vice F. M. Rutherford, deceased.

The President pro tempore put the question, "Will the Senate advise and consent to the appointment of W. S. Dorland of San Diego, a member of the board of pilot commissioners for the harbor of San Diego, vice William R. Cushman, resigned?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—32.

NOES—None.

Whereupon the President pro tempore announced that the Senate had advised and consented to the appointment of W. S. Dorland of

San Diego, a member of the board of pilot commissioners for the harbor of San Diego, vice William R. Cushman, resigned.

The President pro tempore put the question, "Will the Senate advise and consent to the appointment of W. M. Colburn of San Diego, a member of the board of pilot commissioners for the harbor of San Diego, vice E. S. Potter, deceased?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—33.

NOES—None.

Whereupon the President pro tempore announced that the Senate had advised and consented to the appointment of W. M. Colburn of San Diego, a member of the board of pilot commissioners for the harbor of San Diego, vice E. S. Potter, deceased.

The President pro tempore put the question, "Will the Senate advise and consent to the appointment of George D. Cunningham of Riverside, a member of the board of managers of the Southern California State Hospital, vice W. A. Avey, resigned?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Hans, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—34.

NOES—None.

Whereupon the President pro tempore announced that the Senate had advised and consented to the appointment of George D. Cunningham of Riverside, a member of the board of managers of the Southern California State Hospital, vice W. A. Avey, resigned.

The President pro tempore put the question, "Will the Senate advise and consent to the appointment of E. M. Norton of Healdsburg, a member of the board of managers of the Sonoma State Home, vice self, term expired?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Chamberlin, Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Inman, Irwin, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—33.

NOES—None.

Whereupon the President pro tempore announced that the Senate had advised and consented to the appointment of E. M. Norton of Healdsburg, a member of the board of managers of the Sonoma State Home, vice self, term expired.

The President pro tempore put the question, "Will the Senate advise and consent to the appointment of Robert A. Poppe of Sonoma, a member of the board of managers of the Sonoma State Home, vice self, term expired?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Inman, Irwin, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—33.

NOES—None.

Whereupon the President pro tempore announced that the Senate had advised and consented to the appointment of Robert A. Poppe of Sonoma, a member of the board of managers of the Sonoma State Home, vice self, term expired.

The President pro tempore put the question, "Will the Senate advise and consent to the appointment of George M. Francis of Napa, a member of the board of managers of the Napa State Hospital, vice H. J. Corcoran, resigned?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—33.

NOES—None.

Whereupon the President pro tempore announced that the senate had advised and consented to the appointment of George M. Francis of Napa, a member of the board of managers of the Napa State Hospital, vice H. J. Corcoran, resigned.

The President pro tempore put the question, "Will the Senate advise and consent to the appointment of Henry J. Widenmann of Vallejo, a member of the board of managers of the Napa State Hospital, vice self, resigned?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—33.

NOES—None.

Whereupon the President pro tempore announced that the Senate had advised and consented to the appointment of Henry J. Widenmann of Vallejo, a member of the board of managers of the Napa State Hospital, vice self, resigned.

The President pro tempore put the question, "Will the Senate advise and consent to the appointment of W. L. Lane of Richmond, a member of the board of managers of the Napa State Hospital, vice David Rutherford, deceased?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Evans, Flaherty, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—34.

NOES—None.

Whereupon the President pro tempore announced that the Senate had advised and consented to the appointment of W. L. Lane of Richmond, a member of the board of managers of the Napa State Hospital, vice David Rutherford, deceased.

The President pro tempore put the question, "Will the Senate advise and consent to the appointment of Edward L. Bosqui of San Francisco, a Fish and Game Commissioner of the State of California, vice Carl Westerfeld, resigned?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—34.

NOES—None.

Whereupon the President pro tempore announced that the Senate had advised and consented to the appointment of Edward L. Bosqui of San Francisco, a Fish and Game Commissioner of the State of California, vice Carl Westerfeld, resigned.

LIEUTENANT GOVERNOR IN THE CHAIR.

At eleven o'clock and fifty minutes a.m., Lieutenant Governor William D. Stephens, President of the Senate, in the chair.

The President put the question, "Will the Senate advise and consent to the appointment of Rev. Charles A. Ramm of San Francisco, a member of the State Board of Charities and Corrections, vice self, term expired?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Chamberlin, Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, Luce, McDonald, Maddox, Nealon, Purkitt, Rigden, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—33.
NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Rev. Charles A. Ramm of San Francisco, a member of the State Board of Charities and Corrections, vice self, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of Jessica B. Peixotto of Berkeley, a member of the State Board of Charities and Corrections, vice self, term expired?"

The roll was called, with the following result:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Chamberlin, Duncan, Evans, Flaherty, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddox, Nealon, Purkitt, Rigden, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—33.
NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Jessica B. Peixotto of Berkeley, a member of the State Board of Charities and Corrections, vice self, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of Dr. John R. Haynes of Los Angeles, a member of the State Board of Charities and Corrections, vice self, term expired?"

The roll was called, with the following result:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Chamberlin, Duncan, Evans, Flaherty, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddox, Nealon, Purkitt, Rigden, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—31.
NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Dr. John R. Haynes of Los Angeles, a member of the State Board of Charities and Corrections, vice self, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of Bert B. Meek of Oroville, a member of the State Board of Prison Directors, vice self, resigned?"

The roll was called, with the following result:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Chandler, Duncan, Evans, Flaherty, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—30.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Bert B. Meek of Oroville, a member of the State Board of Prison Directors, vice self, resigned.

The President put the question, "Will the Senate advise and consent to the appointment of F. J. Dietrich of Stockton, a member of the board of managers of the Stockton State Hospital, vice self, term expired?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Purkitt, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of F. J. Dietrich of Stockton, a member of the board of managers of the Stockton State Hospital, vice self, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of W. B. Nutter of Stockton, a member of the board of managers of the Stockton State Hospital, vice self, term expired?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, and Thompson—30.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of W. B. Nutter of Stockton, a member of the Board of managers of the Stockton State Hospital, vice self, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of C. E. Haven of Santa Rosa, a member of the board of managers of the Sonoma State Home, vice self, term expired?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—32.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appontment of C. E. Haven of Santa Rosa, a member of the board of managers of the Sonoma State Home, vice self, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of Rolfe L. Thompson of Santa Rosa, a member of the board of managers of the Sonoma State Home, vice Herbert W. Slater, term lapsed?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Maddux, Purkitt, Rigdon, Roninger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—31.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Rolfe L. Thompson of Santa Rosa, a member of the board of managers of the Sonoma State Home, vice Herbert W. Slater, term lapsed.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SACRAMENTO, January 16, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 2—Relative to adjournment in respect to the memory of John Morten Eshleman, and reports that the same has been correctly enrolled, and presented the same to the Governor on this 16th day of January, 1917, at 10 o'clock and 30 minutes a.m.

CANEPA, Chairman.

Also:

SACRAMENTO, January 16, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 3—Relative to the adjournment of the Legislature for the constitutional recess and to the reassembling of the Legislature after said recess and fixing the date for said adjournment and said reassembling, and reports that the same has been correctly engrossed.

CANEPA, Chairman.

ON MUNICIPAL CORPORATIONS.

SACRAMENTO, January 16, 1917.

MR. PRESIDENT: Your Committee on Municipal Corporations to which was referred Assembly Concurrent Resolution No. 3—Approving ten certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Los Angeles at a special municipal election held therein on the 24th day of October, 1916—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

TYRRELL, Chairman.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION—OUT OF ORDER.

Senator Brown asked for, and was granted unanimous consent to take up for consideration Assembly Concurrent Resolution No. 3.

ASSEMBLY CONCURRENT RESOLUTION No. 3.

Approving ten certain amendments to the charter of the City of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Los Angeles at a special municipal election held therein on the 24th day of October, 1916.

WHEREAS, the City of Los Angeles, in the County of Los Angeles, State of California, contains a population of over three hundred nineteen thousand inhabitants and has, ever since the year 1889 and is now organized and acting under a freeholders' charter, adopted under and by virtue of Section 8, Article XI of the Constitution of the State of California, which charter was duly ratified by a majority of the qualified electors of said city at a special election held for that purpose on the 20th day of October, 1888, and approved by the Legislature of the State of California on the 31st day of January, 1889 (Statutes of 1889, page 455), and,

WHEREAS, the Legislative body of said city, namely: the Council of said city, did, by resolution adopted September 11, 1916, and pursuant to Section 8 of Article

XI of the Constitution of the State of California, duly propose to the qualified electors of said city of Los Angeles fourteen amendments to the charter of said city, and ordered that said amendments be submitted to said qualified electors of said city at a special municipal election to be held in said city on the 24th day of October, 1916, which date was fixed in said resolution as the date for holding said special municipal election, and,

WHEREAS, said fourteen proposed amendments were, and each of them was, on September 13, 1916, duly published in The Los Angeles Daily Journal, a daily newspaper of general circulation in said city of Los Angeles and the newspaper designated by said council for that purpose; that said proposed amendments were printed in convenient pamphlet form, and from September 13, 1916 to October 24, 1916, both inclusive, a notice was published in The Los Angeles Daily Journal, a daily newspaper of general circulation in said city, that such copies could be had upon application therefor at the office of the City Clerk of said city; and,

WHEREAS, the said council of said city did by ordinance designated as Ordinance No. 34,869, New Series, which was duly adopted on the 13th day of October, 1916, order the holding of a special municipal election in said city of Los Angeles on the 24th day of October, 1916, which said date was more than forty days and less than sixty days after the completion of the publication of said fourteen proposed amendments as aforesaid, which said ordinance was approved by the Mayor of said city on the 13th day of October, 1916, and was published for at least five times prior to the time for the holding of said election, in The Los Angeles Daily Journal, a daily newspaper printed and published in said city; and,

WHEREAS, said council of said city did, by an ordinance designated as Ordinance No. 34,891, New Series, which was duly adopted on the 16th day of October, 1916, order the submission to the qualified electors of said city of said fourteen proposed charter amendments at the election called to be held in said city on the 24th day of October, 1916, as aforesaid, which said ordinance was approved by the Mayor of said city on the 16th day of October, 1916, and was thereafter published in The Los Angeles Daily Journal, a daily newspaper printed and published in said city for the time and in the manner prescribed by law; and,

WHEREAS, said special municipal election was held in said city of Los Angeles on the 24th day of October, 1916, which day was more than forty days and less than sixty days after said proposed amendments to said charter had been published once in The Los Angeles Daily Journal, said election having been held during the six months next preceding a regular session of the Legislature; and,

WHEREAS, thereafter, to wit, on the 26th day of October, 1916, the council of said city did, in the manner provided by law, duly and regularly canvass the returns of said election and duly declare the results thereof; and,

WHEREAS, at said special election, held on said 24th day of October, 1916, ten of said proposed amendments were ratified by a majority of the electors of said city voting thereon, to wit: charter amendments numbers 1, 2, 4, 5, 6, 7, 8, 10, 11 and 12, and that all other amendments received less than a majority of the votes of the qualified electors voting thereon and were not ratified; and,

WHEREAS, the said ten charter amendments so ratified by the electors of the city of Los Angeles are now submitted to the Legislature of the State of California for approval or rejection as a whole, without power of alteration or amendment in accordance with Section 8 of Article XI of the Constitution of the State of California, and are in words and figures as follows, to wit:

CHARTER AMENDMENT NUMBER ONE.

That Section 255 and Section 256 of Article XXIV of the Charter be repealed, and that a new subdivision be added to Section 2, Article I of the Charter to be known as subdivision (52), and to read as follows:

(52) To authorize by ordinance the transfer to, and the assumption and discharge by officers of Los Angeles county of any function of the city of Los Angeles relating to the assessment of property for taxation, the equalization of such assessment, the collection of taxes levied for municipal purposes, the collection of assessments levied for local improvements, and the sale of property for the nonpayment of taxes or assessments for local improvements levied thereon and the redemption thereof. During the time any such ordinance is in effect, the mode and manner of assessing property for purposes of municipal taxation and the levying and collecting of taxes for municipal purposes, the nature of the lien therefor and the manner and method of enforcing the same, and of the redemption of property sold for nonpayment of taxes, and all proceedings relating to said matters, shall be fixed by ordinance and so far as applicable, shall be substantially the same as may be provided by law for such matters in relation to county taxes in Los Angeles County.

To authorize by ordinance approved by a vote of a majority of the qualified electors of the city voting thereon, the transfer to and assumption and discharge by officers of Los Angeles County of any other municipal functions of the city, provided such other functions are not legislative functions. In the event of the assumption as aforesaid by officers of Los Angeles County of any municipal functions, the specific

powers and duties of any officers of the city which have been so transferred shall cease, and the Council shall by ordinance provide for the discharge of any remaining powers or duties of any such officer or officers by such officer or officers, or for the transfer to, and assumption and discharge of such remaining powers or duties by other officers of said city, as it may determine. In the event all of the duties of any officer are transferred by ordinance as authorized herein, the office held by such officer shall be deemed vacated and provided when such ordinance is in effect and during such time such office shall not be filled by election or appointment, nor shall any salary attach thereto. Upon the repeal of any ordinance pertaining to the assumption and discharge by officers of said county of any municipal functions of said city, the provisions of this Charter then in force relating to the discharge of such functions shall revive and again be in full force and effect.

CHARTER AMENDMENT NUMBER TWO.

That Sec. 199 of Article XIX of the Charter be amended to read as follows:

Sec. 199. Except as in this Charter otherwise provided, every special election ordered, held and conducted shall be ordered, held and conducted (mutatis mutandis as to the date thereof) and the result thereof made known and declared in the same manner as herein provided for other elections.

That Sec. 199a of Article XIX of the Charter be amended to read as follows:

Sec. 199a. The Council may consolidate special elections with any other or with any municipal, county or state election. When any elections shall have been consolidated as herein provided, they shall be held, conducted, the returns thereof canvassed and the result thereof declared in the same manner as one election.

That Sec. 200 of Article XIX of the Charter be amended to read as follows:

Sec. 200. The Council shall by ordinance order the holding of all elections. Every such ordinance shall specify the object and time of holding any such election and shall establish the election precincts, designate the polling places therein and name the officers of election for each precinct, who must be residents thereof, to conduct the holding of and make returns of such election; provided that when two or more municipal elections are consolidated by the Council, it shall not be necessary to set forth the precincts, polling places and officers of election in more than one of the ordinances calling the election, and in the case a municipal election is consolidated with a state or county election it shall not be necessary to set forth the precincts, polling places and officers of election, but reference may be made in the ordinance, resolution or ordinance of the Board of Supervisors of Los Angeles County calling such election and fixing precincts, officers of election and polling places. Unless otherwise designated in the ordinance adopted by the Council calling an election, the voting precincts of such election shall be the precincts provided by law for the holding of state and county elections in said city. The Council may, in ordering the holding of any election, consolidate the voting precincts into consolidated precincts in a number not exceeding three for each such consolidated precinct and shall number such consolidated precincts consecutively, and each consolidated precinct so established shall, for the purposes of such election, be known by the number so designated. In ordering the holding of any special election the Council may reduce the number of officers of election for each precinct, or consolidated precinct, to one judge, one inspector and two clerks. The manner of the selection and appointment of officers of election shall be determined by the Council. All ordinances ordering the holding or consolidation of elections shall be published in some daily newspaper printed and published in said city for at least two days prior to the time appointed for the holding of said election.

That Sec. 201 of Article XIX of the Charter be amended to read as follows:

Sec. 201. The returns of every election shall be delivered to the City Clerk, who shall deliver the same to the Council when it is in session for the purpose of canvassing the returns thereof. The Council shall, within ten days after any election, either at a regular or special meeting, canvass the returns and declare the result thereof, and order certificates of nomination, in the case of primary nominating elections, issued to the persons nominated thereat, and certificates of election to the persons elected at general municipal elections or at primary nominating elections. The Council shall be the judge of the qualifications of all of the elective officers. Provided, that when any municipal election is consolidated with any state or county election, the ballots used shall be the ballots used at such state or county election, and the Board of Supervisors of Los Angeles County shall canvass the returns and shall certify the result of such canvass of all municipal questions submitted at such election, to the Council, who shall thereupon declare the result thereof, and any act in relation to the conduct of such election, required by this Charter to be performed by an officer or employee of the city, shall be performed by the proper officer or employee of the county.

Whenever requested by the City Clerk, the Council shall authorize him to employ such persons, in addition to the persons regularly employed in his office, as may be necessary to assist him in the performance of any duty imposed upon him by the Charter or by the Council in connection with the conduct of any election, and the

provisions of the Charter respecting the classified Civil Service of the city shall not apply to the persons so specially employed.

That Sec. 204 of Article XIX of the Charter be amended to read as follows:

Sec. 204. Any person in order to be entitled to vote at any of the elections held under this Charter must be registered in the manner and have the qualifications required by the general laws of this state respecting registration and qualification of voters for state and county elections.

That Sec. 205 of Article XIX of the Charter be amended to read as follows:

Sec. 205. The registers used at any election held in pursuance of this Charter shall be as provided by law for state or county elections. It shall be the duty of the Registrar of voters or other officer of the County of Los Angeles to furnish such registers, with proper indices thereto, to the City Clerk of said city at least five days before the holding of such municipal election, unless such election is consolidated with a state or county election.

That Section 206-k of Article XIX of the Charter be amended to read as follows:

Sec. 206-k. The City Clerk shall cause the ballots to be printed, and, except when voting machines are used, numbered and bound, which ballots shall contain the list of names of candidates and respective offices as published, with the following caption:

PRIMARY NOMINATING ELECTION.

City of Los Angeles, (inserting date thereof). "To vote, stamp a cross opposite the name of the candidate voted for, except that when name of candidate is written in by voter the cross need not be made."

The names of the offices to be filled shall be arranged on the ballots in the order the officers of the city to be elected are named in Section 4 of this Charter.

That Sec. 206-m of Article XIX of the Charter be amended to read as follows:

Sec. 206-m. Each ballot shall contain blank spaces underneath the printed names for each office, wherein the voter may write the name of any candidate whose name is not printed on the ballot, and for whom he may wish to vote, and in such case a cross need not be stamped opposite such written name.

CHARTER AMENDMENT NUMBER FOUR.

That a new subdivision be added to Sec. 2, Article I of the Charter, to be known as subdivision (53), and to read as follows:

(53) To require or provide for the elevation or depression, in whole or in part, of railway or railroad tracks. Nothing contained in this Charter shall be construed as a prohibition or limitation of the right of the city to require or provide for such elevation or depression. The provisions of this subdivision shall be exercised by ordinance.

CHARTER AMENDMENT NUMBER FIVE.

That a new subdivision be added to Sec. 2, Article I of the Charter, to be known as subdivision (51) and to read as follows:

(51) To make and enforce all laws and regulations in respect to municipal affairs, subject only to the restrictions and limitations provided in this Charter.

CHARTER AMENDMENT NUMBER SIX.

That subdivision (19) of Sec. 2 of Article I of the Charter be amended to read as follows:

(19) a. To provide for any or all of the following improvements, to wit: the opening, widening, extension and vacation of streets, alleys and other public ways, and the establishment or change of grade thereof; the improvement, either by contract or by the direct employment of labor and purchase of materials, or by both such methods, of streets, avenues, alleys or other public places of the city, or the construction or reconstruction in any public street, alley or other public place, or in any right-of-way owned by the city, of sewers, drains, water or gas mains, and lines and conduits for transmitting electric energy, and other pipes, mains, lines and conduits, or other public improvements; and to make the cost of any such improvements a lien and charge upon the abutting property, or upon property in districts according to benefits; and to make provisions for the enforcement of such lien, and to levy and collect or cause to be levied and collected assessments upon abutting property, or to levy and collect or cause to be levied and collected assessments upon property in districts according to benefits, to pay the cost of any such improvements; and to issue and sell or cause to be issued and sold bonds or certificates, bearing interest, upon such abutting property, or property in such districts, to represent any such assessments, or to be paid therefrom.

b. To adopt by ordinance the method of procedure to carry out the provisions of paragraph a of this subdivision.

Any procedure ordinance adopted under the authority of this subdivision shall reserve to the owners of the property to be assessed for any improvement authorized thereby, the right by protest of the majority of the frontage to cause proceedings for such improvement to be abandoned for a period of not less than six months from the date of filing such protest, unless in the meantime the owners of a majority of

the frontage petition therefor, except that in case such improvement is for a sanitary sewer, or is for the improvement of a portion of a street adjacent to a portion of the same street previously improved in substantially the same manner as the proposed improvement, and such proposed improvement covers a distance less than one block of the portion of said street previously so improved, or in case only the roadbed is improved, the work shall not be started or prosecuted by any such petition unless the Council shall deem proper. No improvement to be paid for by special assessment shall be made by the city by the direct employment of labor and purchase of materials, under the authorization of this section, unless the owners of more than [illegible] requested so to do by a petition signed by the owners of [illegible] of the [illegible] to be assessed for such improvement, or unless at the time of receiving bids for the construction of such improvement the city shall have submitted a sealed bid, and been the lowest responsible bidder, provided that should any public improvement provided for in this subdivision be advertised to be let by contract and the bids for the same be, in the opinion of the owners of a majority of the frontage to be assessed for such improvement, too [illegible] by the Council by the owners of such majority of frontage [illegible] bids have been received, all bids may be rejected and the city may proceed to construct the proposed improvement by the direct employment of labor and purchase of materials.

c The powers granted to the city by this subdivision shall be cumulative additional and alternative powers to those conferred by the rest of this act of improvements mentioned in this subdivision, and [illegible] to pay the cost thereof, and the assessing of bonds to provide [illegible] conferred upon municipalities by general laws of the State of California now or hereafter in force.

CHARTER AMENDMENT NUMBER SEVEN.

That Sec. 119b of Article XII of the Charter be amended to read as follows:

Sec. 119b. All lands belonging to the city which have heretofore been or which may hereafter be set apart or dedicated for the use of the public for a public park, shall forever remain to the use of the public inviolate; provided, however, that the Board of Park Commissioners may, with the approval of the Council, give, [illegible] grant easements or rights of way to any public utility facilities or franchises from the city authorizing operation in, under, along or over such right-of-way, such easement not to extend beyond the [illegible] of such franchise, and [illegible] opening, establishment and maintenance of streets or other public [illegible] through such parks, and provided, further, that any [illegible] pertaining to or appertaining to the municipal water works, [illegible] other utility owned by the city and necessary or convenient for giving service to the city or its inhabitants by means of or in connection with such works, system or utility, may be located, constructed, operated and maintained in any public park by the water commission or officer in charge of such works, system or utility, with the approval and subject to regulations of the Council, expressed by ordinance.

CHARTER AMENDMENT NUMBER EIGHT.

That a new subdivision be added to Sec. 118 of Article XII of the Charter, to be designated as (e), and to read as follows:

(e) Whenever funds are donated by any person or persons for the establishment or construction of any building, structure, work or improvement in a public park and the donor or donors thereof shall, at the time of such donation, request the appointment of a special commission to take charge of the expenditure of such funds and to supervise the construction of such improvement, the Council may, by resolution, if said proposed improvement will increase the value of such park for park purposes, provide by ordinance for the appointment by the Mayor, subject to the confirmation by a majority of the Council, of a special commission to take charge of the supervision of the construction of such improvement and the expenditure of funds donated therefor. In the event funds are donated in the manner provided in this section for the maintenance of any such improvement at the time of the construction thereof or otherwise, the Council may, by ordinance, cause a commission to have charge of such maintenance. Any commission appointed under the provisions of this section shall have such powers and duties as to such construction or maintenance as may be conferred upon it by ordinance.

CHARTER AMENDMENT NUMBER TEN.

That subdivision (g) of Sec. 192 of Article XVIII of the Charter be amended to read as follows:

(g) The Board of Public Service Commissioners shall have power:

To manage and control all waters, water rights, water-bearing lands, water works, reservoirs, zanjas, ditches, and all electric plants, works, systems and equipments, and all electric power, belonging to the city.

To construct, operate, maintain and extend water works, dams, reservoirs, zanjas, ditches, canals, conduits, aqueducts and other means for supplying the city and its

inhabitants with water; also electric plants, works, systems, and equipments, and other means for supplying the city and its inhabitants with electricity for light, power, heat and other purposes; and to acquire and take, by purchase, lease, condemnation or otherwise, and, in its own name to hold, as special trustee for the city, any and all property situated within or without the limits of the city, that may be necessary or convenient for such construction, operation, maintenance or extension.

To supply and distribute any surplus water or surplus electric power, belonging to or controlled by the city, and not required for use within its limits, to consumers outside of the city, for their own use, and to municipal corporations outside of the city, for municipal uses, or for resale, disposal or distribution, by such municipal corporations, to consumers within their limits, respectively; such surplus water and electric power to be so supplied and distributed, for use outside of the city, under schedule of rates, fixed as hereinafter provided, which shall be of uniform operation, as near as may be, and shall be fair and reasonable, taking into consideration, among other things, the nature of the use, the quantity supplied, and the value of the service; provided, however, that water or electric power said not be supplied by the city at less rates outside of the city than inside thereof, for the same or similar uses; provided further, that the supplying or distribution of water or power, for use outside of the city, as aforesaid, shall, in every case, be subject to the paramount right of the City of Los Angeles at any time, to discontinue the same, in whole or in part, and to take and hold, or to distribute such water and power, or either thereof, for the use of the city and its inhabitants; and provided further, that contracts for supplying surplus water or surplus electric power by the city to municipal corporations outside of the city, or for interchange of surplus power with any such outside municipal corporation, may be made by the board, in the name of the city, for periods not exceeding fifteen years, and upon such terms and conditions, and for such compensation to the city as shall be prescribed by resolution adopted by said board and approved by an ordinance of said city; but in every such contract with a municipal corporation, as aforesaid, the right shall be reserved to the city to terminate the same upon three years' written notice to such municipal corporation, to be given by said board whenever it shall be determined and declared by resolution adopted by said board and approved by an ordinance of said city, that the water and electric power, or either, to be supplied under such contract, is required for the City of Los Angeles and its inhabitants; and every such contract for supplying surplus water by the city to an outside municipal corporation must, before the making or execution thereof, be assented to by a majority of the qualified electors of said city voting upon the proposition at a general or special election at which such proposition shall be submitted.

To regulate and control the use, sale and distribution of water and electricity belonging to the city, the collection of water and electric power and light rates, and the granting of permits for connections with said water works, zanjas, ditches, electric works or electric systems, and to fix the rates to be charged for such connections; and, subject to the approval of the City Council, by ordinance, to fix the rates to be charged for water, electric power and electric light, whether within or without the city limits, and to prescribe the time and manner of payment of the same. Such rates shall be so fixed at least every two years; provided that, except as hereinafter otherwise prescribed, the rates to be charged by the city for water or electric power, supplied by it for use within its limits, shall be of uniform operation, as near as may be, and shall be fair and reasonable, taking into consideration, among other things, the nature of the use, the quantity supplied and the value of the service.

To appoint, employ, and, for good cause, remove a chief engineer of water works, who shall be the successor in office of the superintendent of water works, an electrical engineer, and such assistants, employees and laborers as the board may deem necessary, to fix their compensation, prescribe their duties, and to require of any or all of them adequate bonds for the faithful performance of such duties.

To sue and be sued, and to require the services of the City Attorney, free of charge, in all cases to which the board is a party.

To control and order the expenditure of all moneys received from the sale or use of water, or from any other source in connection with the operation and management of the water works of said city; provided that all such moneys shall be deposited in the treasury of the city to the credit of a fund to be known as the "Water Revenue Fund," and shall be kept separate and apart from other moneys of the city, and shall only be drawn from said fund upon demands authenticated by the signatures of the president and secretary of the board, or, in the absence of the president, by the signature of two members and the secretary of the board, except that the City Council, at the time of fixing the general tax levy may, in its discretion, by ordinance, apportion and set apart, out of the moneys then in said Water Revenue Fund and not appropriated to other purposes or required to meet outstanding obligations and liabilities payable out of such fund, an amount sufficient to meet all sums coming due for interest or principal, or for interest and principal, upon all outstanding water works bonds, before the time for fixing the next general tax levy, and the City Treasurer shall use the money so apportioned to make such payment, and for no other purpose; and if there shall be a surplus remaining, the same shall forthwith be retransferred into said Water Revenue Fund.

CHARTER AMENDMENT NUMBER ELEVEN

That Sec. 218 of Article XXI of the Charter be amended to read as follows:

Sec. 218. The salaries or wages of all officers and employees of the city shall be paid either monthly, semimonthly or weekly as the Council may by ordinance prescribe. At the expiration of the period fixed in the ordinance providing for the time of payment of such salaries or wages, the board, commission or officer having the management or control of any department or office shall cause a pay roll to be made out of all persons employed in such department or office during the preceding salary period, stating the amount of compensation of such persons in detail, which said pay roll shall be certified as herein provided in the case of demands against the city. Each such pay roll shall be filed with the City Auditor and shall be accompanied by proper demands or pay checks for the salary or wages of each person specified therein; provided, that nothing in this article contained shall be deemed to affect or limit the provisions of Sec. 151 of this Charter.

CHARTER AMENDMENT NUMBER TWELVE

That Sec. 13 of Article III of the Charter be amended to read as follows:

Sec. 13. The Council is the governing body of the city and shall meet on at least five days each week, and shall provide by ordinance for the number, time and place of holding all regular and special meetings.

STATE OF CALIFORNIA, } ss.
County of Los Angeles }

This is to certify that we, the undersigned, Frederic T. Woodman, Mayor of the City of Los Angeles, State of California, and Chas. L. Wilde, City Clerk of said city, do hereby certify as follows, to wit: That the foregoing proposed and ratified amendments to the charter of said City of Los Angeles submitted to the electors of said city, at a special election held on the 24th day of October, 1916, have been compared by them and each of them with the respective proposed amendments set forth in the resolution adopted by the Council, as hereinbefore stated, and find that the foregoing is a full, true, correct and exact copy thereof, and we further certify that the facts set forth in the preamble preceding said amendments to said charter are, and each of them, is true.

IN WITNESS WHEREOF, we have hereunto set our hands and caused the same to be authenticated by the seal of said City of Los Angeles this 6th day of January, 1917.
[SEAL]

FREDERIC T. WOODMAN
Mayor of the City of Los Angeles
CHAS. L. WILDE
City Clerk of the City of Los Angeles

Now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring (a majority of all the members elected to each house voting therefor and concurring therein), that said amendments to the charter of the City of Los Angeles as proposed to, adopted and ratified by the electors of said city as hereinbefore fully set forth, be, and the same are, and each of them is hereby approved as a whole without amendment or alteration, for and as amendments to, and as a part of the charter of the City of Los Angeles.

Resolution read.

The question being on the adoption of the resolution

The roll was called, and Assembly Concurrent Resolution No. 3 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Haus, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Parkes, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stockenbruck, Thompson, and Tyrrell—36.

NOES—None.

Assembly Concurrent Resolution No. 3 ordered transmitted to Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON MUNICIPAL CORPORATIONS.

SACRAMENTO, January 15, 1917.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 11—An act to amend section 1 of an act entitled "An act

giving and granting to the board of park commissioners of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes," approved March 24, 1911, extending the terms of said section to include the year 1917, has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

TYRRELL, Chairman.

CASE OF URGENCY.

The following resolution was offered:

By Senator Luce:

Resolved, That Senate Bill No. 11 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Senator Luce moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—35.

NOES—None.

Whereupon the President declared the provision of section 15 of Article IV of the Constitution suspended for the purpose of considering at this time Senate Bill No. 11.

Bill read second time, considered engrossed and ordered on third reading file.

Bill read third time.

Section 2, setting forth the urgency clause, read.

The question being "Shall this section, setting forth the urgency feature of this bill, be passed?"

The roll was called and the urgency section passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Crowley, Evans, Flaherty, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nevin, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—34.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 11 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON MUNICIPAL CORPORATIONS.

SACRAMENTO, January 16, 1917.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 4—A proposal to amend Article XX of the charter of the city of Oakland, dealing with franchises, after due ratification by the qualified electors of said city;

Also: Senate Concurrent Resolution No. 5. Approving thirteen certain amendments to the charter of the city and county of San Francisco, State of California, voted for and ratified by the electors of said city and county of San Francisco, at a general election held therein on the 7th day of November, 1916.

Also: Senate Concurrent Resolution No. 7. Approving certain amendments to the charter of the city of Eureka, a municipal corporation, in the county of Humboldt, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the 27th day of November, A. D. 1916—has had the same under consideration, and respectfully reports the same back and recommends that they be adopted.

TYRRELL, Chairman.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION—[OUT OF ORDER].

Senator Breed asked for and was granted unanimous consent to take up for consideration Senate Concurrent Resolution No. 4.

SENATE CONCURRENT RESOLUTION No. 4.

Relative to a proposal to amend Article XX of the Charter of the City of Oakland, dealing with franchises, after due ratification by the qualified electors of said city.

WHEREAS, the City of Oakland, a municipal corporation of the County of Alameda, State of California, now is, and was at all times mentioned, a city containing a population of more than three thousand five hundred (3500) inhabitants and has been ever since the 1st day of July, one thousand nine hundred ninety, and is now, organized and acting under a Freeholders' Charter adopted under and by virtue of Section 8 of Article XI of the Constitution of the State of California, and which Charter was duly ratified by the qualified electors of said City, at an election held for that purpose on the 8th day of December, one thousand nine hundred ninety, and approved by the Legislature of the State of California by concurrent resolution filed with the Secretary of State on the fifteenth day of February, 1911, (Statutes of 1911, page 1551); and

WHEREAS, in pursuance of sufficient petitions requiring the same, duly and regularly filed in the office of the City Clerk of said City, on the fifth day of September, 1916, and by and in pursuance of Resolution No. 13543 N.S. adopted by the City Council of the City of Oakland on the eighteenth day of September, 1916, and by and in pursuance of Resolution No. 13672 N.S. adopted by the City Council of the City of Oakland on the ninth day of October, 1916, the City Council of said City of Oakland did, by said ordinances and pursuant to Section 8 of Article XI of the Constitution of the State of California, duly and lawfully submit and propose to the qualified electors of the said City of Oakland, a certain amendment to said Charter of said City, by the submission of a proposal entitled as follows, to-wit:

"A proposal to amend Article XX of the Charter of the City of Oakland, dealing with franchises, said proposal being to amend Subdivisions 2 and 3 of Section 146 of said Article, to add a new section dealing with re-settlement franchises, to be numbered 146', and to amend Sections 141, 145, 149 and 153"; and

WHEREAS, said proposal above mentioned concerning said proposed amendment to said Charter, was duly and regularly published in accordance with the provisions of Section 8 of Article XI of the Constitution of the State of California, and in accordance with the provisions of the Charter of the City of Oakland, in the "Oakland Enquirer", a daily newspaper of general circulation, published in said City of Oakland, and the official newspaper of said City; and

WHEREAS, copies of said proposal containing said proposed amendment, were printed in convenient pamphlet form, and until the date fixed for the election hereinafter described, and as required by law, an advertisement was published in said "Oakland Enquirer" that such copies could be had upon application therefor, at the office of the City Clerk of the City of Oakland; and

WHEREAS, such copies could be had upon application therefor, at the office of the City Clerk of the City of Oakland, until the date fixed for the election hereinafter described; and

WHEREAS, the legislative body of said City, by its Resolution No. 13543 N.S. adopted on the eighteenth day of September, 1916, did order the holding of a special municipal election in said City of Oakland on the seventh day of November, 1916, said day being at least forty days after the completion of publication of said proposed amendment in said official paper of said City of Oakland, to-wit: the said "Oakland Enquirer," and not more than sixty days after the completion of such publication, and did provide in said Resolution for the submission of the proposed Charter Amendment to the qualified electors of such city for their ratification at such election; and

WHEREAS, said election was duly called and held on the seventh day of November, 1916, and at said election a majority of the qualified electors voting thereon, voted in favor of the ratification of, and did ratify, said proposed amendment to said Charter; and

WHEREAS, the returns of said election were, in accordance with the law in such cases made and provided, duly and regularly canvassed and certified to, and it was duly found, and determined and declared by the proper officers thereunto duly and properly authorized, that a majority of the qualified electors of said City voting thereon, had voted for and ratified said proposed amendment to said Charter, and

WHEREAS, said amendment to the charter, so ratified by a majority of the qualified electors of said City, voting at said election, is in words and figures following, to-wit:

That subdivisions 2 and 3 of section 140 of Article XX of the Charter be amended to read as follows:

Condition of Grant.

Sec. 140. Sub. 2. The advertisement must state the character of the franchise, permit or privilege it is proposed to grant, and, if it be a street or suburban or interurban railroad, the route to be traversed; that sealed bids therefor will be opened at a stated time and place, and that the franchise, permit or privilege will be awarded to the bidder offering to pay to the city during the life of the franchise, permit or privilege the highest percentage of the net annual revenue received from the use, operation or possession of the franchise, permit or privilege, provided that such net annual revenue shall be determined by deducting from the gross annual revenue collected from any and all sources, under and by virtue of such franchise, permit or privilege all operating and maintenance costs, taxes, insurance, depreciation as fixed by the Board of Control and six (6) per cent interest on the valuation of the property of the grantee used and useful or determined in the franchise ordinance to be of prospective usefulness in the public service. Such valuation to be fixed by the Railroad Commission of the State of California or its successors in interest, and determined as provided in section one hundred forty five (145) of this charter; and provided further that the said percentage of the net annual revenue to be paid to the city shall not be less than fifty five (55) per cent; and provided further that the Council shall have the right to reject any and all bids.

Bidding for the Franchise.

Sec. 140. Sub 3. At the time of opening the sealed bids, any responsible person, firm or corporation may bid for such franchise, permit or privilege not less than one-half (½) of one (1) per cent of the net annual revenue for the entire term of the franchise, permit or privilege above the highest sealed bid therefor and such bids so made may be raised not less than one-half (½) of one (1) per cent of said net annual revenue for such entire term, by any other responsible bidder, and such bidding may continue until finally such franchise, permit or privilege shall be struck off, sold and awarded by the council to the person, firm or corporation offering the highest percentage of the said net annual revenue arising from the use, operation or possession of said franchise, permit or privilege subject to the provisions of Subdivision 2 of this section, provided that, if in the judgment of the council no adequate or responsible bid has been made, the council may withdraw such franchise, permit or privilege from sale or advertise for new bids.

If the franchise, permit or privilege is for a street or suburban or interurban railroad, which shall extend beyond the limits of the City of Oakland, then and in that case the percentage of the net annual revenue above specified shall be computed or reckoned as follows: The total length of the said railroad within and without the city, shall be compared with the length of said railroad within the city, for which a franchise, permit or privilege is bid, and such fraction of the net annual revenue for the whole of said railroad within and without the city, as the portion of such railroad within the city is of the said whole railroad shall be deemed and considered the net annual revenue upon which the above percentage to be paid into the City Treasury shall be reckoned. No street or suburban or interurban or commercial railroad shall without permission from the City of Oakland granted by ordinance so to do use the tracks of any other street or suburban or interurban or commercial railroad within the City of Oakland.

That a new section be added to Article XX of the Charter to be known as section 140½, said section to read as follows:

Re-settlement Franchises.

Sec. 140½. The Council is hereby empowered to provide for a general re-settlement of the franchise rights of and to grant a re-settlement franchise to any person, firm or corporation actually engaged in operating a public utility or utilities in the City of Oakland at the time this amendment becomes effective, upon written application therefor and upon the following terms and conditions, and not otherwise:

Advisory Board.

(1) Whenever such written application, as above provided for, shall have been made, the Mayor thereupon shall appoint an Advisory Board to consist of seven (7) citizens, who shall co-operate with the council in preparing such re-settlement franchise; and said written application for a re-settlement franchise shall thereupon be referred to said Advisory Board, which shall make within a reasonable time a written report thereon to the Council; and without such report said Council shall have no

power to pass such re-settlement franchise. The said citizens shall serve without pay, but all reasonable expense incurred by them in the work of preparing said re-settlement franchise shall be paid by the city upon the presentation of a proper bill, in the same manner as any other proper claim against the city.

Time Period of Franchise.

(2) Every such re-settlement franchise, permit or privilege shall be granted for an indeterminate period subject always to the right of the city to acquire and possess the property of the grantee or to assign its right to purchase and possess to a third person, firm or corporation, as herein provided.

Division of Annual Net Revenue.

(3) Every such re-settlement franchise, permit or privilege shall confer upon the grantee thereof the right to occupy the streets and public places of the city particularly set out in the terms and conditions of said franchise, permit or privilege, subject always to the right of the city to acquire and possess the property of said grantee, or to assign its right to purchase and possess to a third person, firm or corporation, as provided in this article; provided, however, that said grantee shall pay the city such a percentage of the net revenue annually collected from any and all sources under and by virtue of such franchise, permit or privilege, which percentage shall not be less than fifty-five (55) per cent of such annual net revenue, and provided further, that such annual net revenue shall be determined by deducting from the annual gross revenue all operating and unallocated costs, taxes, insurance, depreciation as fixed by the Board of Control and six (6) per cent interest on the valuation of the property used and useful or determined in the franchise ordinance to be of prospective usefulness in the public service. Such valuation to be fixed by the Railroad Commission of the State of California, or such [illegible] to be [illegible], and determined as provided in section one hundred forty-two (142) of this charter.

Passage and Approval of Franchise.

(4) Every such re-settlement franchise shall be introduced in the Council in the form of an ordinance, at least ten days prior to being passed to print, and shall remain before the Council at least twenty (20) days after passing before final passage. After the final passage of said ordinance the same shall be referred and submitted to the vote of the electors of the city at the general or special election next ensuing not less than twenty (20) days after the final passage of such ordinance. But if no general or special election is to be held in the city within a period of not less than twenty (20) days and not more than ninety (90) days after such final passage, the Council shall call a Special Election for the purpose of submitting said ordinance to the electors as aforesaid, said special election to be held not less than thirty (30) days and not more than sixty (60) days after such final passage.

No such re-settlement franchise ordinance shall go into effect until it shall have been so submitted to the electors of the city and receive the approval of a majority of the electors voting thereon. Sections six (6), one hundred sixty-seven (167), one hundred seventy-five (175), one hundred eighty-two (182) and subdivisions 13, 14, 15, 20 and 22 of section five (5) of this charter, as far as applicable, shall govern elections held under the provisions of this section.

Public Hearings by Council.

(5) The Council shall hold public hearings on every proposed re-settlement franchise prior to its final passage, and not later than seven days after such final passage shall cause such re-settlement franchise to be printed in convenient pamphlet form for public distribution and shall publish daily thereafter up to the date of such election in the official newspaper of the city a notice to the effect that any person may procure a copy of such re-settlement franchise upon application therefor made in person or by mail to the City Clerk, provided that all costs of printing, publishing and advertising said franchise shall be borne by the grantee of said franchise.

Additional Powers.

(6) In the passage of a re-settlement franchise, the Council shall have power to impose terms and conditions not inconsistent with this charter, in addition to the terms and conditions provided for herein, and shall have such other powers hereunder as may be found necessary to the proper preparation, construct, and the carrying out of the terms of a re-settlement franchise that shall provide, first, service of the highest efficiency to the public, second, sufficient new money to make extensions in the service of the public utility necessary in the proper development of the city, and third, the right of the city to convey to a third person, firm or corporation the city's privileges of purchasing the property of the grantee upon like terms and conditions as the city may so purchase.

Amendments to Re-settlement Franchises.

(7) Any re-settlement franchise may be amended from time to time by ordinance passed by the Council and ratified by the electors of the city in the manner herein prescribed for the passage of such re-settlement franchise in the first instance and

not otherwise, provided that any such amendment shall not be effective unless accepted in writing by the grantee of such re-settlement franchise, and provided further that the Council in the preparation of such amendment may in its discretion act without the appointment of an advisory board, and that no such amendment shall in any respect contravene the provisions of this section or this charter.

Joint Control.

(8) Every re-settlement franchise shall provide for a board of control to consist of two competent and experienced men, one to be selected by the Council and one by the grantee of said franchise, and disagreements between the two to be decided by an arbiter appointed for that purpose in a manner to be determined in such franchise.

Service.

(9) Every re-settlement franchise shall provide for service of the highest efficiency, which shall be maintained during the life of the franchise.

New Franchises and Extensions.

(10) Every re-settlement franchise shall provide that any new franchise granted to the holder of such re-settlement franchise shall be considered as a part of such re-settlement franchise, and shall also provide that the Council may by ordinance grant to the grantee of such re-settlement franchise the right to extend the appliances and service of such grantee. All such extensions shall become a part of the aggregate property of such grantee, and shall be subject to all the obligations and rights in favor of the city applicable to the property of the grantee by virtue of such re-settlement franchise. The right to use and maintain any such extensions shall expire with the original grant of such grantee by which the extensions are made.

Consolidated or Annexed Territory.

(11) Every re-settlement franchise shall provide that in case of consolidation with or annexation to the city of any territory not now included in said city, any franchise to operate such utility or any part thereof, held or claimed by the holder of such re-settlement franchise in or for any portion of such consolidated or annexed territory shall thereupon be surrendered to the city and that the rights and obligations of such re-settlement franchise shall thereupon automatically extend to such additional territory, and that a valuation of the properties used and useful, or in the discretion of the city prospectively useful in the operation of such utility in the area so consolidated or annexed and not included in the capital valuation already fixed in such re-settlement franchise shall be added to the capital account of said re-settlement franchise grantee at a valuation fixed by the Railroad Commission of the State of California or its successors in interest and otherwise determined as provided in section one hundred forty-five (145) of this charter.

Provision for the Surrender of Existing Franchises.

(12) Every re-settlement franchise shall provide for the surrender by the grantee thereof of any or all of the franchises or rights owned or claimed by such grantee for the occupation of the streets or public places of said city at the time of such re-settlement, and the acceptance in lieu thereof of the rights and privileges granted by such re-settlement franchise as a franchise for the continued operation of such utility within the limits of the city or such portion thereof as had heretofore been operated under the franchise or franchises so surrendered, but not in contravention of any conditions of this charter.

Assumption of Bonded Indebtedness.

(13) Every re-settlement franchise may provide that, when purchasing the property of the grantee, the city, if and when permitted by the provisions of the Constitution of the State of California, may assume the obligations of such grantee for the payment of the bonds then outstanding against said property, not exceeding in aggregate par value the valuation of the property thus purchased, determined as in section one hundred and forty-five (145) of this charter provided, and in such case the par value of such bonds shall be deducted from the said valuation of the property and the excess, if any, of the valuation of the property over the par value of the bonds so assumed shall be the purchase price to be paid to the grantee by the city for said property. After such purchase, the bonds so assumed shall no longer be a lien exclusively upon the franchise or property of the utility as such, but may be secured by the general credit of the city or by a lien upon a fixed percentage or amount of the gross earnings of such utility, or otherwise, as may be provided in such re-settlement franchise.

That section 141 of Article XX be amended to read as follows:

Life of Franchise.

Sec. 141. Every franchise, permit or privilege shall be granted for an indeterminate period, subject always to the right of the city to acquire and possess the property of the grantee and to assign its right to acquire and possess to a third person, firm or corporation as in section one hundred and forty-five (145) hereof provided.

That section 145 of Article XX of the Charter be amended to read as follows:

Right of City to Assume Ownership.

Sec. 145. Every new franchise, permit or privilege, and every re-settlement franchise, shall be granted upon the express condition that the city may, at a valuation fixed and determined as hereinafter provided, either assume ownership by purchase and take over to itself the property used and useful or in the discretion of the city prospectively useful of the franchise grantee, his or its successors or assigns, or assign its right to acquire and possess said property to a third person, firm or corporation, upon giving said grantee six months' written notice of its intention to so purchase and take over said property, which written notice shall be given only when authorized by ordinance. The valuation of such property used and useful or in the discretion of the city prospectively useful and owned by the grantee at the time application is made for said new franchise, permit or privilege, or for said re-settlement franchise, shall be fixed by the Railroad Commission of the State of California, or its successors in interest, and shall be set forth in said new franchise, permit or privilege, or in said re-settlement franchise, as the case may be. To this value shall be added the cost of all additions, extensions and betterments made with the approval of the Board of Control, and from this value shall be deducted the value of property sold or abandoned and a depreciation to be determined and fixed by the Board of Control in accordance with the provisions of the franchise and annually charged to the capital value of said property, and the valuation to which said additions have been made and from which such deductions have been made shall be the valuation upon which the six per cent interest referred to in subdivision three (3) of section one hundred and forty and one-half (140½) and in subdivision two (2) of section one hundred and forty (140) shall be computed, and shall be the valuation at which said property may be acquired by the city, or by the third person, firm or corporation to which such right is assigned by the city.

That section 149 of Article XX of the Charter be amended to read as follows:

Street Sprinkling and paving.

Sec. 149. Every grant of any franchise, permit or privilege in, over, under or along any streets, highways, or public places in the city for railroad, street railway, suburban or interurban railway purposes, shall be subject to the conditions that the persons, firm or corporation exercising or enjoying the same shall sprinkle, plank or replank, pave or repave, macadamize or remacadamize the entire width of the street, highway, or other public place used by the tracks or tracks of such railroad or railway, and between the rails, and for two feet on each side thereof, and between the tracks, if there be more than one, and keep the same constantly in repair, flush with the street, and with good crossings; and such street work shall be done with the kind of materials and in such manner as the Council may by ordinance direct, at the same time and as a part of the same operation as the work on the remainder in width of said street, highway or other public place, to the satisfaction of the superintendent of streets, provided, however, that, when in the opinion of the Council the space between the rails and tracks of the grantee and two feet on each side thereof or any portion of the same is not required for purposes other than railway traffic, the same need not be paved in like manner as the remainder of the street or public place, but shall be treated as the Council may direct.

That section 153 of Article XX of the Charter be amended to read as follows:

Payment of Net Receipts.

Sec. 153. The stipulated percentage of net receipts provided in this Charter to be paid for the use and enjoyment of any franchise, permit or privilege shall be paid annually at the time of filing the annual report provided for in section one hundred and fifty-one (151) of this Charter to be filed by persons, firms or corporations holding franchises, permits or privileges. Failure to pay such percentage shall work a forfeiture of the franchise, permit or privilege.

City of Oakland,
County of Alameda,
State of California.

THIS IS TO CERTIFY that we, JOHN L. DAVIE, Mayor of the City of Oakland, and L. W. CUMMINGS, City Clerk of said City, have compared the foregoing proposed and ratified amendment to the Charter of the City of Oakland, with the original proposals submitting the same to the electors of said City at an election held on Tuesday, the seventh day of November, 1916, and find that the foregoing is a full, true, correct and exact copy thereof;

AND WE FURTHER CERTIFY, that the facts set forth in the preamble preceding said amendment to said Charter are, and each of them is, true.

IN WITNESS WHEREOF, we have hereunto set our hands and caused the same to be authenticated by the seal of the City of Oakland, this twenty-eighth day of December, 1916.

[SEAL.]

JOHN L. DAVIE,
Mayor of the City of Oakland.
L. W. CUMMINGS,
City Clerk of the City of Oakland.

WHEREAS, the said proposed amendment is now submitted to the legislature of the State of California for approval or ratification without power of alteration or amendment in accordance with Section 8, Article XI of the constitution of the State of California.

Now therefore, be it resolved by the Senate of the State of California, the Assembly thereof concurring, a majority of all the members elected to each house voting therefor and concurring therein; that said amendment to the said charter herein set forth as presented and ratified by the qualified electors of said city be, and the same is hereby approved as a whole, without amendment or alteration, for and as an amendment to, and as part of the charter of said city of Oakland.

Resolution read.

The question being on the adoption of the resolution

The roll was called, and Senate Concurrent Resolution No. 4 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—37.

NOES—None.

Senate Concurrent Resolution No. 4 ordered transmitted to the Assembly.

Also:

Senator Crowley asked for, and was granted, unanimous consent to take up out of the regular order, Senate Concurrent Resolution No. 5.

SENATE CONCURRENT RESOLUTION No. 5.

Relative to approving thirteen certain amendments to the charter of the city and county of San Francisco, State of California, voted for and ratified by the electors of said city and county of San Francisco, at a general election held therein on the seventh day of November, 1916.

WHEREAS, The city and county of San Francisco, State of California, contains a population of over four hundred and sixteen thousand inhabitants, and has been ever since the eighth day of January in the year one thousand nine hundred, and is now organized and acting under a freeholders' charter adopted under and by virtue of section eight of article eleven of the constitution of the State of California, which charter was duly ratified by the qualified electors of said city and county at an election held for that purpose on the twenty-sixth day of May, one thousand eight hundred and ninety-eight, and approved by the legislature of the State of California on the twenty-sixth day of January, one thousand eight hundred and ninety-nine (statutes of 1899, page 241); and

WHEREAS, The legislative authority of said city and county, namely, the board of supervisors thereof, duly proposed to the qualified electors of the city and county of San Francisco, twenty-three certain amendments to the charter of said city and county of San Francisco by the submission of twenty-three proposals numbered from eleven to thirty-three, both inclusive, entitled as follows, to wit:

CHARTER AMENDMENT No. 11.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending section 1 of chapter II of article V of the charter relating to the creation of a position of city and county attorney and fixing his compensation.

CHARTER AMENDMENT No. 12.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending chapter II of article XI, and amending sections 5, 7 and 8 of chapter V of article XI, relating to elections by the preferential voting system and recall elections.

CHARTER AMENDMENT No. 13.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending section 1 of chapter VIII of article V, relating to Police Courts and Judges thereof.

CHARTER AMENDMENT No. 14.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending subdivision (g) of section 1 of proposed charter amendment number 13, relating to the salary of police judges.

CHARTER AMENDMENT No. 15.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by adding a new section to chapter 1 of article III of charter relating to the repayment of taxes illegally collected.

CHARTER AMENDMENT No. 16.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending section 1 of chapter III of article II relating to hours of labor and minimum wage on all public contracts.

CHARTER AMENDMENT No. 17.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by adding a new subdivision to section 1 of chapter II of article II, to be known as subdivision 43, relating to the acquiring and maintenance of a public aquarium.

CHARTER AMENDMENT No. 18.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending section 5, chapter VII of article IX, relating to pensions for families and members of the Fire Department killed in service.

CHARTER AMENDMENT No. 19.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending section 4 of chapter X of article VIII relating to pensions for families and members of police department killed in service.

CHARTER AMENDMENT No. 20.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending sections 11 and 13 of chapter X of article VIII of said charter relating to sources of revenue for the police relief and pension fund and making provision for the levying and collecting of a tax to meet and pay demands upon said fund.

CHARTER AMENDMENT No. 21.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending section 1 of Chapter III of Article IV of the charter, relating to the salary of the Treasurer.

CHARTER AMENDMENT No. 22.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by adding a new section to chapter I of article III relating to the levying of an annual tax for a specific purpose in lieu of a bond issue.

CHARTER AMENDMENT No. 23.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by adding a new section to chapter II of Article II relating to the sale of school lots.

CHARTER AMENDMENT No. 24.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending sections 2, 3 and 5 of chapter III and sections 2 and 3 of chapter V of article XI relating to the initiative, referendum and recall elections.

CHARTER AMENDMENT No. 25.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by adding a new section to chapter III of article II, relating to bonds required from contractor.

CHARTER AMENDMENT No. 26.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by adding a new section to chapter VI of article VI relating to the method of changing street grades.

CHARTER AMENDMENT No. 27.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending section 33 of chapter II of article VI, relating to street improvement and work thereon.

CHARTER AMENDMENT No. 28.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of the said city and county by amending section 2 of chapter III of article IV relating to the deposit of public money by the Treasurer.

CHARTER AMENDMENT No. 29.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending section 11 of article XII relating to positions under the civil service provisions of the Charter.

CHARTER AMENDMENT No. 30.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by adding a new article to be composed of three sections relating to the department of weights and measures.

CHARTER AMENDMENT No. 31.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county, by amending section 1 of chapter VIII of Article V of said charter, and repealing sections 9, 13, 14, 15 and 17 of said chapter relating to the Police Court.

CHARTER AMENDMENT No. 32.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by adding a new section to chapter VIII of Article V thereof relating to the salary of police judges.

CHARTER AMENDMENT No. 33.

Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the charter of said city and county by adding a new section to chapter I of article IX to be known as section 11, relating to hours of duty of firemen.

And

WHEREAS, Said twenty-three proposals aforementioned containing said proposed amendments to said charter were in accordance with the provisions of section eight of article eleven of the constitution of the State of California, published for one day after their order of submission in the "Daily Journal of Commerce," a daily newspaper of general circulation in the city and county of San Francisco and the official newspaper of said city and county; that said proposals were printed in convenient pamphlet form and until the date fixed for the election hereinafter described an advertisement was published in a paper of general circulation in the city and county of San Francisco, the "Daily Journal of Commerce," that such copies could be had upon application therefor to the office of the Board of Supervisors; and

WHEREAS, The said legislative authority of said city and county by Ordinance No. 3921 (New Series), approved November 10, 1916, ordered placed upon the ballot at a general election to be held in the city and county of San Francisco on the seventh day of November, one thousand nine hundred and sixteen, the

said twenty-three several proposals to amend the charter of the city and county of San Francisco; and

WHEREAS, Said General Election was held in said city and county of San Francisco on the seventh day of November, one thousand nine hundred and sixteen, which day was more than forty days and less than sixty days after said proposed charter amendments had been published for one day in the "Daily Journal of Commerce," newspaper, said general election having been held within six months next preceding a regular session of the legislature; and

WHEREAS, On the thirteenth day of November, one thousand nine hundred and sixteen, and thereafter at meetings duly convened in accordance with law, the board of election commissioners of said city and county canvassed and totalized the returns of said general election, and duly declared the results thereof, said board being by law authorized to conduct, canvass and control the holding of said elections and all matters pertaining to such elections in said city and county; and

WHEREAS, Thereafter, to wit, on the twenty-fifth day of November, one thousand nine hundred and sixteen, the said board of election commissioners duly filed in the clerk's office of the board of supervisors "Official statement of votes cast at the general election held in the city and county of San Francisco, State of California, on Tuesday, the seventh day of November A. D. 1916, for charter amendments," and

WHEREAS, At said general election so held on the seventh day of November one thousand nine hundred and sixteen, thirteen of said proposed amendments were ratified by a majority of the electors of said city and county voting thereon, to wit: Charter Amendments numbered twelve, [illegible] twenty-three, twenty-four, twenty-five, twenty-seven, twenty-eight, thirty and thirty-three, and that all the other amendments received less than a majority of the votes of the electors voting thereon and were not ratified; and

WHEREAS, The said thirteen charter amendments so ratified by the electors of the city and county of San Francisco, are now submitted to the legislature of the State of California for approval or rejection as a whole without power of alteration or amendment in accordance of section [illegible] of the constitution of the State of California, and are in words and figures as follows, to wit:

CHARTER AMENDMENT NO. 12.

That Chapter II of Article XI of the Charter of the City and County of San Francisco is hereby amended to read as follows:

CHAPTER II.

MUNICIPAL ELECTIONS.

When Held—Officers to Be Elected.

Section 1. There shall be held in the City and County of San Francisco on the Tuesday after the first Monday in November in 1917 and every second year thereafter, an election to be known as the "municipal election," at which the electors of the city shall choose such officers as are required by this Charter to be chosen at that time to-wit, as mentioned in Section 38a of Article XVI of this Charter, and two Police Judges in the year 1917, for a term of four years, and two Police Judges every second year thereafter for a term of four years, and an Assessor in the year 1919 and every four years thereafter, for a term of four years. The Superintendent of Public Schools shall be elected for four years, and the Justices of the Peace for four years, at the same time that members of the Legislature are elected.

When Office Is Taken.

Section 2. The officers elected at any general municipal election under this Charter shall take office at noon on the first Monday after the first day of January next following the said election; except that the terms of appointment officers shall not be affected by this provision and the officers first elected hereunder shall take office on the expiration of the terms of the incumbents.

Nomination and Election of Officers.

Section 3. The mode of nomination and election of all elective officers of the City and County to be voted for at any general or special election, including recall elections, shall be as provided in the following sections, and not otherwise:

Condition of Candidacy.

Section 4. The name of the candidate shall be printed upon the ballot when a declaration of candidacy and certificates of not less than ten, nor more than twenty sponsors shall have been filed on his behalf, in the manner and form and under the conditions hereinafter set forth.

Method of Nomination.

Section 5. The nomination of candidates shall be made in the following manner:

(a) The candidate, not more than fifty days before the municipal election in

November, shall file with the Registrar of Voters a declaration of his candidacy, in the following form:

DECLARATION OF CANDIDACY.

I hereby declare myself a candidate for the office of _____ to be voted for at the municipal election to be held in the City and County of San Francisco _____ day of November, A. D._____, and declare the following to be true:

Name in full _____

Present residence address _____

What different business or occupation have you followed during the past three years? _____

Have you ever had any special training or experience in the line of work which you would be called upon to perform in case of your election to the office for which you are a candidate? If so, state what training or experience, and when, in not over 50 words _____

_____

_____

_____

Signed _____

All blanks in said form must be filled out and the Registrar shall not accept for filing any declaration unless all blanks are so filled. The declaration shall be subscribed before the Registrar of Voters. The Registrar of Voters shall forthwith certify to the said subscription and its date and retain and file the declaration.

(b) The candidate shall pay to the Registrar of Voters at the time of filing his declaration of candidacy the sum of twenty dollars.

(c) After said declaration shall have been signed, certified and filed, and not later than thirty days before said election in November not less than ten nor more than twenty sponsors for the said candidate, who are electors for the City and County, qualified to vote at the said municipal election, shall appear before the Registrar of Voters and shall certify under oath to the qualifications of said candidate, in a certificate as follows:

State of California, }
City and County of San Francisco } ss.

The undersigned sponsor for_____who has declared his candidacy for the office of_____, to be voted for at the municipal election to be held in the City and County of San Francisco on the_____day of November, A. D._____, being first duly sworn, deposes and says:

That in my opinion my knowledge of the said_____is sufficient to warrant my urging his election to the office of_____in the City and County of San Francisco, and that he is fully qualified mentally, morally and physically for the said office and should be elected to fill it; that I am a qualified elector of said City and County, and am not at this time a signer of any other certificate nominating any other candidate for the above-named office, or, in case there are several places to be filled in the above-named office, that I have not signed more certificates than there are places to be filled in the above-named office; that my residence is at No._____street, San Francisco, and that my occupation is_____

State of California, }
City and County of San Francisco } ss.

The above was subscribed, sworn to before me, read to me by the deponent, the said signature verified by me, and the said certificate filed this_____ day of_____, A. D._____

_____
Registrar of Voters.

The blanks in said certificate for the name of the candidate and the office, the date of the election, the address and occupation of the sponsor shall be filled out and the certificate read to the Registrar of Voters, subscribed and sworn to by the sponsor before him, and his signature forthwith verified by the Registrar by comparison with the signature of the sponsor's registration as a voter. The Registrar's certificate shall thereupon be filled out and the document retained by him and filed.

Forms of Certificates, etc.

Section 6. (a) It shall be the duty of the Board of Election Commissioners to furnish a sufficient number of forms for such candidates' declarations and such sponsors' certificates. In the event the Registrar shall refuse to file such declaration or certificate, he shall forthwith designate in writing on the declaration or certificate the defect thereof, or other reason for refusing to file the same, and shall return the same to the party tendering it. No defect in any declaration or

certificate presented to the Registrar shall prevent the filing of another declaration or certificate within the period allowed for presenting the declaration or certificate.

(b) Each certificate must contain the name of the signer thereto and no more. Each signer must be a qualified elector, must not at the time of signing a certificate have his name signed to any other certificate for any other candidate for the same office, or, in case there are several places to be filled in the same office, signed to more certificates for candidates for that office than there are places to be filled in such office.

Declarations and Certificates to Be Preserved.

Section 7. The Registrar of Voters shall preserve in his office, for a period of four years, all candidates' declarations, and all sponsors' certificates filed in accordance with this section.

Official Pamphlets—Candidate's Statement.

Section 8. (a) The Board of Election Commissioners shall cause to be printed in pamphlet form herein designated for the purposes of this chapter as the official pamphlet the Proclamation of the Mayor and statements of candidates described in subdivision (b) of this section.

(b) If the candidate desires he may file with the Board of Election Commissioners not less than thirty days before the said election a statement of not more than one hundred words, setting forth any facts he may deem pertinent to the question of his qualifications for the office for which he is a candidate, and such statement shall be printed in the official pamphlet, upon the payment of a fee of ten dollars. Additional words, not to exceed two hundred, may be added by the candidate to such statement, for which he shall pay an additional fee of fifteen dollars for each one hundred words or fraction thereof.

(c) A copy of the official pamphlet shall be encased and conveyed with the sample ballot and sent to each registered voter. The Board of Election Commissioners shall furnish, at least ten days before the said election, copies of the official pamphlet to registered voters on application to its office. All fees received by the Registrar of Voters in conformity with this chapter shall be paid over to the Treasurer of the City and County of San Francisco and credited to the general fund.

Mayor's Proclamation.

Section 9. Immediately after the declarations of candidacy and ten sponsors' certificates have been filed, the Registrar of Voters shall enter the names of the candidates in a list, with the offices to be filled, and shall, not later than twenty-five days before the election, certify such list to the Mayor as being the list of candidates nominated as required by this Charter. The Mayor shall forthwith issue a proclamation calling the election provided for in Section 1 of this Chapter, setting forth the offices to be filled, designating the term thereof, and the certified list of candidates for each office, and file the same with the Registrar of Voters. The Mayor's proclamation shall then be published in the official pamphlet immediately preceding the list of the candidate's statements. Said proclamation shall conform in all respects to the general State laws governing the conduct of municipal elections now or hereafter in force except as herein provided.

Printing of Ballots.

Section 10. The Registrar of Voters shall cause the ballots to be printed and bound and numbered as provided for by State law, except as otherwise required in this Chapter. The ballots shall contain the list of names and the respective offices, as set forth in the proclamation, and shall be substantially as hereinafter provided.

Heading and Directions to Voters.

(a) General (or recall, as the case may be) municipal election, City and County of San Francisco.

INSTRUCTIONS TO VOTERS: To vote for any candidate stamp a cross (X) in one of the squares to the right of the candidate's name.

Vote your first choices in the first column, your second choices in the second column, your third choices in the third column.

Vote FIRST CHOICE for as many candidates as there are offices to be filled.

Vote SECOND CHOICE, if any, for the same number.

Vote THIRD CHOICE, if any, for the same number.

DO NOT VOTE MORE THAN ONE CHOICE FOR ANY ONE CANDIDATE.

To vote for a person whose name is not on the ballot, write name of such person in the blank space provided for such purpose.

If you wrongly mark, tear or deface this ballot, return it to the inspector of elections and obtain another.

Arrangement of Offices on the Ballot.

(b) The offices to be filled shall be arranged in the following order:

The Mayor, Police Judges, District Attorney, City Attorney, Assessor, Auditor, County Clerk, Sheriff, Treasurer, Tax Collector, Recorder, Public Administrator.

Coroner, arranged in one or more columns, and the Supervisors in a column or columns separate from the others.

Every Nominee on Ballot.

(c) The name of every candidate who has been duly and regularly nominated shall be placed on the ballot under the title of the office for which he is a candidate; provided, that a candidate whose nomination has been completed, may, not less than thirty days before a municipal election and not less than twenty-five days before a recall election, withdraw as a candidate by filing with the Registrar of voters, his withdrawal, naming the office; such withdrawal must be signed and sworn to by the person withdrawing, and no withdrawal at any later date shall be of any force or effect.

Rotation of Candidates' Names.

Section 11. The ballots for the Assembly district of the City and County designated by the lowest number shall have the names of each group of candidates for an office or offices arranged in alphabetical order, according to the family name of the candidate. In the Assembly district designated by the next higher number the groups of names shall be the same as in the district designated by the next lower number, save that the last candidate in the group in the preceding district shall be placed at the beginning of the group, the succession of names to be otherwise unchanged, and so on, rotating the names in this order throughout all the Assembly districts.

In the event that the number of candidates in any group shall exceed the number of Assembly districts in the City and County, then the total number of candidates in such group shall be divided by the number of Assembly districts and the quotient, if an integral number, or if fractional then the next higher integral number shall be the number of candidates to be taken from the end and placed at the beginning of such a group in each successive Assembly district; the rotation then being in this manner, to-wit: if there be fifty-six candidates for Supervisors and twenty Assembly districts, numbered from twenty-five to forty-four, the fifty-fourth, fifty-fifth and fifty-sixth candidates in the group of the twenty fifth district will be the first, second and third candidates, respectively, in the group in the twenty-sixth district.

Spaces for Name and for Voting Cross.

Section 12. (a) The candidate's name shall be printed in 8-point Roman capital type and shall be enclosed by lines above and below, three-eighths inch apart. Three three-eighths inch squares shall be provided at the right of the name of each candidate wherein the voter may stamp a cross for that candidate as his first, second or third choice, and at the top of each column of candidates the three columns of squares shall be designated "First Choice," "Second Choice" and "Third Choice" respectively.

Blank Spaces for Additional Candidates.

(b) Three-eighths inch spaces shall be left below the printed names of candidates for each office equal in number to the number to be elected, wherein the voter may write the name of any person or persons for whom he may wish to vote.

Other Requirements of Ballot.

Section 13. All ballots shall be precisely of the same size, quality, tint of paper, kind of type, and color of ink, so that without the number it would be impossible, in each Assembly district to distinguish one ballot from another; and the names of all candidates printed upon the ballot shall be in type of the same size and style. A column or columns may be provided on the right hand side for Charter amendments or other questions to be voted upon at the municipal elections, as provided for under the Charter.

Voting Machines.

Section 14. In the event of the use of voting machines, the ballot shall be arranged on the machines in the same form in each Assembly district as provided for the printed ballot.

No Party Designation.

Section 15. No party name or political designation or descriptive matter concerning the candidate shall appear on the ballot.

Form of Ballots.

Section 16. Except as to the order of names of candidates, the ballots shall be printed in the form designated by the Board of Election Commissioners.

Sample Ballots.

Section 17. The Registrar of Voters shall cause to be printed ballots identical with the ballot to be used in each Assembly district at the election and shall furnish copies of the same on application to registered voters at his office at least ten days before the date fixed for such election, and shall mail to each voter entitled to vote

at such election a copy of the ballot to be used in his district, so that all such sample ballots shall have been mailed at least eight days before said election.

Section 18. The Registrar of Voters shall at each municipal or general municipal election, prepare lists for and select and appoint for each counting precinct a precinct board of election officers to hold and conduct such election at the polling place which said board is appointed. Such board shall consist of four persons, one inspector, one judge and two clerks, who shall perform all the duties required by law to be performed at such polling place, except, as in this Chapter provided. In case any such appointed board the Registrar shall have the power to excuse persons appointed upon such boards as he shall find any such person ought to be excused, and to substitute new appointees in all cases when any person appointed shall be excused or board established by instructions of the said Registrar of Voters, down to the time when the Registrar of Voters shall send the final inspector's list of such election officers to the inspector, which list shall be his final order of appointment.

Canvass of Returns and Determination of Results of Election.

Section 19. (a) The ballots cast at any given precinct shall not be counted at the polling place, but as soon as the polls are closed the precinct election officers shall not open the ballot box except as may be necessary to close the mouth of the box and see that the ballot box is correctly locked so as to prevent any ballot being removed or added and seal the same and separately seal the key in the manner provided by printed instructions from the Registrar of Voters, and as soon as said ballots and seals have certified, signed and sealed the other packages or envelopes required by law, such ballot box and key and packages shall be sent by not less than two of said precinct election officers to the office of the Registrar of Voters and there delivered to the Registrar, and until so delivered it shall be unlawful for said officers or conveying the same to allow any other person or persons to have possession of said ballot box or key or packages. Such officers shall proceed as aforesaid and present at the office of the Registrar of Voters. Immediately upon the delivery of said ballot box to the Registrar of Voters or his deputy, said Registrar shall open the said box to be plainly labeled with the correct number of the precinct in which said ballots were cast. The Registrar of Voters shall in such manner as he shall deem best calculated to provide competent persons select and provide in every instance as he may deem necessary for the counting, tallying and certifying of ballots cast in each precinct, and such persons shall have the qualifications required for election officers at State elections, save that all persons who are employed in the Department of Elections, or who report for service from the Civil Service of the City and County, shall, if not a candidate at such election, be qualified, save that such persons so selected need reside in a particular precinct. The persons so selected and provided shall be segregated by the Registrar of Voters in the deputies for counting boards respectively to consist of three persons each, and each such separate counting board shall proceed to count and tally such ballots by precincts separately under the direction of the Registrar of Voters or his deputies or such supervisors as the Registrar of Voters may direct, in the same manner provided by law for counting, tallying and certifying ballots at State elections except as herein otherwise provided. The form of tally sheets shall be provided and determined by the Registrar of Voters, and there shall be a certificate at the end thereof to the effect that the counting is the correct result of the election in such precinct, and such certificate shall be signed by the three persons who completed such tally list and return. The Registrar of Voters or any deputy empowered by him by writing may excuse or discharge any person from any such counting board at pleasure and enforce such order and substitute any person so provided by the Registrar of Voters in the place of any person so excused, dismissed, or who absents himself from said counting board. Any person acting on any such counting board who shall refuse to obey any lawful order of the Registrar or his deputy shall be guilty of a misdemeanor. The tally sheets shall be in duplicate, kept by two clerks, and one copy upon the completion thereof shall be sealed and signed across the flap in the manner provided by the laws of the State of California for sealing tally lists where votes are counted at the precinct, and the other tally list shall remain open for inspection in the office of the Registrar of Voters. The returns so sealed shall be securely kept by the Registrar until produced before the Board of Election Commissioners for official canvass in the manner provided by law. The Registrar of Voters shall determine the compensation to be paid to each person employed in counting, tallying and sealing such ballots or assisted in superintending or assisting during said count, not to exceed the sum of twenty-five dollars (1895) aggregate for each precinct, and such claims and demands when certified by the Registrar or his deputy and presented to the Board of Election Commissioners shall be allowed in open session, and the Auditor shall audit and the Treasurer pay such claims out of the general fund. Except as herein otherwise provided, the provisions of the laws of the State of California applicable to State elections or State election officers, and such laws relating to the official canvass and declaration of the result of State election returns shall apply to the counting, tallying, certifying, sealing, custody and official canvass of the ballots and returns counted and returned under the provisions of this Chapter. If there shall not be room enough in the Department of Elections for the counting of said votes, the Registrar of Voters may cause such

counting to proceed in any other place in the same building which may be obtained by him for such purpose, provided that a notice of the location of such place be conspicuously displayed in the Department of Elections. Said votes shall be counted in a place open to the public, and the boards counting the same shall enter the total number thereof on the tally sheets provided therefor. They then shall count and enter the number of the first, second and third choice votes for each candidate on said tally sheet and make returns thereof to the Board of Election Commissioners as herein required. The canvass must be public, in the presence of bystanders, and must be continuous, without adjournment until completed and the result thereof is declared. Any candidate shall be entitled to a representative among the bystanders.

The provisions of this Chapter relating to counting the ballots shall not apply to a special municipal election at which a proposition or propositions, or question or questions, only is, or are, voted upon; but the ballots at all such special elections shall be counted at the respective polling places and returned by the precinct election boards under the laws applicable to such elections.

(b) If a ballot contain more than one vote for the same candidate, only the one of such votes highest in rank shall be counted. If a ballot contain either first or second or third choice votes for any office in excess of the number of places to be filled for such office no vote for that office in the column showing such excess shall be counted.

(c) Paragraph (b) of this section shall be printed conspicuously on the tally sheet.

(d) Candidates receiving a majority of the first choice votes for any office shall be elected. If the full number of candidates to be elected do not receive such a majority of the first choice votes for such office, a canvass shall then be made of the second choice votes received by those candidates for said office who are not elected by first choice votes; said second choice votes shall be added to the first choice votes received by such candidates and candidates who by such addition shall receive a majority shall be elected.

(e) If by the count of either first choice votes or first and second choice votes, as above provided, more candidates than there are offices to be filled shall receive a majority, the candidate or candidates equal in number to the number of offices to be filled having the highest vote shall be elected.

(f) If the full number of candidates to be elected do not receive a majority by adding first and second choice votes, as above directed, a canvass shall then be made of the third choice votes received by those candidates for said office who are not elected, either by first choice votes or by adding first and second choice votes. Said third choice votes shall be added to the first and second choice votes received by such candidates, and the candidates, equal in number to the number of offices remaining to be filled, who receive the highest number of votes by said addition shall be elected.

(g) The above subdivision (d), (e) and (f) shall be applied and carried out in the making of the official canvass and the declaration of the official result.

Ties.

Section 20. A tie between two or more candidates shall be decided in favor of the one having the highest number of first choice votes. If they are also equal in that respect then the highest number of second choice votes shall determine the result. If this does not decide, then the tie shall be determined by lot, under the direction of the Board of Election Commissioners.

Majority Defined.

Section 21. A majority vote for any candidate for an office where but one is to be elected shall be deemed to be more than one-half of the total number of first choice votes cast for all candidates for such office.

A majority vote for a candidate for an office where a group is to be elected shall be more than one-half of the number secured by dividing the total of the first choice votes cast for all candidates for such office by the number of places to be filled.

Failure of Persons Elected to Qualify.

Section 22. If a person elected fails to qualify, the office shall be filled as in this Charter provided for a vacancy in such office.

Informalities in Election.

Section 23. No informalities in conducting municipal elections shall invalidate elections if they have been conducted fairly and in substantial conformity to the requirements of this Charter.

Section 24. From and after the first day of July, 1917, the annual salary of the Registrar of Voters shall be fixed by resolution of the Board of Election Commissioners of the City and County of San Francisco. Any provision of this Charter contrary to or inconsistent with the provisions of this section are hereby repealed.

Section 25. After the election of a Mayor for a full term at an election held under and pursuant to the provisions of this Chapter, the words "entire vote for all candidates for the office of Mayor" as used in the initiative Chapter III of Article XI of this Charter and the words "entire vote cast for mayor" as used in the referendum Chapter IV of Article XI of this Charter and as used in the recall Chapter V of Article XI of this Charter, shall in each respective case where such words are so used be deemed to mean the total of first choice votes cast for all candidates for Mayor for a full term at an election held under this Chapter.

That Section 5 of Chapter V of Article XI of the said Charter is hereby amended to read as follows:

Section 5. The Registrar of Voters shall in any recall election place upon the ballot the name of the incumbent whose removal is thus sought, unless such incumbent shall file in writing a request that his name do not appear. Any person may be nominated for any office sought to be filled at such recall election by filing the declaration of candidacy and the certificates of not less than ten or more than twenty sponsors in the form provided in Chapter II of this article for the general municipal election. Such declaration and certificates shall be filed with the Registrar of Voters not less than twenty-five nor more than thirty-five days before the date set for the recall election.

That Section 7 of Chapter V, Article XI, of said Charter is hereby amended to read as follows:

Section 7. Elections for the recall or removal of an elected officer shall be conducted as provided in Chapter II of this article for the election of officers at the general municipal election, and the ballots shall be prepared, cast and counted in the manner therein prescribed.

That Section 8, Chapter V, Article XI, of said Charter is hereby amended to read as follows:

Section 8. If some other person than the incumbent receive the number of votes required to constitute an election the incumbent shall thereupon be deemed removed from office and the person so elected shall succeed him upon taking the oath of office. The successor of the official so removed shall hold office during the unexpired portion of the term for which such official was elected, unless sooner recalled under the provisions of this chapter. If the incumbent receive the number of votes necessary to constitute an election, he shall continue in office, and it shall require not less than double the number of signatures provided in Section 1 of this chapter to initiate a second election for his recall, and if rejected at such second recall election it shall require not less than three times the number of signatures provided in Section 1 of this chapter to initiate a third election for the recall of such officer during the term for which he was elected.

CHARTER AMENDMENT No. 16.

That Section 1 of Chapter III of Article II is hereby amended to read as follows:

Section 1. All contracts for goods, merchandise, stores, supplies, subsistence or printing for the City and County, as well as for all subsistence, supplies, drugs and other necessary articles for hospitals, prisons, public institutions and other departments not otherwise specifically provided for in this Charter, must be made by the Supervisors, with the lowest bidder offering adequate security, after publication for not less than ten days in the official newspaper, and no purchase thereof or liability therefor shall be made or created except by contract.

Except as otherwise provided in this Charter, the Board must determine annually what goods, merchandise, stores, supplies, drugs, subsistence and other necessary articles will be needed by the City and County for the ensuing year, and it shall have no power to purchase or to pay for the same unless the provisions in this Charter provided as to competitive bidding for supplies are strictly followed, and no contract shall be made for any of the same unless upon such competitive bidding.

All proposals shall be accompanied with a certificate of deposit or certified check on a solvent bank in the City and County of ten per centum of the amount of the bid, payable at sight to the order of the Clerk of the Supervisors. If the bidder to whom the contract is awarded shall for five days after such award fail or neglect to enter into the contract and file the required bond, the Clerk shall draw the money due on such certificate of deposit or check and pay the same into the treasury; and under no circumstances shall the certificate of deposit or check or the proceeds thereof be returned to such defaulting bidder.

Notices for proposals for furnishing the aforesaid articles shall mention said articles in general and shall state that the conditions and schedule may be found in the office of the Clerk of the Board of Supervisors; and shall also state that such articles are to be delivered at such times, in such quantities, and in such manner, as the Supervisors may designate. Any bidder may bid separately for any article named. The award as to each article, shall in all cases be made to the lowest bidder

for such article, and where a bid embraces more than one article, the Supervisors shall have the right to accept or reject such bid or the bid for any one or more articles embraced therein. In the case of contracts for subsistence of prisoners, the advertisement for proposals shall specify each article required, the quality thereof, the quantity for each person, and the existing and probable number of persons to be supplied. No article or articles provided for in this section shall have been made in any prison. The Supervisors shall require bonds with sufficient sureties for the faithful performance of every contract. The Clerk of the Supervisors shall furnish printed blanks for all such proposals, contracts and bonds.

All bids shall be sealed and delivered by the bidder to the Clerk of the Supervisors, and opened by the Board at an hour and place to be stated in the advertisement for proposals, in the presence of all bidders who attend, and the bidders may inspect the bids. All bids with alterations or erasures therein shall be rejected. All articles so supplied shall be subject to inspection and rejection by the Supervisors and by the person in charge of the office, institution or department for which the same are supplied.

Every contract for work to be performed within the State of California at the expense of the City and County or paid for out of moneys deposited in the Treasury, whether such work is to be done within or outside the limits of the City and County, and whether such work be done directly by or under such contract duly awarded, or indirectly by or under subcontract, subpartnership, day labor, station work, piece work, or any other arrangement whatsoever, must provide: (1) That in the performance of the contract, eight hours shall be the maximum hours of labor on any calendar day, and that the minimum wages or compensation of persons performing labor in the execution of such contract, subcontract, subpartnership, day labor, station work, piece work or other arrangement, shall be three dollars per day; (2) that any person performing labor in the execution of such contract shall be a citizen of the United States or have declared his intention of becoming such; (3) that preference in the performance of labor under such contract or other arrangement shall be given to persons who shall have actually resided in the City and County and shall have so resided for the period of one year next preceding the date of their engagement to perform labor thereunder. The foregoing provisions designated (1), (2) and (3) must also apply to persons performing labor in the commissary or other auxiliary department of labor conducted in the course of the execution of such contract or any part thereof; and the said provisions shall also apply in any work done for or by the City and County or by any officer, board or commission thereof, when such work is to be done at the expense of the City and County or paid for out of moneys deposited in the Treasury. Any contract for work to be performed under the provisions of this Section which does not comply with the provisions thereof, shall be null and void, and any officer who shall sign the same shall be deemed guilty of misfeasance and upon proof of such misfeasance shall be removed from office.

CHARTER AMENDMENT No. 17.

That Section 1 of Chapter II of Article II is hereby amended by adding thereto a new subdivision, to be known as subdivision 43 and to read as follows:

43. To accept gifts of buildings, properties and moneys for the purpose of establishing and maintaining a public aquarium, and to appropriate from the general fund of the City and County not less than twenty thousand dollars annually for the support and maintenance of a public aquarium.

CHARTER AMENDMENT No. 18.

That Section 5, of Chapter VII of Article IX is hereby amended to read as follows:

Section 5. The Commissioners shall, out of the Firemen's Relief Fund, provide as follows for the family of any officer, member or employee of the Fire Department who may be killed or injured while in the performance of his duty, and who shall have died within one year from the date of such injury, and the receipt by such officer, member or employee of any relief under this Chapter, during his lifetime shall not bar the said family from the benefits of this section.

First—Should the decedent be married, his widow shall as long as she may remain unmarried be paid a monthly pension equal to one-half of the salary attached to the rank held by the decedent at the time of his death.

Second—Should the decedent leave no widow, but leave an orphan child or children under the age of sixteen years, such children shall collectively receive a pension equal to one-half of the salary attached to the position held by their father at the time of his death until the youngest attains the age of sixteen years.

Third—Should the decedent leave no widow and no orphan child or children, but leave a parent or parents depending solely upon him for support, such parents, so depending, shall collectively receive a pension equal to one-half of the salary attached to the position held by the decedent at the time of his death, during such time as the Commissioners may unanimously determine its necessity.

Fourth—Any member or members of the family of the deceased claiming to be entitled to a pension under the provisions of this section, shall file a verified petition therefor with said Commission, which petition shall thereafter be heard by said

Board, upon such reasonable notice to the petitioner or petitioners of the time and place of such hearing, as said Board may by rule or order prescribe. Said petitioner or petitioners shall be entitled, upon such hearing, to appear personally and by counsel. Upon such hearing any interested person shall have the right to introduce testimony relative to the matters set forth in said petition. The judgment of said Commissioners respecting said application shall be final, unless in determining said application said Commissioners commit a clear abuse of discretion.

CHARTER AMENDMENT No. 19.

That Section 4 of Chapter X of Article VIII is hereby amended to read as follows:

Section 4. The Commission shall, out of the Police Relief and Pension Fund, provide as follows for the family of any officer, member or employe who may be killed or injured while in the performance of his duties, and who shall have died within three (3) years from the date of such injury, and the receipt by such officer, member or employe of any relief under this Chapter during his lifetime shall not bar the said family from the benefits of this section.

First—Should the decedent be married, his widow shall as long as she may remain unmarried be paid a monthly pension equal to one half of the salary attached to the rank held by the decedent at the time of his death.

Second—Should the decedent leave no widow, but leave an orphan child or children under the age of sixteen years, such children shall collectively receive a pension equal to one half of the salary attached to the position held by their father at the time of his death until the youngest attains the age of sixteen years.

Third—Should the decedent leave no widow and no orphan child or children, but leave a parent or parents depending solely upon him for support, such parents so depending, shall collectively receive a pension equal to one half of the salary attached to the position held by the decedent at the time of his death, during such time as the Commissioners may unanimously determine its necessity.

Fourth—Any member or members of the family of the deceased claiming to be entitled to a pension under the provisions of this section, shall file a verified petition therefor with said Commission, which petition shall thereafter be heard by said Board, upon such reasonable notice to the petitioner or petitioners of the time and place of such hearing, as said Board may by rule or order prescribe. Said petitioner or petitioners shall be entitled, upon such hearing, to appear personally and by counsel. Upon such hearing any interested person shall have the right to introduce testimony relative to the matters set forth in said petition. The judgment of said Commissioners respecting said application shall be final, unless in determining said application said Commissioners commit a clear abuse of discretion.

CHARTER AMENDMENT No. 23

That Chapter II of Article II is hereby amended by adding thereto a new section to be known as Section 11, and to read as follows:

Section 11. Whenever the Board of Education by resolution shall determine that any of the lots of land reserved for school purposes in accordance with the provisions of the so-called Van Ness Ordinance (Ordinance No. 855, approved June 29, 1855), and located westerly of Arguello boulevard (formerly First avenue) and the southerly projection thereof, are inadequate by reason of insufficient size or unsuitable location for use as sites for school buildings, and that the public interest and necessity requires the sale thereof and the purchase of lots of land in lieu thereof as additions to other sites for school purposes, such Board of Education may recommend to the Mayor such sale be made. If the Mayor shall concur in such recommendation, the Board of Supervisors may make such sale in the manner provided in Section 9 of this Chapter. The proceeds arising from such sale shall be used exclusively for the purpose of purchasing lands for sites for schools or for additions to existing sites.

CHARTER AMENDMENT No. 24.

That Sections 2, 3 and 5 of Chapter III, and Sections 2 and 3 of Chapter V, of Article XI are hereby amended to read as follows:

That Section 2 of Chapter III of Article XI of the Charter of the City and County of San Francisco is hereby amended to read as follows:

Section 2. The words "registered voters" as used in this chapter, shall mean qualified voters whose names appear on the records of registration for the current or next preceding year. The signatures to the petition need not all be appended to one paper, but said petition may be presented in sections. The number of signatures to each section shall be at the pleasure of the person soliciting signatures to the same.

Any qualified voter of the city and county is competent to solicit signatures and make the affidavit of verification to said signatures. Each signer to said petition shall add to his or her signature his or her place of residence, giving the street and number, and there shall be also added by the said solicitor such other matter as is authorized by this section. Every section of such petition shall be verified by the

person soliciting such signatures by his or her affidavit, which affidavit shall be in the following form, with the blank spaces properly filled in:

"STATE OF CALIFORNIA }
City and County of San Francisco } ss.

(_____), being duly sworn, deposes and says that he is the person who in person solicited each and every signature to the annexed section of said petition, and that deponent has with pen and ink or indelible pencil, numbered each such signature seriatim, commencing with number 1. That no person signed said petition upon said section except in the presence of deponent. That said section has not been left at any time where any person could sign the same except in the personal presence of deponent. That each and every signature to said section was made in the personal presence of deponent, and that to the best of his ( ) knowledge and belief each signature is the genuine signature of the person whose name purports to be thereunto subscribed. That deponent was at the time of soliciting such signature, and now is, a duly qualified voter of the said city and county."

Said affidavit shall be subscribed by the person making such affidavit and sworn to by such person before a person authorized to take such oath to such affidavit. Each section of such petition must be prepared substantially in accordance with the requirements of this chapter, and all signing, not made, numbered and verified substantially in accordance with the requirements of this chapter shall be disregarded. The Registrar of Voters shall print sample sheets for signing such petition, in blank, and sample blank affidavits of verification, and furnish a copy of each to any person desiring to get up a petition.

The affidavit herein provided for shall be at the end of each section. The solicitor of such signatures, before his affidavit is taken, must number each signature upon the section seriatim, beginning with number 1, at the right hand of the residence opposite to each signature to such section in a column to be made for that purpose; such numbering must be with pen and ink or indelible pencil. There shall also be to the left hand of such signatures, a column at least one inch wide, in blank headed "Precinct", and to the left of that, an additional blank space, substantially one-half inch wide, to admit of such abbreviations as the Registrar shall deem necessary to the expeditious mode of verification of such petition. All precincting shall be done by the office of the said Registrar, but no section or signature shall be rejected, because precincts have been inserted elsewhere, before filing. Any signer to a petition may withdraw his name from the same by filing with the Registrar of Voters a verified revocation of his signature before the filing of the petition. No signature can be revoked after the petition has been filed. The Registrar of Voters, or his deputy shall indorse on said petition the names of three persons who filed said petition, and the date of the filing of the same at the time of filing said petition. Unless and until it be proven otherwise by official investigation by the Registrar of Voters, it shall be presumed that the petition filed conforms to all legal requirements, and contains the signatures of the requisite number of registered voters, and after an election based thereon, the sufficiency of such petition shall not be questioned.

That Section 3 of Chapter III of Article XI of the Charter of the City and County of San Francisco is hereby amended to read as follows:

Section 3. The Registrar of Voters shall have fifteen (15) days after the filing of such petition, and the same time after receipt by him of a Charter amendment petition in which to verify the same and certify the result thereof in the manner provided by this section. Within such time, the Registrar of Voters shall finally determine from the records of registration whether or not said petition is signed by the requisite number of electors entitled to vote. If any signature be called in question, the said Registrar of Voters shall mail notice to such purported signer, stating that his or her name is attached to such petition and citing him or her to appear before said Registrar of Voters forthwith, naming the time and place. Said citation shall inclose a blank affidavit denying that the person signing such affidavit signed such petition, and said citation shall also contain a statement, that a blank affidavit denying that such person signed such petition, is enclosed, and that if such person does not desire to attend in person to deny his signature he may swear to such affidavit of denial before any officer authorized to take oaths, and mail the same to the Registrar of Voters, and that if he does not so attend and deny such signature in person, or by making and mailing such affidavit of denial, that his purported signature to such petition will be treated as genuine.

Unless said purported signer shall appear when cited and deny his signature under oath before said Registrar, or his deputy, or unless the Registrar of Voters shall receive such sworn affidavit of denial of such signature, before the time when by this chapter the said Registrar must, as aforesaid, make such final determination, such signature must be counted as genuine.

The Registrar shall keep a list of the names of all purported signers who appear before him and deny their signatures under oath, and also file and keep such affidavits, for at least five years.

The Board of Supervisors shall make necessary appropriation of money, and the Board of Election Commissioners shall allow to the Registrar of Voters all the extra help he may require for the purpose of examining and making investigation of such

petition. The Registrar of Voters, upon the completion of such examination and determination, shall forthwith attach to said petition his certificate properly dated and showing the result of said examination and shall forthwith mail a copy of said certificate to the respective petitioners endorsed by him on said petition as hereinbefore. If by said certificate the petition is shown to be insufficient, it may be amended by additional signatures within twenty days after the date of said certificate, in the same manner in all respects as required for the original petition. Within ten days after the filing of such amended or supplemental petition, the Registrar of Voters shall make like examination and determination of the amended or supplemental petition and attach and mail a like certificate. If upon the examination and certification of such original petition, or such original and signed amendatory petition it shall appear that a sufficient number of qualified voters have signed such petition to require an election to be held thereon, the Registrar of Voters shall, if a special election is required to be held upon such petition, require the Board of Election Commissioners to meet in not less than five days after the date of his certificate that such petition is sufficient, and if no regular meeting of the Board of Election Commissioners is set within such required period, the Registrar of Voters is authorized and required to issue a call for a special meeting of said Board to convene within the required time, and at such meeting of the Board, or any of the meetings of the Board within said required time, said Registrar of Voters shall present the authenticated or certified petition, proved Board of Election Commissioners and exhibit a certificate or certificates attached to said petition, or amended petition, or both, and said Board shall, if said certificate show the petition sufficient, call an election as required. If, however, after the examination of said petition and any amended or supplemental petition or after the expiration of the time when the supplemental petition is permitted to be filed and petition is shown insufficient, the Registrar of Voters shall report such insufficiency to the Board of Election Commissioners at their next regular meeting after the fact of such insufficiency shall have become final and exhibit his certificate or certificates so attached to such petition or petitions. A petition finally insufficient does not prevent a new proceeding.

The words "last preceding regular municipal election", or "last preceding general municipal election", wherever the same occur in Chapters III., IV or V of said Article XI of said Charter, mean the last municipal election at which a mayor for said city and county was elected for a full term.

That Section 5 of Chapter III of Article XI of the Charter of the City and County of San Francisco is hereby amended to read as follows:

Section 5. If the petition be signed by registered voters as many in number as four per cent but less than ten per cent of the said entire vote, or if for any reason any measure proposed by a petition signed by registered voters as many in number as ten per cent of said entire vote has not been submitted at a special election as provided in Section 4 of this Charter, then in either event, such measure or measures without alteration, shall be submitted by the Board of Election Commissioners to a vote of the electorate at the next general State or municipal election that shall occur at any time after thirty days from the date of the certificate of sufficiency attached to the petition accompanying such measure.

That Section 2 of Chapter V of Article XI of said Charter is hereby amended to read as follows:

Section 2. Said petition shall be in all respects in accordance with the provisions of Sections 2 and 3 of Chapter III (the initiative) of Article XI of this Charter, which sections are hereby made part hereof, and shall be examined and certified as provided by said sections last mentioned.

That Section 3 of Chapter V of Article XI of said Charter is hereby amended to read as follows:

Section 3. Unless the petition shall be found insufficient in the number of signatures of registered voters attached thereto, within the time provided for examining and certifying the result of the examination of said petition, the Board of Election Commissioners shall, within the time provided therefor, order and fix a date for holding the said election, said date to be not less than thirty-five nor more than fifty days after the date of the order fixing the date of said election; *provided however*, that where the office has become vacant by death, resignation or otherwise, between the time of the filing of the petition and the fixing of a date for an election, no recall election shall be held. Such vacancy shall be filled in the manner provided by this Charter. If a vacancy occur in said office after a date for holding said election has been fixed, as herein provided, the election shall nevertheless proceed as in this chapter provided.

CHARTER AMENDMENT No. 25.

That a new section is hereby added to Chapter III of Article II to be known as Section 7, and to read as follows:

Section 7. Every contractor, person, company, firm, or corporation, to whom is awarded a contract for the execution or performance of any building, street, excavating or other mechanical work for the City and County, the expense of which is payable out of municipal funds or out of funds specially made available for any such

in such ordinance, but not to exceed ten years, upon such terms and conditions as may in such ordinance be provided and in accordance with the method therein prescribed, but the Board of Supervisors shall not require interest to be paid on such installment payments at a rate greater than seven per cent per annum.

No assessment shall be levied in pursuance of such ordinance upon any property for the modification or change of street grades and the performance of street work in connection therewith, which, together with all assessments for street work or for damages or for both in connection with the modification or change of street grades that may have been levied upon the same property during the year next preceding the inception of the proceedings for such modification or change of street grades and the performance of street work in connection therewith, will amount to a sum greater than fifty per centum of the value at which said property was assessed for municipal purposes, exclusive of improvements thereon, upon the assessment book of the City and County current at the time of the inception of such proceedings. Such limitation of assessed valuation, however, shall not apply to any assessment made payable in installments as in this section hereinbefore provided for, but in no case shall any such installment payment exceed in amount twenty-five per centum of such assessed valuation.

The provisions of this section shall not be construed to limit or restrict any method or system enacted by any such ordinance as herein provided for the provisions of such ordinance so enacted and shall not be held to exclude any other method or system provided in this Charter for the aforesaid objects and purposes.

CHARTER AMENDMENT NO. 27.

That Section 33 of Chapter II of Article VI is hereby amended to read as follows:

Section 33. The provisions in this Article relating to and governing any street work or street improvements in the City and County and providing for the payment of the costs and expenses thereof shall not be deemed exclusive, but the Board of Supervisors may, and it is hereby empowered so to do, pass an ordinance by a vote of at least fifteen of its members, which may from time to time be recalled or amended by a like vote, providing for street work or street improvements in the City and County and for the payment of the costs and expenses thereof, and in such ordinance, it may declare and designate the kinds of such work or improvements.

Said Board is authorized and empowered to order such street work done or improvements made under such proceedings as it may in such ordinance provide, and to assess, in such manner and by such method as it may in and by such ordinance prescribe and provide, the proper costs and expenses thereof upon lands in private ownership, when the payment of such costs and expenses is not otherwise provided for in such ordinance, and when the payment of a portion of such costs and expenses is so otherwise provided for, to assess the remainder thereof upon such lands; to provide for a lien on lands so assessed for such work or improvements, and to provide in such ordinance the method for collecting and enforcing such assessments so levied, and the manner in which lands for which assessments levied thereunder remain unpaid may be sold; and to prescribe penalties for failure to pay such assessments. By and in such ordinance said Board may provide for fully and completely exercising the powers which are hereby conferred as to such street work or street improvements and the assessment and collection of the costs and expenses thereof; and the provisions of such ordinance shall not be governed or limited by the provisions of this Article inconsistent or in conflict therewith.

The Board of Supervisors, if it be deemed expedient by the Board, is further empowered to provide in such ordinance that any assessment levied in pursuance thereof may at the option of the owner of property assessed be paid in installments covering a period provided for in such ordinance, but not to exceed ten years, upon such terms and conditions as in such ordinance may be provided and in accordance with the method therein prescribed, but the Board of Supervisors shall not require interest to be paid on such installment payments at a rate greater than seven per cent per annum.

No assessment shall be levied in pursuance of such ordinance upon any property for street work or street improvements which, together with all assessments for street work or street improvements that may have been levied upon the same property during the year next preceding the inception of the proceedings for such work or improvements, will amount to a sum greater than fifty per centum of the value at which said property was assessed for municipal purposes, exclusive of improvements thereon, upon the assessment book of the city and county current at the time of the inception of such proceedings.

Such limitation of assessed valuation, however, shall not apply to any assessment made payable in installments as in this section hereinbefore provided for, but in no case shall any such installment payment exceed in amount twenty-five per centum of such assessed valuation.

The provisions of this section shall not be construed to limit or restrict any method or system enacted by any such ordinance as herein provided for street work or street improvements in the City and County by the provisions of such ordinance so enacted, and shall not be held to exclude any other method or system provided in this Charter for such work or improvements.

CHARTER AMENDMENT No. 28.

That Section 2 of Chapter III, Article IV, is hereby amended to read as follows:

Section 2. The Treasurer shall receive and safely keep all moneys which shall be paid into the treasury. Except as hereinafter provided, he shall not lend, exchange, use nor deposit the same, or any part thereof, to or with any bank, banker or person; nor pay out any part of such moneys, nor allow the same to pass out of his personal custody, except upon demands authorized by law or this Charter, and after they shall have been approved by the Auditor. At the close of business each day, he shall take an account of and enter in the proper book the exact amount of money on hand. At the end of every month he shall make out and file with the Mayor and publish quarterly in the official newspaper a statement of the condition of the treasury, showing the amounts of receipts into and payments from the treasury, and on what account, and out of what fund. If he violate any of the provisions of this section, he shall be guilty of misconduct in office, and be liable to removal therefrom, and be proceeded against accordingly. He shall keep the accounts belonging to each fund separate and distinct, and shall in no case pay demands chargeable against one fund out of moneys belonging to another. He shall be in personal attendance at his office each day during office hours. No fees of any kind shall be retained by him, but the same, from whatever source received or derived, shall be paid by him into the treasury.

All moneys paid into the treasury of the City and County may be deposited by the Treasurer, upon the written consent of the Mayor, the Auditor and the Chairman of the Finance Committee of the Board of Supervisors, in any licensed national bank or banks within this State, or in any bank, banks, or corporations authorized and licensed to do a banking business and organized under the laws of this State, provided that such bank or banks in which such moneys are deposited shall furnish as security for such deposits, bonds of the United States or of this State, or of any county, municipality or school district within this State, approved by the Treasurer and the City Attorney. The market value of the bonds furnished as security shall be at least 10 per cent in excess of the amount of the deposit secured thereby; but the amount of the deposit shall in no case exceed the face value of the bonds furnished as security therefor. And provided that such bank or banks shall pay a reasonable rate of interest, not less than 2 per cent per annum, on the daily balances therein deposited.

The rate of interest shall be fixed annually as herein provided in the month of January of each year on all deposits to be made for such year; provided that the rate of interest for the year ending December 31st, 1907, may be fixed as herein provided within ten days after this section goes into effect. The rate of interest shall be fixed by the Treasurer, the Auditor and the Mayor, and the same reported in writing to the Board of Supervisors immediately. Said rate of interest shall be a reasonable rate and not less than 2 per cent per annum on the daily balances deposited; and the rate of interest so established for each year as herein provided, shall be the uniform rate of interest required from all banks receiving deposits from the City and County for that year. Interest on all moneys deposited as herein provided for shall belong to the City and County and shall be paid quarterly into the general fund of the City and county except where the law of this Charter otherwise directs.

It shall be the duty of the Treasurer to receive from the bank in which the deposit is made, a receipt or receipts in duplicate, showing the date and amount of deposit and rate of interest to be paid thereon, one copy of which said Treasurer shall keep on file in his office and he shall file one copy with the Auditor.

The Treasurer shall keep a record in his office, which shall be open to public inspection, showing at all times the amount of money on deposit in all banks in which the same is deposited, and dates of deposit; also a record of all banks making application for the deposit of the public funds.

The total amount of public moneys on deposit in any bank shall not at any time exceed 50 per cent of the paid-up capital stock of such depository bank or banks. The Treasurer shall not have on deposit at any one time more than 10 per cent of the public moneys under his control and available for deposit in any bank while there are other qualified banks requesting such deposits; provided, that the Treasurer shall not be required to deposit public moneys in any bank outside the City and County.

The receipt issued by any bank for deposits made therein, together with the bonds held as security therefor, shall be held by the Treasurer and be recognized and counted as cash to the amount recited in the receipt by the officers required by law to count the same.

Deposits, with interest thereon, shall be subject to withdrawal on demand of the Treasurer, conjointly with that of the Mayor, and any bank receiving the deposit of public moneys, may, at any time, return the same to the Treasurer, together with interest to date of return and it shall be the duty of the Treasurer, upon receiving the return of such deposit, to immediately return to such bank all bonds held as security for the deposit returned. When the Treasurer withdraws his deposit, he shall return, on the demand of the bank, such bonds as were held as security for the deposit or portion thereof withdrawn.

Should any bank fail to pay any public moneys held on deposit as herein provided, the Treasurer (with the written consent of the Mayor) may, after ten days' written notice to such bank, proceed to sell at public or private sale such of the bonds held by him as security as he may see fit; provided, however, that he shall sell no bonds for less than their face value except at public sale after ten days' printed notice in the official newspaper. The proceeds of such sale, after paying all expenses, shall be credited to the account of the bank which deposits the bonds as collateral. Any bank failing to make payment may, at any time before the sale of the bonds is completed, stop such sale by repaying all the moneys deposited with it, together with any expense that may have been incurred by the Treasurer as the result of such failure. Should the proceeds of any such sale fail to fully repay any deposit, the balance remaining unpaid may be collected in an action at law in the name of the City and County.

The Treasurer shall not be responsible for any loss of public moneys resulting from the deposit thereof when made in accordance with the provisions of this act. It shall be the duty of the Treasurer to safely keep all evidence of indebtedness issued by banks for deposits made therein and bonds deposited as security and the Treasurer shall be responsible for such evidence of indebtedness and for bonds held as security therefor, together with the interest thereon and the proceeds of any sale of such bonds; and the Treasurer shall be responsible to such bank for the safe return of the securities furnished by it to the Treasurer.

The expense of transportation of moneys to or from the treasury to such depositaries shall be borne by such depositaries.

Nothing in this section contained shall prevent the City and County from buying bonds or otherwise investing its money in any manner now provided by law or this Charter and nothing herein contained as to the disposition of interest and public moneys deposited shall apply to any money received or held by the City and County wherein any law or this Charter provides for the payment of interest or profit thereon into any particular fund.

CHARTER AMENDMENT No. 30

That a new Article is hereby added to the Charter to be known as Article IV-A, to be composed of three sections to be known as Sections 1, 2 and 3, and to read as follows:

ARTICLE IV-A

Section 1. The Sealer of Weights and Measures shall be appointed by the Board of Supervisors. The Sealer may appoint such deputies and employes as may be allowed him by Ordinance of the Board of Supervisors. The salaries of the Sealer, his deputies and employes shall be that as fixed by law. The Sealer and his deputies shall have all the powers conferred upon Sealers of Weights and Measures and their deputies by the general laws of the State and they shall perform all of the duties prescribed by such laws and such additional duties as may be prescribed by Ordinances of the Board of Supervisors.

Section 2. The provisions of Article XIII of the Charter shall apply to the Sealer, his deputies and employes, and, for the purposes of said Article, the Board of Supervisors shall be deemed the appointing department as to the Sealer, and the Sealer the appointing officer as to his deputies and employes. Any person who has served as Sealer of Weights and Measures of the City and County of San Francisco for a continuous period of six months immediately prior to the approval of this amendment by the Legislature and who shall be actually serving as Sealer at the time of the approval of this amendment by the Legislature, and any person who has served as a deputy or employe of such Sealer for a like period and who shall be actually serving as such deputy or employe at the time of the approval of this amendment by the Legislature, are hereby declared to be appointed within the provisions of said Article XIII to the office or position in which he may be then serving and shall be entitled to all the benefits of said Article thereafter.

Section 3. Nothing in this Article contained shall be in anywise construed as curtailing or affecting the powers and jurisdiction of the State Superintendent of Weights and Measures over the Sealer of Weights and Measures of the City and County and his deputies as the same are now or may hereafter be conferred upon the State Superintendent of Weights and Measures by the general laws of the State.

CHARTER AMENDMENT No. 33.

That a new section be added to Chapter I of Article IX of the Charter, to be known as Section 11 and to read as follows:

Section 11. Each period of twenty-four hours shall be divided into two tours of duty, to-wit: from eight o'clock a.m. to six o'clock p.m., and from six o'clock p.m. to eight o'clock a.m. The uniform force of the Fire Department shall be divided into two platoons, the officers and members assigned to which shall alternate on the tours of duty at intervals of not more than one week. No officer or member shall be required to remain on duty for more than fourteen consecutive hours, except when changing from one tour of duty to the other, or in case of a conflagration requiring the services of more than one-half of the force of the Department.

The foregoing section shall take effect, and be in force, from and after the first day of January, 1919.

STATE OF CALIFORNIA, } ss.
City and County of San Francisco, }

This is to certify that we, James Rolph, Jr., Mayor of the city and county of San Francisco, and J. S. Dunnigan, Clerk of the Board of Supervisors of said city and county, have compared the foregoing proposed and ratified amendments to the charter of the said city and county of San Francisco with the original proposals, submitting the same to the electors of said city and county at a general election held on Tuesday, the seventh day of November, one thousand nine hundred and sixteen, and find that the foregoing is a full, true, correct and exact copy thereof, and we further certify that the facts set forth in the preamble preceding said amendments to said charter are and each of them is true.

In witness whereof, we have hereunto set our hands and caused the same to be authenticated by the seal of the city and county of San Francisco, this 14th day of December, one thousand and nine hundred and sixteen.

[SEAL.] JAMES ROLPH, JR.,
Mayor of the city and county of San Francisco.

J. S. DUNNIGAN,
Clerk of the Board of Supervisors, of the city and county of San Francisco.

Now therefore be it Resolved by the Senate of the State of California, the Assembly thereof concurring (a majority of all the members elected to each house voting therefor and concurring therein), That said amendments to the charter of the city and county of San Francisco, as proposed to and adopted and ratified by the electors of said city and county, and as hereinbefore fully set forth, be and the same are, and each of them is hereby approved as a whole without amendment or alteration, for and as amendments to, and as part of the charter of the city and county of San Francisco.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 5 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Lucy, Lyon, McDonald, Maddux, Neadon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—36.

NOES—None.

Senate Concurrent Resolution No. 5 ordered transmitted to the Assembly.

Also:

Senator Kehoe asked for, and was granted, unanimous consent to take up for consideration Senate Concurrent Resolution No. 7.

SENATE CONCURRENT RESOLUTION No. 7.

Approving certain amendments to the charter of the city of Eureka, a municipal corporation, in the county of Humboldt, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the twenty-seventh day of November, A. D. 1916.

Certificate of the chief executive and city clerk of the City of Eureka, State of California.

As to the adoption and ratification of certain amendments to the Charter of the said City of Eureka, submitted to the qualified electors of said City on the 27th day of November, A. D. 1916.

PREAMBLE.

Be it known that,

WHEREAS, the City of Eureka of the County of Humboldt, State of California, has at all times mentioned herein been and now is a municipal corporation of said State of California, containing a population of more than thirty-five hundred inhabitants, and is now, and has been ever since the 21st day of July, A. D. 1895, organized and existing and acting under a freeholders' charter, adopted under and by virtue of Section 8 of Article XI of the Constitution of the State of California, which charter was duly ratified by the qualified electors of said City at an election

held for that purpose on the 26th day of January, 1895, and approved by the Legislature of the State of California on the 12th day of February, 1895, (Statutes of 1895, pages 355 to 405 inclusive), and

WHEREAS, the Council of the said City of Eureka did, by ordinance duly adopted by said Council on the 6th day of October, 1916, and approved by the Mayor of the said City of Eureka on the 9th day of October, 1916, and pursuant to Section 8 of Article XI of the Constitution of the State of California, duly propose to the qualified electors of said City certain amendments to the Charter of the said City of Eureka, to be submitted to the qualified electors of said City at a special municipal election to be held therein on the 27th day of November, 1916, said amendments being seven in number; and

WHEREAS, said proposed amendments were, and each of them was, published in the Humboldt Standard, a newspaper of general circulation, printed and published in the City of Eureka, and having a general circulation therein, for the time and in the manner prescribed by Section 8 of Article XI of the Constitution of the State of California, and copies of said proposed amendments to said Charter were printed in convenient pamphlet form, and from the date of the first publication of said proposed amendments, as aforesaid, until the date fixed for the election on said charter amendments, the Council of the said City of Eureka caused to be published in said Humboldt Standard, said newspaper of general circulation, printed and published in said City of Eureka, a notice that copies of said proposed amendments to said charter could be had at the office of the City Clerk of the City of Eureka upon application therefor; and

WHEREAS, the Council of said City did, by ordinance duly adopted by said Council on the 6th day of October, 1916, and approved by the Mayor of said City on the 7th day of October, 1916, order the holding of a special municipal election in the said City of Eureka on the 27th day of November, 1916, said day being at least forty days after the publication of said proposed amendments in said daily newspaper of general circulation in the said City of Eureka to wit, the Humboldt Standard, and did provide in said ordinance for the submission of said proposed charter amendments to the qualified electors of said City for ratification or rejection at said election; and

WHEREAS, said election was duly called and held on said 27th day of November, 1916, and at said election a majority of the qualified electors voting thereon voted in favor of the ratification of and did ratify six of the proposed amendments to said charter; and

WHEREAS, the Council of the said City of Eureka, in accordance with the law in such cases made and provided, did meet on Tuesday, the 28th day of November, 1916, at their usual place of meeting and duly canvass the returns of said election, as certified by the election boards, and duly found, determined and declared that the majority of the qualified electors of said City voting thereon had voted for and ratified six of the proposed amendments to the charter of the said City of Eureka; and

WHEREAS, the said six amendments to the charter, so ratified by the majority of the qualified electors of said City voting at said election, are in the words and figures as follows, to wit:

I. The Council of the City of Eureka hereby proposes to the qualified electors of the City of Eureka that Section 22 of Article III of the Charter of the City of Eureka be amended so as to read as follows:

Section 22. The legislative power of the City of Eureka shall be vested in a council of five members, whose term shall be two years, and said City shall have the power to make and enforce any and all laws and regulations in respect to municipal affairs, subject only to the restrictions and limitations provided in this Charter as the same now is or as it may be hereafter amended, and to do and perform all acts and things appropriate to a municipal corporation, or which may be for the general welfare and good of its inhabitants, which are not specifically forbidden by the Constitution of the State of California, or which now or hereafter it would be lawful to specifically enumerate in this Charter; and no enumeration or specific statement herein of any particular powers shall be held to be exclusive or a limitation of the foregoing general grant of powers.

II. The Council of the City of Eureka hereby proposes to the qualified electors of the City of Eureka that Section 38 of Article III of the Charter of the City of Eureka be amended so as to read as follows:

Section 38. No ordinance passed by the Council shall take effect until thirty days after its passage and approval, unless otherwise provided in the enactment.

III. The Council of the City of Eureka hereby proposes to the qualified electors of the City of Eureka that Section 42 of Article III of the Charter of the City of Eureka be amended so as to read as follows:

Section 42. Any public work may be done by contract and any materials and supplies used by the City may be purchased by contract and all such contracts shall be let under the conditions and limitations prescribed by the Council to the lowest responsible bidder furnishing such security as the Council may require after due notice inviting sealed bids; or the council may reject any and all bids and either call for new bids or proceed by day labor as hereinafter provided. If the Council

shall deem it advisable to do any public work by day labor or to purchase in the open market any materials and supplies used by the city, this may be done. Whenever the aggregate estimated cost of any public work so done by day labor and of any materials and supplies therefor, so purchased in the open market, shall be One Thousand Dollars or more the measure authorizing such expenditure shall be subject to the referendum provisions of this Charter governing contracts of a value of One Thousand Dollars or more. The Council is authorized and empowered to adopt ordinances to carry into effect the provisions of this section.

IV. The Council of the City of Eureka hereby proposes to the qualified electors of the City of Eureka that Section 13 of Article III of the Charter of the City of Eureka be amended so as to read as follows:

Section 13. The Council shall have power to pass ordinances.

1. To establish or alter the grades of, and to open, lay out, alter, extend, close, straighten, widen or otherwise improve or regulate streets, alleys, lanes and sidewalks upon the same; determine the width of sidewalks and streets, and the grade of the same, and to provide for acceptance of the streets when constructed and completed in accordance with such regulations as the council may adopt. Also to open, lay out, construct, alter, widen, extend, repair and vacate walks, crosswalks, avenues, and thoroughfares in or over any plaza, park or grounds, belonging to or under control of the City.

2. To regulate or prohibit traffic and sales in streets, highways and public places; to prevent encroachment upon or obstruction to the same, and to require their removal.

3. To establish and maintain a pole line system in the City; to compel all telegraph, telephone, electric light and other companies, corporations, firms, association or persons using wires to place and maintain their wires thereon, and to regulate the use and fix the rental thereof, and provide for the collection of the same from corporations, companies, associations and persons using the same.

4. To regulate the erection of poles for or the laying of telegraph, telephone and electric wires in and upon the public streets, or upon or over buildings, the erecting of gas and electric lights thereon, the numbering of houses on the streets, the naming of the streets, avenues, public places and thoroughfares; the use of the streets and sidewalks for signposts, awnings, awning posts, horse troughs, telegraph posts, telephone posts, electric light towers, electric light posts, and other purposes; the exhibition of banners, placards or flags, in or across the streets or from houses or other buildings; public cries, advertising, ringing of bells, steam whistles, and other noises; and the use of streets and public places for foot passengers, animals, vehicles, cars and locomotives.

5. To establish a general and comprehensive system of sewers in the city, and to regulate the building and repairing thereof.

6. To provide for and regulate street pavements, crosswalks, curbstones, grades, gutters, sewers and cleaning and watering of the streets.

7. To regulate dispensaries, hospitals, markets and other public institutions.

8. To provide for the construction, maintenance, regulation and repair of bridges, wharves, docks, piers, chutes, slips, ferries and public places.

9. To fix, regulate and collect tolls, wharfage and dockage.

10. To regulate the running, moving and anchorage of steamboats, vessels, rafts and other water craft within the waters of the City, and to prevent obstructions to the free navigation of such waters.

11. To make regulations for preventing and extinguishing fires, establishing fire districts, and determining the character of buildings that may be erected therein, and the nature of the material to be used in the construction, alteration or repair of such buildings, or in repair or alteration of existing buildings within such limits, and for restricting the height of buildings or structures.

12. To declare what shall constitute a nuisance, and to abate and remove the same.

13. To provide and maintain a morgue.

14. To provide for conducting elections, establishing or changing election precincts and appointing the necessary election officers.

15. To try and remove from office appointees against whom charges have been preferred; and to remove without the preferring of charges any appointee at any time when in the judgment of the Council the public service will be promoted, improved or benefited thereby.

16. To prohibit or suppress all houses of ill-fame, all occupations, houses, places of amusement, exhibitions and practices which are against good morals, and contrary to public order and decency, or dangerous to the public safety.

17. To regulate or prohibit the sale, keeping, storage and use of powder, fireworks, dynamite, nitroglycerine and other explosives or combustible material and substances, the places of their manufacture, storage and the transportation.

18. To regulate the maintenance of acid works, slaughter houses, wash houses, laundries, tanneries, livery stables, offensive trades, and all other manufactories, works and business of every description that may endanger the public safety, health or comfort and to restrict the prosecution thereof to such fixed limits as may seem proper, or to exclude such works and business from the City.

19. To regulate the keeping and use of animals, to prevent or regulate the running at large of any animals, to establish a pound, to authorize impounding of animals found running at large, and to authorize the sale, disposition or destruction thereof.

20. To provide for the public printing, and to provide suitable rooms and buildings for the Courts, Boards and officers of the City, and such furniture, fuel, lights, books and stationery and other supplies of any kind as are or may be necessary for the convenient transactions of public business.

21. To regulate the construction, repair and use of sewers, sinks, gutters, wells, cesspools, and vaults; to compel the connecting, cleaning or emptying of same, and to designate the time and manner in which the work shall be done, to provide for the removal of all rubbish, garbage, refuse matter and all material detrimental to the public health and at such times as it will be best for the public good.

22. To prevent the throwing into any stream, creek, slough, bay or any body of water, from vessels, wharves or other places, any dirt, battery, ashes, garbage, dead animals or other materials that may obstruct the same or pollute the waters therein.

23. To regulate or prohibit the use of steam boilers, the location of telegraph, telephone and electric light poles and wires, vaults and the construction of entrances to cellars and basements from sidewalks.

24. To license hackney coaches, cabs, omnibuses, drays, carts and other vehicles used for hire, and to regulate their stands and rates of fare and to license or suppress runners for railroads, steamboats, taverns or hotels.

25. To regulate the entrance to, and exit from theaters, lecture rooms, public halls, churches and public buildings of every kind, and the number and construction of such entrance and exits, and to prohibit the placing of chairs, stools, benches or other obstacles, in the halls, aisles or open places therein.

26. To maintain and regulate a fire alarm police telegraph and police telephone.

27. To regulate and control the business of pawnbrokers, junk dealers, intelligence offices, and prescribe the mode of conducting the same.

28. To sell within or without the City, at such rates as the Council by ordinance shall from time to time establish, street and sprinkling, telephone service, light, heat, use of public slaughter house, or use of any public utility owned or controlled by the City; and the Council shall likewise by ordinance provide for the terms and rates on which the department of public works shall sell utilize or utilize the City water, ice, meat, rock or the product of any other public enterprise which the City may now or hereafter control or own.

29. To regulate the quality, capacity and location of water and gas pipes, mains, and fire plugs, and to provide for and regulate the construction and repair of hydrants, fire plugs, cisterns, pumps and such other appliances as may be required to utilize the distribution of water and gas in the streets, public places and public buildings.

30. To regulate the speed and conduct of railroad trains and engines, and require railroad companies either to station flagmen, place gates or viaducts, or place sufficient automatic warning signals and signal bells at all such streets as it may deem proper.

31. To regulate or prohibit the making up of railroad trains on any of its streets, and the stopping of trains on street crossings.

32. To grant franchises permitting any person, firm, corporation or company to lay and maintain tracks, and to pass with steam railroads along, upon and across, or elevated above, or placed below any streets of the City; *provided*, that the free use of said streets shall not be unnecessarily obstructed thereby, and such franchises shall be granted only after notice published for thirty days, and by ordinance passed by the vote of four members of the Council. Such grants shall be without prejudice to the rights of the owners of property to compensation for damages.

33. The grant of a franchise shall be a delegation of the right to condemn private property for public uses upon compensation being made therefor as provided by law.

34. To grant the right to construct, and to regulate and control the construction thereof, to railroad corporations and companies of pipes, tubes, conduits, signal bells, warning signs, wires and other electric, telegraph, telephone and mechanical appliances, in, along, over and across the streets; *provided*, that said appliances be so constructed as not to interfere with the free use of the sidewalks and streets.

35. To require every railroad company or corporation to keep the streets in repair between the tracks and along and within the distance of two feet upon each side of the tracks occupied by the company or corporation.

36. To provide for supplying the City of Eureka and its inhabitants with light, heat, motive power, telephones, street railroads or any other public utility of any kind or character or name, and to construct or purchase, own, control, maintain and operate any and all such public utilities; *provided, however*, that no such construction or purchase shall be made unless first authorized by a vote of the majority of the electors voting at any general or special election, at which the proposition may be submitted.

37. To keep, and, at such time or times as the Council of said City may deem the same necessary for the use at municipal elections therein, to cause to be printed a register, in the manner and form as required by the provisions of Chapter three, of

title two of the Political Code of the State of California, in which shall be entered the names of the qualified electors of the said city.

38. To require any lots or portions of lots within the City which may be covered with stagnant water a portion of the year to be filled up to such level or grade as will prevent the same from being so covered, and to assess the cost of such filling upon such real estate, and provide that it shall be a lien thereon.

39. To determine and impose fines, forfeitures and penalties for the violation of any ordinance or any of the provisions of this charter, and to appropriate the same.

40. To make all needful rules to govern the official conduct and duties of all officers of the City, whose duties are not defined by this Charter, to impose additional duties upon those whose duties are defined, and to fix and regulate the charges and fees of all such officers, where the charges, fees and duties are not otherwise fixed, and to compel the payment of all such charges and fees into the City Treasury.

41. To make real estate in said city liable for the construction of sidewalks, crossings and all other street improvements, adjacent thereto, and provide for the forced sale thereof for such purposes.

42. To create, control, regulate, abolish or prohibit cemeteries; to sell or lease lots in those created, to control and regulate interments within the City limits, and to provide for removing human remains from the City.

43. To provide and maintain a City Prison, and to provide for the care, custody, feeding and clothing of City prisoners.

44. To provide for the proper employment upon any public work, or for the benefit of the City, of all persons convicted of crimes, vagrancy or other misdemeanor.

45. To prevent and restrain any riot, or riotous assemblage or disorderly conduct within said city.

46. To provide for supplying the city and its inhabitants with water, ice, meat, or any other food products or necessities of life, and to construct or purchase, own, control, maintain and operate its own water supply, ice plant, slaughter house, cold storage plant, meat markets, or any other property necessary to produce, preserve and distribute to consumers any or all such products, and in owning and operating such public enterprises the city shall have all the rights and powers that are granted by the laws of the State to private corporations in conducting similar enterprises; *provided, however*, that no such water works, ice plant, cold storage plant, slaughter house, meat markets or other public enterprises shall be established or purchased by the City of Eureka unless first authorized by a vote of the majority of the electors of said city at any general or special election at which the proposition may be submitted.

47. To the extent that the Constitution of the State of California now allows or may hereafter be amended to allow; to regulate the sale and use of gas and electric lights, and fix and determine the price of gas and electric lights and the rent of gas and light meters within the City, and regulate the inspection thereof; and to regulate telephone service and the use of telephones within the City, and to fix and determine the charges for telephones, and telephone service and connections, and the removal and placing underground of any and all telegraphs, telephones or electric wires or upon the pole line established by the City.

48. To grant franchises for the construction of street railroads on and along the streets of the City; *provided*, that whenever application is made for such franchises the Council shall, by resolution, cause a notice of such application to be published for thirty days, and shall in said notice specify the route along which it is proposed to construct such road, and shall offer to grant the franchise to the persons, company or corporation that shall agree to pay semiannually the largest per centum of the gross receipts of such road, according to a verified statement of the same; *and provided, further*, that in all grants of franchises for street railroads, it shall be made a condition that single fares of such road shall not exceed five cents, and that only such rails be laid down as are of the most approved rail pattern for street railways operated by electricity, cables or other motor. The council may reject all bids, and may refuse to grant a franchise for the proposed route; and in case no bids are made, may in their discretion grant a franchise for such period as may be deemed expedient.

49. To require any land or buildings to be cleansed at the expense of the owner or occupant; and upon his default may do the work and assess the expense upon the land or building and provide that it shall be a lien thereon.

50. To provide for licensing any or all business not prohibited by law; to establish and regulate the issuing and granting of municipal licenses, and the collection of license taxes.

51. To establish a City Hospital, and to provide for its maintenance.

52. To provide and maintain all public buildings, parks, or squares, necessary or proper, for the use of the City, and to acquire lands therefor, and for other public uses.

53. To provide for the execution of all trusts confided to the City.

54. To levy and collect taxes and assessments on all property within the City, both real and personal, made taxable by law for state or county purposes.

55. To offer rewards, not exceeding five hundred dollars, for the arrest and conviction of any person or persons, who have committed a felony in said City.

56. To establish and maintain such poorhouses, industrial schools, houses of correction or reformation, workshops, homes for confirmed inebriates, and such other institutions as may be deemed proper, and to provide for the support, maintenance and management of the same.

57. To regulate the custody, leasing and sale of all the property of the municipality, and such lost, stolen or unclaimed property as may be in the possession of the police or other officers of the City.

58. To regulate all parades, processions and public assemblages upon the streets, and to determine what parades, processions and public assemblages thereon shall not be lawful, and declare the same a nuisance.

59. To regulate and maintain a Fire Department and to regulate and maintain a Police Department.

60. To make all ordinances, by-laws, rules and regulations necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Charter or by general laws in said City.

61. To make and enforce all such local, police, sanitary, and other regulations as are not in conflict with general laws and provisions of this Charter.

V. The Council of the City of Eureka hereby proposes to the qualified electors of the City of Eureka that Section 10 of Article II of the Charter of the City of Eureka be amended so as to read as follows:

Section 10. All general and special municipal elections shall in all respects as nearly as may be, be held and conducted in accordance with the laws of the State for the holding of general elections in cities of the class, except that primary elections under the auspices of the City shall be dispensed with, and in any election any political party, having polled not less than three per cent of the total vote cast for President or Presidential electors, at the last preceding municipal election at which a President was elected, may nominate party candidates in such manner as the members of said party in convention assembled shall direct. Such party nominations shall be filed with the City Clerk not more than fifty nor less than thirty days before the date of the election by the chairman and secretary of the convention which determined the nominations of said party, and the name of the party making such party nominations shall appear on the ballot after the name of each candidate nominated by it, but no party needs to make party nominations except in wards that such nominations shall be made. Any other than a party candidate who shall file with the City Clerk a nominating petition for more than fifty nor less than thirty days before the date of the election, containing no more than three per cent nor less than one per cent of the registered voters of the political section from which he seeks election, shall have his name placed on the ballot without any designation after his name. No filing fee shall be required of any candidate in any general or special municipal election. The Council shall, in accordance with the laws of the State, make all the necessary arrangements for holding said elections, canvassing the returns and declaring the results thereof.

VI. The Council of the City of Eureka hereby proposes to the qualified electors of the City of Eureka that Section 17 of Article II of the Charter of the City of Eureka be amended so as to read as follows:

Section 17. In establishing election precincts the Council shall make them as geographically compact as possible.

STATE OF CALIFORNIA
County of Humboldt } ss.
City of Eureka

This is to certify that we, ELIJAH FALK, Mayor of the City of Eureka, and J. P. WUNDERLICH, City Clerk of the City of Eureka, have compared the foregoing proposed ratified amendments to the charter of the city of Eureka with the original ordinance proposing said amendments and submitting the same to the qualified electors of said City at a special municipal election called for that purpose and held on the 27th day of November, 1916, and find that the foregoing is a true, full, exact and correct copy thereof, and each of them, and we further certify that the facts set forth in the Preamble of this Certificate preceding said amendments to said Charter are, and each of them is, true.

That as to all of said amendments this certificate shall be taken as a full and complete certification as to the regularity of all proceedings had and done in connection therewith.

IN WITNESS WHEREOF, we have hereunto set our hands and caused the Official Seal of the said City of Eureka to be hereunto affixed this 19th day of December, A. D. 1916.

ELIJAH FALK,
Mayor of the City of Eureka.

ATTEST: J. P. WUNDERLICH,
City Clerk of the City of Eureka

AND WHEREAS, the said proposed amendments to the charter of the city of Eureka, so ratified, are now submitted to the legislature of the State of California for approval or rejection, without power of alteration or amendment, in accordance with section eight of Article XI of the constitution of the State of California; now therefore,

Be it resolved by the Senate of the State of California, the Assembly thereof concurring. A majority of all members elected to each house voting for the adoption of this resolution and concurring therein, that the said amendments to the charter of the city of Eureka herein set forth as presented and submitted to and adopted and ratified by the qualified electors of the said city of Eureka, be and the same are hereby approved as a whole for and as amendments to the said charter of the city of Eureka.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 7 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—37.

NOES—None.

Senate Concurrent Resolution No. 7 ordered transmitted to the Assembly.

RESOLUTIONS.

The following resolutions were offered:

By Senator Luce:

Resolved, That the following named persons be and they are hereby appointed to the respective positions hereinafter set forth as provided by law with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants for the said respective amounts and the Treasurer is directed to pay the same:

Name.	Position.	Per diem.
Anna E. McMahan,	Press Mail Clerk	$4 00
Esto Broughton,	Committee Clerk	4 00
Thomas H. Waters,	Committee Clerk	4 00

Resolution read.

Senator Luce moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Evans, Flaherty, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

Also:

By Senator Luce:

Resolved, That the following named person be stricken from the list of Senate attaches, and his name be stricken from the pay roll of the Senate:

John H. Martin.....Assistant Minute Clerk

Resolution read.

Senator Luce moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

MOTION TO RE-REFER.

Senator Luce moved that Senate Bill No. 69 be recalled from the Committee on Public Morals to which it was previously referred, and re-referred to the Committee on Labor and Capital.

Motion carried and such was the order.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Chandler: Senate Joint Resolution No. 2—Relating to the oil industry of the State of California.

Resolution referred to Committee on Oil Industries.

By Senator Tyrrell: Senate Bill No. 94—An act to amend section 4232 of the Political Code, relating to the compensation of officers in counties of the third class.

Bill read first time, and referred to Committee on County Government.

By Senator Carr, F. M.: Senate Bill No. 95—An act to amend 1565 of the Political Code relating to the Teachers' Library Fund.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 96—An act to amend section 850 of the Code of Civil Procedure, relating to notice in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

By Senator Hans: Senate Bill No. 97—An act to amend section 12 of an act to create a fireman's relief, health, and life insurance and pension fund in the several counties, cities and counties, cities, and towns of the state. Approved March 20, 1905.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 98—An act to amend that certain act of the Legislature of the State of California, entitled, "An act to create a police relief, health and life insurance and pension fund in the several counties, cities and counties, cities and towns of the State," approved March 4, 1889, and amended March 31, 1891, amended a second time March 31, 1891, amended March 2, 1897, by amending section 3 thereof, relating to the qualifications to receive a pension and the amount thereof.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Lyon: Senate Bill No. 99—An act to amend an act entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled, 'An act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the board of regents of the University of California, and to provide penalties for violation thereof.'" Approved June 12, 1913, amended May 19, 1915, by adding a new section to be numbered section 4½ and by amending section 11.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 100—An act providing for the examination and certification of plumbers and prescribing penalties for violations of the provisions thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 101—An act to amend section 16 of an act entitled "An act regulating the employment and hours of labor of children; prohibiting the employment of minors under certain ages; prohibiting the employment of certain illiterate minors; providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics and providing penalties for the violation hereof," approved February 20, 1905, as amended by an act approved April 14, 1911, as further amended by an act approved June 2, 1913, and as further amended by an act approved June 5, 1915.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Brown: Senate Bill No. 102—An act to amend section 1614 of the Penal Code, relating to rules and regulations for the performance of labor, credits for good behavior of prisoner confined in county jail or in city jail or in city and county jail.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Senator Crowley: Senate Bill No. 103—An act to accept from the United States government the cession of jurisdiction over a portion of the Presidio of the San Francisco Military Reservation.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 104—An act for the regulation of the practice of midwifery in the State of California by others than legally authorized physicians and surgeons, and for the appointment of a board of examiners in midwifery in the matter of said regulation.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Ballard: Senate Bill No. 105—An act for the regulation and practice of drugless systems or methods of treating sick or afflicted human beings; regulating the examination of applicants for licenses; regulating registration of applicants; allowing those licensed to treat disease, injuries, deformities or other physical or psychopathic conditions of human beings by drugless methods; to establish a Board of Examiners for Drugless Physicians; to provide for their appointment and formation and prescribe their powers and duties; making violation of this act a misdemeanor; and repealing all parts of an act entitled "An act to regulate the examination of applicants for licenses and the practice of those licensed to treat diseases, injuries, deformities or other physical or mental condition of human beings; to establish a Board of Drugless Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal all parts of an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a Board of Drugless Examiners.'"

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 106—An act to repeal an act entitled "An act to provide for the creation of the State Commission Market, and the organization thereof, to carry on the business of receiving from the producers thereof the agricultural, fishery, dairy and farm products of the State of California and selling and disposing of such products on

Commission, creating the 'State Commission Market Fund' and appropriating money therefor," approved June 10, 1915.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 107—An act to amend section 2 of an act entitled, "An act to protect public health from infection caused by exhumation and removal of the remains of deceased persons," approved April 1, 1878.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senators Johnson and Jones: Senate Bill No. 108—An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 109—An act making an appropriation to pay any assessment that may be imposed against the State of California under the provisions of an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California."

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Luce: Senate Bill No. 110—An act establishing a State Board of Health and defining its powers and duties, conferring upon it the functions heretofore exercised by the state board of dental examiners, embalmers, health, medical examiners and optometry, prescribing penalties for violations of the provisions thereof, and repealing all acts and parts of acts inconsistent therewith.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Duncan: Senate Bill No. 111—An act providing that all justices of the peace in townships having a population of less than 15,000 shall act as labor and employment agents.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Inman: Senate Bill No. 112—An act to amend the Penal Code of the State of California by adding thereto two new sections to be numbered 1168 and 1169, relating to indeterminate sentences of persons convicted of criminal offenses for the first time, and to provide for the release of such persons within the time for which they are sentenced to imprisonment.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 113—An act to amend section 674 of the Penal Code of the State of California relating to civil death of person sentenced to state prison for life.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 114—An act to amend section 673 of the Penal Code of the State of California, relating to civil rights of convict suspended.

Bill read first time, and referred to Committee on Judiciary.

By Senator Sharkey: Senate Bill No. 115—An act to amend the Penal Code by adding thereto a new section to be numbered 349 *d*,

relating to the fraudulent sale of foreign grown or foreign produced walnuts.

Bill read first time, and referred to Committee on Agriculture.

By Senator Thompson: Senate Bill No. 116—An act appropriating money for the construction and equipment of buildings on the property of the Santa Barbara State Normal School at Santa Barbara, California.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 117—An act to amend section 737 of the Political Code of the State of California, relating to the salaries of superior judges.

Bill read first time, and referred to Committee on Judiciary.

By Senator Ingram: Senate Bill No. 118—An act making an appropriation for the construction of a state highway from Cisco in Placer County to Nevada City in Nevada County.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Rominger: Senate Bill No. 119—An act to provide for the purchase by the State of California of an armory and grounds located at Pomona, California, and making an appropriation therefor.

Bill read first time, and referred to Committee on Military Affairs.

Also: Senate Bill No. 120—An act to provide for the fighting of forest fires in the San Antonio Canyon in the San Gabriel Mountains, California, and to make an appropriation therefor.

Bill read first time, and referred to Committee on Agriculture.

By Senator Carr, W. J.: Senate Bill No. 121—An act providing for the organization of water districts by the board of supervisors of any county of the State upon petition therefor by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of said county in which the lands contained in said district are located; providing for the acquisition and construction by said district of waterworks, for the irrigation of the lands embraced therein and for the distribution of water for irrigation purposes and domestic use; providing for the payment of the debts thereof by a tax levied on the property embraced therein; providing for the issuance and sale of bonds thereby; providing that said bonds may be investigated by an appointive board of three hydraulic engineers; providing for the approval of said bonds by the State Superintendent of Banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators.

Bill read first time, and referred to Committee on Irrigation.

By Senator Chamberlin: Senate Bill No. 122—An act to establish a memorial park to be known as "The Fremont Pico Peace and Memorial Park"; appointing a commission to be known as "The Fremont-Pico Peace and Memorial Park Commission," prescribing their powers and duties, and providing an appropriation to carry this act into effect.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 123—An act to amend section 156 of the Code of Civil Procedure, relating to qualifications of justices of supreme court and of the district courts of appeal.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 124—An act to amend section 157 of the Code of Civil Procedure, relating to qualification of superior judges.

Bill read first time, and referred to Committee on Judiciary.

By Senator Purkitt: Senate Bill No. 125—An act validating the formation and organization, and determining the boundaries of Lake County water district, in the county of Lake, State of California.

Bill read first time, and referred to Committee on Irrigation.

Also: Senate Bill No. 126—An act to amend sections 12, 18, 19 and 20 of an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913.

Bill read first time, and referred to Committee on Irrigation.

By Senator Kehoe: Senate Bill No. 127—An act to amend an act entitled "An act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, and acts amendatory thereof, by amending section 10 thereof.

Bill read first time, and referred to Committee on Insurance.

By Senator Irwin: Senate Bill No. 128—An act to amend section 3491 of the Political Code of the State of California, relating to reclamation and swamp districts.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Breed: Senate Concurrent Resolution No. 10—Relative to amendments to the charter of the city of Berkeley after due ratification by the qualified electors of said city at a city election properly held.

Referred to Committee on Municipal Corporations.

By Senator Jones: Senate Bill No. 129—An act to amend section 1963 of the Code of Civil Procedure of the State of California, relating to presumptions.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 130—An act to amend section 337 and 339 of the Code of Civil Procedure of the State of California, relating to limitation for the commencement of actions.

Bill read first time, and referred to Committee on Judiciary.

By Senator Crowley: Senate Bill No. 131—An act to amend section 1203 of the Penal Code, relating to the probation of persons arrested for crime after a plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation, and the disposition of such accusation after full compliance with the terms of probation.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 132—An act to amend section 270 of the Penal Code, providing punishment for failing to support a minor child, and conferring jurisdiction upon the juvenile court.

Bill read first time, and referred to Committee on Judiciary.

By Senator McDonald: Senate Bill No. 133—An act prohibiting the photographing or making of likenesses or other means of future identification of any person arrested for the commission of a crime before conviction thereof and prescribing the penalty for the violation thereof.

Bill read first time, and referred to Committee on Judiciary.

ADJOURNMENT.

At twelve o'clock and forty-five minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until Wednesday, January 17, 1917, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Wednesday, January 17, 1917.

The Senate met at eleven o'clock a.m.

Lieutenant Governor William D. Stephens, President of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—36.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, January 16, 1917, the further reading was dispensed with, on motion of Senator Flaherty.

LEAVES OF ABSENCE.

Senator Sharkey was, on motion of Senator Luce, granted leave of absence for this day.

Senator Gates was, on motion of Senator Lyon, granted leave of absence for this day.

Senator King was, on motion of Senator Evans, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Breed, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Messrs. W. H. L. Hynes and Walter J. Burpee of Oakland.

On request of Senator Slater, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Hon. George W. Salisbury of Santa Rosa, former member of the Assembly.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, JANUARY 17, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 4—Relative to the death of Colonel William F. Cody, late chief of civilian scouts of the United States Army.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Concurrent Resolution No. 4 referred to Committee on Military Affairs.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, JANUARY 17, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 5—Relative to adjournment in honor of the memory of Admiral George Dewey.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Concurrent Resolution No. 5 referred to Committee on Military Affairs.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills were introduced:

By Senator Brown: Senate Bill No. 134—An act to amend section 1446 of the Penal Code relating to judgment, fine, and imprisonment in justices' and police courts.

Bill read first time, and referred to Committee on Judiciary.

By Senator Stuckenbruck: Senate Bill No. 135—An act to amend section 4300*g* of the Political Code, relating to witness fees.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 136—An act making an appropriation for the location, survey, and construction of a proposed state road from the junction of the counties of San Joaquin, Calaveras, and Amador to Jackson, Amador County.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Carr, F. M.: Senate Bill No. 137—An act to amend section 437 of the Code of Civil Procedure, relating to answer.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 138—An act to amend section 1713 of the Political Code, relating to library funds in rural school districts.

Bill read first time, and referred to Committee on Education.

By Senator Luce: Senate Bill No. 139—An act to amend section 1269 of the Code of Civil Procedure and to add a new section to said code to be known as and numbered 1272*a*, both relating to escheat and unclaimed estates and property and to proceedings relating thereto.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 140—An act to amend section 1405 of the Civil Code, relating to escheat property.

Bill read first time, and referred to Committee on Judiciary.

By Senator Evans: Senate Bill No. 141—An act to establish a university farm in southern California, and making an appropriation to carry out the purposes hereof.

Bill read first time, and referred to Committee on Universities.

By Senator Carr, W. J.: Senate Bill No. 142—An act to amend an act entitled "The Code of Civil Procedure of California," by adding thereto four new sections, to be numbered 204*a*, 204*b*, 204*c*, and 204*d*, relating to jury commissioners, their duties, appointment and compensation.

Bill read first time, and referred to Committee on Judiciary.

By Senator Jones: Senate Bill No. 143—An act to amend section 164 of the Civil Code, relating to community property.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 144—An act to amend section 172 of the Civil Code and to add to said Civil Code a new section to be known as section 172*a*, relating to the management, control and disposition of community property.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 145—An act to amend chapter 595 of the laws of the 1913 session of the Legislature of California, known as the "Inheritance Tax Act," approved June 16, 1913, as subsequently amended, by amending sections 5, 6 and 7 thereof.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 146—An act to amend section 137 of the Civil Code, relating to temporary alimony and permanent support and maintenance of wife.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 147—An act to amend section 1 of an act entitled "An act to fix the salaries of the state forester, deputy forester and assistant forester," approved March 22, 1909, and repealing all acts and parts of acts inconsistent herewith.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 148—An act to add a new section to the Code of Civil Procedure of the State of California, to be numbered section 1723½, relating to termination of life estates and evidence thereof.

Bill read first time, and referred to Committee on Judiciary.

By Senator Duncan: Senate Bill No. 149—An act providing for the maintenance and care by cemetery trustees and associations of the graves of honorably discharged soldiers of the United States of America or of the Confederate States of America, or of any veterans of the Civil War or of the Spanish-American War, and providing the manner of payment therefor.

Bill read first time, and referred to Committee on Military Affairs.

By Senator Irwin: Senate Bill No. 150—An act to amend section 758 of the Political Code of the State of California.

Bill read first time, and referred to Committee on Judiciary.

By Senator Shearer: Senate Bill No. 151—An act to amend section 12 of an act entitled "An act to promote the general welfare of the people of this State as affected by accident causing the injury or death of employees in the course of their employment, by creating a liability on the part of employers to compensate such employees and

their dependents for such accidental injury or death irrespective of the fault of either party, and providing the means and methods of enforcing such liability; and creating a 'state compensation insurance fund' to insure employers against such liability and providing for its administration and regulating such insurance by other insurance carriers; and requiring safety in all employments and places of employment in this State and providing the means and methods of enforcing such safety; and requiring reports of industrial accidents; and providing penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; and creating an industrial accident commission, providing for its organization, defining its powers and duties and providing for a review of its orders, decisions and awards; and appropriating moneys to carry out the provisions of this act; and repealing all acts and parts of acts inconsistent with the provisions of this act," approved May 26, 1913.

Bill read first time, and referred to Committee on Judiciary.

By Senator Canepa: Senate Bill No. 152—An act to provide for the establishment of passenger transportation facilities upon The Embarcadero, in the city and county of San Francisco.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 153—An act to amend section 628 of the Penal Code, relating to the protection and preservation of fish, and forbidding the shipment of dried shrimp out of the State, and to repeal section 628*g* of the Penal Code, relating to abalones.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 154—An act to amend section 13 and section 14 of an act entitled "An act to divide the State of California into fish and game districts and to repeal, 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 19, 1915, relating to the territory comprising respectively, fish and game district twelve, and fish and game district thirteen.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Flaherty: Senate Bill No. 155—An act to add a new section to the Political Code of the State of California, to be numbered section 3823*a*, relating to the collection of taxes on personal property.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Carr, F. M.: Senate Bill No. 156—An act to amend the Political Code of the State of California by adding thereto a new section to be numbered 1618*a*, relating to the powers and duties of boards of school trustees and city boards of education; also to repeal an act entitled "An act to provide for health and development supervision in the public schools of the State of California," approved April 15, 1909.

Bill read first time, and referred to Committee on Education.

By Senator Rigdon: Senate Bill No. 157—An act to provide for the adoption of textbooks for use in the public high schools of the State and for furnishing textbooks free to the pupils of such schools.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 158—An act to amend section 3088 of the Civil Code, relating to negotiable instruments.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 159—An act to provide for the protection of breeders and growers of cattle from theft, for registration of marks and brands, butchers and slaughter houses, and the inspection of cattle and the hides thereof; creating a cattle inspection board to administer this act, and prescribing penalties for violation of the provisions hereof.

Bill read first time, and referred to Committee on Agriculture.

By Senator Scott: Senate Bill No. 160—An act to amend section 596 of the Political Code, concerning certificate of authority to insurance companies; prohibiting the use of unauthorized companies except for surplus line insurance; providing for the licensing of surplus line brokers, their obligations and duties and providing penalty for violation thereof.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 161—An act declaring the diversion or appropriation of funds collected as premiums under any policy of insurance by agents, solicitors or brokers to be an embezzlement, and providing for the punishment thereof.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 162—An act to prevent the making or drawing of any board or special or discriminatory contracts of insurance, and providing a penalty therefor.

Bill read first time, and referred to Committee on Insurance.

By Senator Inman: Senate Bill No. 163—An act to amend section 4223 of the Political Code, relating to county hospitals.

Bill read first time, and referred to Committee on County Government.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Breed, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 3—Relative to the adjournment of the Legislature for the constitutional recess and to the reassembling of the Legislature after said recess and fixing the date for said adjournment and said reassembling.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Concurrent Resolution No. 3 ordered to enrollment.

RECESS.

At eleven o'clock and twenty minutes a.m., on motion of Senator Breed, the President declared the Senate at recess until eleven o'clock and thirty minutes a.m.

RECONVENED.

At eleven o'clock and thirty minutes a.m. the Senate reconvened.

Lieutenant Governor William D. Stephens, President of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SACRAMENTO, January 17, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 4—Relative to a proposal to amend Article XX of the charter of the city of Oakland, dealing with franchises, after the ratification by the qualified electors of said city.

Also: Senate Concurrent Resolution No. 5—Approving thirteen certain amendments to the charter of the city and county of San Francisco, State of California, voted for and ratified by the electors of said city and county of San Francisco at a general election held therein on the seventh day of November, 1916.

Also: Senate Concurrent Resolution No. 7—Approving certain amendments to the charter of the city of Eureka, a municipal corporation, in the county of Humboldt, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the twenty-seventh day of November, A.D. 1916;

And reports that the same have been correctly engrossed.

CANEPA, Chairman.

Senate Concurrent Resolution No. 4, Senate Concurrent Resolution No. 5, and Senate Concurrent Resolution No. 7 ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE (OUT OF ORDER).

The following report of standing committee was received and read:

ON COUNTY GOVERNMENT.

SACRAMENTO, January 17, 1917.

MR. PRESIDENT: Your Committee on County Government to which was referred Senate Concurrent Resolution No. 6—Approving the charter of the county of Butte, State of California, which was submitted to the qualified electors of the said county, voted for, and ratified at a general election held therein on the 7th day of November, 1916—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

INMAN, Chairman.

CONSIDERATION OF CONCURRENT RESOLUTION (OUT OF ORDER).

Senator Duncan asked for, and was granted, unanimous consent to take up for consideration Senate Concurrent Resolution No. 6.

SENATE CONCURRENT RESOLUTION NO. 6.

Approving the charter of the county of Butte, State of California, which was submitted to the qualified electors of the said county, voted for, and ratified at a general election held therein on the seventh day of November, 1916.

WHEREAS, The County of Butte was at all the times herein mentioned, and now is a political subdivision of the State of California; and

WHEREAS, On the sixth day of March, 1916, there was presented to the Board of Supervisors of said County of Butte, a petition of qualified electors of said County, signed by fifteen per centum of the qualified electors thereof, computed upon the total number of votes cast therein for all candidates for Governor at the last preceding general election at which a Governor was elected, which petition prayed for the election of a Board of fifteen Freeholders to prepare and propose a charter for said County; and

WHEREAS, There was attached to said petition the certificate of the County Clerk of said Butte County, certifying that said petition contained the names of fifteen per centum of the qualified electors of said County, as provided for in Section seven and one-half of Article Eleven of the Constitution of the State of California; and

WHEREAS, Said Board of Supervisors did on said sixth day of March, 1916, order the holding of a special election for the purpose of electing such Board of Freeholders, which said special election it was further ordered should be held on May 2, 1916; and

WHEREAS, Thereafter, to-wit: on the second day of May, 1916, a special election was held in the County of Butte for the purpose of electing said Board of fifteen Freeholders; and

WHEREAS, Thereafter, to-wit: on the eighth day of May, 1916, the result of the said special election held on said second day of May, 1916, for the purpose of electing

[illegible]

[illegible]

[illegible]

the County of Butte into five supervisorial districts as nearly equal in population as may be possible. The redistricting ordinance shall take effect on the first Monday after the first day of January, 1921, at noon; except that, for the purpose named in Section 5 of this article, it shall take effect on the first day of August, 1919.

Section 5. At the general election to be held in November, 1920, Supervisors shall be elected in each of the five supervisorial districts as established by the ordinance in Section 4 hereof provided for. The five Supervisors so elected shall take office at noon on the first Monday after the first day of January, 1921. Immediately upon their qualification they shall so classify themselves by lot that three of their number shall hold office for four years, and two of their number for two years, and the Supervisors elected at the election held in 1922 and every two years thereafter shall hold office for four years.

Section 6. After the year 1921, whenever it appears from the United States Census that the population in any supervisorial district exceeds or lacks more than twenty-five per cent, as compared with the population in another district or districts, then the Board of Supervisors must change the boundaries of such districts or districts so that the population of each district shall be as nearly equal as possible. Any changes in the boundaries of any district must be made in accordance with general law.

Section 7. Whenever a vacancy occurs in the Board of Supervisors, the Governor shall fill such vacancy by appointment and the appointee shall hold office until the election and qualification of his successor. Such election shall take place at the next general election at which county officers are elected. The person elected shall hold office for the remainder of the unexpired term.

Section 8. The Board of Supervisors shall at its first meeting in January of each year, elect a Chairman who shall preside at all meetings. In case of his absence or inability to act, the members present must by an order entered of record select one of their number to act as chairman pro tempore. Any member of the Board of Supervisors may administer oaths when necessary in the performance of his official duties. A majority shall constitute a quorum, and no act of the Board shall be valid or binding unless three members concur therein.

ARTICLE III.

GENERAL POWERS OF THE BOARD OF SUPERVISORS.

Section 1. The Board of Supervisors shall have all the jurisdiction and power which is now or which may hereafter be granted to the Board of Supervisors by the Constitution and laws of the State of California, or by this Charter, except as limited by this Charter.

Section 2. It shall be the duty of the Board of Supervisors:

(a) Before any officer elected or appointed hereunder qualifies, to fix the amount of the bond to be required of such officer and the manner of the approval thereof. The bond of any officer holding an elective office must be made to insure liability for the faithful performance of the duties of such officers and upon its approval.

(b) To fix the compensation of county and township officers which are now or may hereafter be provided for by the Constitution, the general law or this Charter, whose compensations are not fixed and provided for by this Charter.

Section 3. The Board of Supervisors may, by an unanimous vote, upon application of any county officer, when the necessity therefor appears to it, authorize the appointment of such assistant or assistants to said office as may be required to carry out the necessary work of said officer.

It shall fix the time of his employment and his compensation, which shall be paid out of the County Officers' Emergency Fund.

ARTICLE IV.

COUNTY OFFICERS OTHER THAN SUPERVISORS.

Section 1. County officers other than members of the Board of Supervisors shall be: a Sheriff, a County Clerk, a Treasurer, a Recorder, a Tax Collector, a License Collector, a Public Administrator, a Coroner, a Surveyor, a District Attorney, an Auditor, an Assessor, a Superintendent of Schools, a Horticultural Commissioner, a Probation Officer, a Health Officer, a Road Engineer, a Superintendent of Charities, and such other officers as are now or may hereafter be provided for by the Constitution, by general law or by this Charter.

Section 2. The following offices are hereby consolidated:

(a) The District Attorney shall be ex-officio Public Administrator;

(b) The Sheriff shall be ex-officio Coroner;

(c) The Treasurer shall be ex-officio Tax Collector, and ex-officio License Collector;

(d) The Probation Officer shall be ex-officio Superintendent of Charities;

(e) On and after the first Monday in January, 1919, the Surveyor shall be ex-officio Road Engineer.

Section 3. All county officers except the Probation Officer, the Horticultural Commissioner, the Health Officer, the Road Engineer, the Surveyor, and such other

officers as are now or hereafter may be made appointive by the Constitution, general law or this Charter, shall be elected in the manner provided by law.

Section 4. Each county officer shall have the powers and perform the duties now or hereafter prescribed by general law, except as otherwise provided in this Charter, and shall have and perform such other powers and duties as are prescribed by this Charter.

Section 5. The term of office of each county officer shall be four years, beginning at noon on the first Monday after the first day of January succeeding his election, and until such time as his successor shall be elected and shall qualify, except as otherwise provided in this Charter.

Section 6. The annual salary of county officers shall be as follows, payable monthly on the first Monday in each month, except as otherwise in this Charter provided:

(a) Members of the Board of Supervisors, One Hundred Dollars per month;

(b) The Sheriff and ex-officio Coroner, Three Thousand Dollars. The Sheriff shall be allowed one under-sheriff, at a salary of Twelve Hundred Dollars per annum, and one Jailor at a salary of Nine Hundred Dollars per annum;

(c) The County Clerk, Twenty-seven Hundred Dollars. The County Clerk shall be allowed one chief deputy at a salary of Twelve Hundred Dollars per annum, one assistant at a salary of One Thousand Dollars per annum, one stenographer at a salary of Six Hundred Dollars per annum; and in addition thereto, the County Clerk shall be allowed the sum of Six Hundred Dollars for registration and other expenses in each year during which it may be necessary, under the provisions of the general laws, to prepare a Great Register of electors;

(d) The District Attorney and ex-officio Public Administrator, Twenty-four Hundred Dollars. The District Attorney shall be allowed one assistant at a salary of Fifteen Hundred Dollars per annum, and one stenographer at a salary of Six Hundred Dollars per annum;

(e) The Assessor, Three Thousand Dollars. The Assessor shall be allowed one deputy at a salary of Eighteen Hundred Dollars per annum, and shall be allowed mileage not to exceed fifteen cents per mile, one way, to be paid only for mileage actually traveled in connection with his duties of assessing property in the county, said mileage to be distributed equally among the several supervisorial districts and not to exceed in total Six Hundred Dollars per annum;

(f) The Auditor, Twenty-four Hundred Dollars. The Auditor shall be allowed one deputy at a salary of Nine Hundred Dollars per annum.

(g) The Recorder, Twenty-four Hundred Dollars. The Recorder shall be allowed one deputy at a salary of Nine Hundred Dollars per annum, and one stenographer at a salary of Seven Hundred Twenty Dollars per annum;

(h) The Treasurer and ex-officio Tax Collector and ex-officio License Collector, Three Thousand Dollars. The Treasurer shall be allowed one deputy at a salary of Twelve Hundred Dollars per annum;

(i) The Horticultural Commissioner, Six Dollars per day while actually engaged in the performance of the duties of his office;

(j) The Probation Officer and ex-officio Superintendent of Charities, Twelve Hundred Dollars;

(k) The Surveyor and ex-officio Road Engineer, Three Thousand Dollars. The Surveyor and ex-officio Road Engineer shall be allowed one deputy at a salary of Twelve Hundred Dollars per annum and necessary office expenses, not to exceed $600 per annum;

(l) The Superintendent of Schools, Twenty-seven Hundred Dollars. The Superintendent of Schools shall be allowed one Supervising Deputy at a salary of Fifteen Hundred Dollars per annum, and one office deputy at a salary of Eight Hundred Forty Dollars per annum.

Section 7. The offices of such assistants, deputies and stenographers as are provided for herein are hereby created. The incumbents thereof shall be appointed and be subject to removal by and at the will of the county officer whom they are to assist. Their salaries shall be paid to them at the same time, in the same manner and out of the same fund as the salaries of the county officers are paid, except as in this Charter otherwise provided.

Section 8. All fees, fines and commissions of any kind or nature collected by any county or township officer, board, commission or employee shall be paid into the county treasury on the first Monday of each month. The payment shall be accompanied with a detailed statement of the same in writing, a duplicate copy of which shall be filed with the Auditor at the same time.

Section 9. Whenever a vacancy occurs in an elective county or township office other than the Board of Supervisors, said Board shall fill such vacancy by appointment, the appointee to hold office until the election and qualification of his successor, which election shall take place at the next general election at which county officers are elected.

Section 10. Each County Officer shall be allowed, in addition to the salaries herein set forth, such expenses as are now payable to him under the provisions of the general law or this Charter, except as in this Charter otherwise provided, and provided, that all such expenses shall be limited to actual and necessary expenses and shall not include board and lodging.

ARTICLE V.

TOWNSHIP OFFICERS.

Section 1. There shall be one Justice of the Peace and one Constable for each judicial township, except that in townships having a population of seventy-five hundred or more there shall be two constables for each judicial township.

Section 2. Justices of the peace and constables shall be elected at the time and in the manner and for the term now or hereafter provided by law.

Section 3. The Board of Supervisors must provide by ordinance for one justice of the peace and one constable in each judicial township; provided that, until the Board shall so provide for such justices of the peace and constables, the number of each thereof in each township shall continue as now provided by law; provided further, that if the Legislature shall hereafter, instead of the system of courts of justices of the peace now established by law, substitute some other system of inferior courts, then and in that event it shall not be compulsory upon the Board of Supervisors to provide any number for, and the Board may discontinue the existence of the office of justice of the peace and constable in the several townships, if such discontinuance be allowed by law, and the Board shall provide for such number of inferior justices or judges and constables as may be necessary for the needs of the county under such substituted system.

Section 4. Township officers shall receive such salaries as may be provided by the Board of Supervisors by ordinance, subject to the limitations provided in this Charter. Said ordinance shall be passed only by a four-fifths vote.

Section 5. The salaries so fixed shall be in full compensation for all services of said justices of the peace and constables in criminal cases, provided that each constable shall be allowed and paid the actual and necessary expense of transporting prisoners after conviction to the county jail, which shall be paid out of the County General Fund; and provided further that no Justice of the Peace or Constable shall retain any fee, fine or other money collected by him for his own use.

Section 6. Each Township officer shall be allowed in addition to his salary such expenses as are now payable to him under the provisions of the general law, as this Charter; provided, however, that all such expenses shall be limited to actual and necessary expenses, and shall not include board and lodging.

Section 7. The salaries of Township officers shall be paid at the same time, in the same manner and out of the same fund as the salaries of County officers.

Section 8. Each Township officer shall have the powers and perform the duties now or hereafter prescribed by general law, except as in this Charter otherwise provided.

ARTICLE VI

CONSTABULARY DEPARTMENT.

Section 1. There is hereby created a constabulary department, which shall consist of the Sheriff and of all constables in the county, who are hereby made ex-officio deputy sheriffs.

Section 2. The Sheriff shall be the executive head of said department, and shall so organize the same as to give the county officers and effective police protection. Each constable shall be subject to the orders of the Sheriff in criminal matters, and in addition to the duties required of them by law, the constables must serve civil process within their respective townships, or elsewhere, when requested by the Sheriff so to do.

ARTICLE VII

COUNTY SCHOOLS.

Section 1. There is hereby created a Board of County School Trustees, which shall consist of one member from each supervisorial district of the county, to be elected at the same time, for the same term and in the same manner as the members of the Board of Supervisors, except as hereinafter provided, to serve without compensation, but the members thereof shall receive actual and necessary expenses while attending to the duties of their office, including board and lodging.

Section 2. Said Board shall meet in the office of the County Superintendent of Schools on the first Monday after the first day in December succeeding their election, and as often thereafter as may be necessary, on the written call of the Chairman of said Board or of a majority of the members thereof. The first election of County School Trustees shall be held at the general election in November, 1918, and the members of the Board elected at that time shall take office on the first Monday after the first day of December, 1918, to serve for two years and thereafter said Trustees shall be elected for the same term and be classified as to time of election in the same manner as the member of the Board of Supervisors from the Supervisorial district in which they are elected. They shall elect one of their number chairman, and a majority of their number shall constitute a quorum for the transaction of business, provided no act of the board shall be binding unless three members concur therein. In the event that the Chairman shall not be present at any meeting, one of the members shall be chosen to act as chairman pro tempore, and an order to that effect shall be entered in the minutes.

Section 3. It shall be the duty of said Board of County School Trustees

(a) To appoint a County Superintendent of Schools. This officer must be a certificated teacher, having a regular elementary or high school certificate of the State of California, who has had not less than five years experience as a teacher or educational administrator, or both, two years of which shall have been in the five years immediately preceding his appointment. He need not be an elector of Butte County, but must reside in the county during his term of office. The term of office of the Superintendent of Schools shall be two years for the first appointment, unless sooner removed or recalled, and if reappointed the Superintendent shall hold office for four years, unless sooner removed or recalled.

(b) To appoint a Supervising Deputy Superintendent of Schools, who shall hold office, for the same term as the Superintendent of Schools, unless sooner removed for cause or recalled. The Supervising Deputy must be a certificated teacher, having a regular elementary or high school certificate of the State of California, who must have had not less than three years experience as teacher or educational administrator, or both, one year of which shall have been in the three years immediately preceding his appointment. He need not be an elector thereof, but must reside in the county during his term of office.

(c) To appoint three teachers to serve as members of the County Board of Education, which three teachers, together with the County Superintendent of Schools and the Supervising Deputy, shall constitute the County Board of Education. The term of office of the teachers so appointed shall be three years from the date of their appointment, unless sooner removed for cause or recalled, provided that the three members first appointed shall immediately after their qualification classify themselves by lot so that one shall hold office for one year, one for two years, and one for three years.

(d) To remove any of its appointees for cause.

Section 4. It shall be the duty of the County Board of Education to meet in the office of the County Superintendent of Schools on the written call of said Superintendent or of a majority of the members of said Board of Education. The County Superintendent of Schools shall be executive officer and ex-officio Secretary of the said Board. The Board of Education shall have such powers and perform such duties as are now or may hereafter be prescribed for it or granted to it by general law, and in addition thereto it shall have the power to accept or reject any or all bids or any item thereof for furniture and school supplies received by the County Superintendent of Schools. The members of the Board of Education, other than the Superintendent of Schools and the Supervising Deputy, shall receive as compensation for their services Five Dollars per day, not exceeding the sum of One Hundred Fifty Dollars per year, and in addition thereto their actual and necessary traveling expenses while attending to the duties of their office. It shall be the duty of said Board to fix the date upon which requisitions for furniture or supplies shall be submitted to the County Superintendent of Schools by the Boards of Trustees of the several school districts.

Section 5. In addition to the duties prescribed by general law, the County Superintendent of Schools shall

(a) In person or by his Supervising Deputy make a visit to each teacher in every school in the county, at least twice each year, and said visits to total not less than six hours, and make a visit to every school outside of incorporated cities at least every other school month; provided that in cities having City Superintendents of Schools the provisions of the general law shall apply.

At least twice each year the superintendent shall report to the Clerk of each School District the condition of the school.

(b) To receive competitive bids for all school supplies and furniture needed in the county schools, and after said bids shall have been approved by the County Board of Education to supply to the school trustees of the several school districts such furniture and supplies as shall be necessary for the use of said school districts, as determined from requisition supplied to said Superintendent by the Boards of Trustees thereof. All requisitions for supplies so furnished must before being filled have endorsed thereon the approval of the Superintendent of Schools as to the necessity for such supplies and the quantity thereof.

(c) To print and distribute not to exceed five hundred copies of an annual progress report, the cost of which shall not exceed One Hundred Dollars per annum.

(d) To act as Secretary of the Board of Education.

Section 6. The Board of Trustees of the several school districts in the county shall, at such time as may be fixed by the Board of Education, make requisition upon the County Superintendent of Schools for such supplies as in the judgment of the members thereof shall be needed for the ensuing year, and no supplies for the use of any school district shall be furnished or paid for by the county, except upon requisition made, as in this Charter provided.

Section 7. The general law shall apply to and govern the conduct of the schools of the County of Butte and of the officers provided for the superintendence thereof, except as otherwise provided in this Charter.

ARTICLE VIII.

AUDITING AND ACCOUNTING.

Section 1. The Auditor shall on or before July 1, 1918, inaugurate and install in each county and township office an up-to-date and modern system of accounting, so that the books of all county officers shall be of an uniform system.

Section 2. Each county and township officer or employee who collects fees, fines or any money due the county shall file with the Auditor, on or before the fifteenth day of each month an itemized statement showing from what source the fees, fines or other moneys were received during the preceding month, and shall also include in this report an itemized statement of all expenses incurred by the said officer during the preceding month, including his salary and that of all his deputies, and the Auditor must not pay any officer his salary until he files said monthly report and pays all fees, fines and other money collected, into the County Treasury.

Section 3. Each county officer shall file with the Auditor on or before July 15th, of each year an estimate of the amount that he will need to run his office for the fiscal year; and in no case shall he be permitted to spend more than is allowed his office in the budget, unless by an unanimous vote of the Board of Supervisors shall permit him to exceed the amount estimated therein and said excess shall be drawn only from the County Officers' Emergency Fund.

Section 4. The Auditor, annually after July fifteenth and before September first, shall make a report compiled from the monthly reports of the county and township officers, showing in total the monthly receipts of each office, and an itemized statement of each officers' monthly expenses for the preceding fiscal year, together with all other expenses of the county government for the year.

In this report he shall also include the amount of estimated expenses as submitted by each officer, and the actual expenses incurred by each officer during the year; he must also show therein the expenses of each officer for the two preceding fiscal years; he must also include therein a tabulated statement, setting forth the sources and amount of all revenues received by the county.

Section 5. The Auditor must set forth in the annual report all indebtedness, existing and outstanding against the county on the thirtieth day of June of each year.

Section 6. All reports of county and township officers shall be made under an uniform system prescribed by the Auditor and this report must be subscribed and sworn to before an officer authorized to administer oaths.

Section 7. The Auditor must set forth in his annual report, in addition to the matters hereinbefore set forth, the total assessed value of all property in the county, as shown by the last assessment roll, the tax rate as levied by the Board of Supervisors, the total amount of taxes proposed to be raised, the actual amount of taxes paid into the county, and the total amount of delinquent taxes remaining unpaid on the thirtieth day of April of each year.

Section 8. When the Auditor has completed his annual budget he shall submit it to the Board of Supervisors for approval. In passing upon the estimate the Board of Supervisors may eliminate or reduce the amount of any item, but in no case may it increase the estimates made by the Auditor, though it may request that officer to reconsider his estimate on any particular item thereof. If the Auditor for good reason raises the estimate, then the Board may adopt the raised estimate.

Section 9. In making up the budget a County Officer's Emergency Fund, not to exceed Ten Thousand Dollars, shall be included. This fund may be drawn upon in emergencies, but only after a resolution of approval by unanimous vote of the Board of Supervisors. The fund must be maintained solely for the use of county officers other than the Board of Supervisors.

Section 10. The Auditor shall have his annual report printed in pamphlet form, in a number to be designated by the Board of Supervisors, one copy of said report must be filed with the Board of Supervisors, one with the Grand Jury, one with the Judge of the Superior Court, and the balance for general distribution.

Section 11. The Auditor, acting in conjunction with the Board of Supervisors, must have prepared on the first day of July of each year, a complete inventory of all property owned by the County. All property of every kind and description, purchased for the county during the year, must be listed by the Auditor and included in the said inventory. Each year this inventory shall be checked by the Auditor to see if all property shown in the inventory of the preceding year is on hand. If there is any property missing, the Auditor must report the same to the Board of Supervisors, and it shall be the duty of the Board of Supervisors to have an investigation immediately made by the District Attorney, to locate said property, or to see what disposition has been made of the same, and to take proper action in regard thereto.

Section 12. Beginning with the fiscal year 1919-1920, the State and County tax rate for the County of Butte shall be limited to Two Dollars per hundred of the assessed valuation of the property on the assessment roll of the county, provided that in case of an emergency the Board of Supervisors, by unanimous vote, may exceed this tax rate. The term emergency, as used in this section shall be limited to an act of God, such as flood, fire or earthquake or of the public enemy, which necessitates the replacement of county property destroyed.

Section 13. No claims against the County shall be allowed by the Board of Supervisors or paid, unless they have been checked by the Auditor and until they have his approval endorsed thereon in writing.

ARTICLE IX.

BOARD OF APPRAISERS.

Section 1. There is hereby created a County Board of Appraisers. It shall consist of five members, to be elected one from each supervisorial district. Each member thereof shall be a qualified elector of the district in which he resides, shall be a freeholder thereof, and shall be elected from said district. The first election for Appraisers shall take place at the general election in November, 1918, and the Appraisers then elected shall hold office for a term of four years, beginning at noon on the first Monday after the first day of January, 1919.

Section 2. It shall be the duty of the Board of Appraisers to appraise the real property of the County of Butte, at its full cash value, once every four years, to make a full and complete written report thereof to the Assessor, the Board of supervisors and the Judge of the Superior Court. In doing said work of appraisement the Board of Appraisers shall work in conjunction with the Assessor.

Section 3. The compensation of each of said Appraisers shall be Seven Dollars and fifty cents per day, not exceeding sixty days for each appraisement year, together with all actual and necessary traveling expenses. In addition thereto, the Board of Appraisers shall be allowed such supplies as shall be necessary for the performance of its work, and shall be provided with an office in the County Court House when needed.

ARTICLE X.

ROAD DEPARTMENT.

Section 1. The Board of Supervisors may provide for the formation of road districts for the care, maintenance, repair and supervision of roads, highways and bridges; and for the formation of highway construction divisions, for the construction of roads, highways and bridges; for the inclusion in any such district or division of the whole or any part of any incorporated city or town upon ordinance passed by such incorporated city or town authorizing the same, and upon the assent to such inclusion by a majority of the qualified electors of such incorporated city or town or portions thereof proposed to be so included at an election held for that purpose; for the organization, government, powers and jurisdiction of such district or division, for raising revenues therein for such purposes, by taxation, upon the assent of a majority of the qualified electors of such district or division, voting at an election held for that purpose; for the incurring of indebtedness therefor by the county, district or division for such purposes, respectively, by the issuance and sale by the county of bonds of the county, district or division, and the expenditure of the proceeds of the sale of such bonds, for levying and collecting taxes against property of the county, district or division, as the case may be, for the payment of the principal and interest of such indebtedness at maturity; *provided*, that any such indebtedness shall not be incurred without the assent of two-thirds of the qualified electors of the county, district or division, as the case may be, voting at an election held for that purpose, nor unless before or at the time of incurring such indebtedness, provision be made for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due and also for a sinking fund for the payment of the principal thereof on or before maturity, which shall not exceed forty years from the time of contracting the same; and the procedure for voting, issuing and selling such bonds, except in so far as the same shall be otherwise prescribed in this Charter, shall conform to general law for the authorization and incurring of bonded indebtedness so far as applicable; *provided, further*, that the construction, care, maintenance, repair and supervision of roads, highways and bridges, for which aid from the State is granted shall be subject to such regulations and conditions as may be imposed by the Legislature.

Section 2. The Board of Supervisors must, at its regular meeting in December, 1918, appoint a Road Engineer who shall take office at noon on the first Monday after the first day of January, 1919. The Road Engineer shall be a civil engineer and shall have had, prior to his appointment, at least three years practical experience in road construction. He need not be an elector of the county, but must reside therein during his term of office. He shall, under the general direction and supervision of the Board of Supervisors, have complete direction and control over all work of construction, improvement, maintenance and repair of county roads, highways and bridges.

Section 3. The County Road Engineer shall:

(a) Make all surveys, maps, plans, specifications and estimates necessary or required for the construction, improvement, maintenance and repair of the county highways and bridges.

(b) Examine and inspect the work performed on such roads, highways and bridges and report to the Board of Supervisors as to whether or not the work has been done in accordance with the plans and specifications and contracts therefor.

(c) Approve and certify to the progress, estimates and allowance for work performed under all contracts for the construction, improvement, maintenance or repair of county roads, highways and bridges.

(d) Inspect or cause to be inspected, all county roads, highways and bridges within the county, and, under the general direction of the Board of Supervisors as ex-officio Road Commissioners, keep such roads, highways and bridges clear of obstructions and in good repair; employ all men, teams, watering carts and all help necessary therefor, when the same is not let by contract, and report to the Board of Supervisors with respect to such inspection and such work from time to time as required by said Board; certify to the correctness of all pay rolls for work done by day labor or force account on county roads, highways and bridges.

(e) Have control and management under the general supervision of the Board of Supervisors of all county rock quarries, oil pits and depots, gravel pits and other materials, property, implements, instruments, tools, machinery and other appurtenances necessary for the construction, improvement, maintenance and repair of county roads, highways and bridges, and the plans therefor.

(f) Devote his entire time to the performance of his duties, to the exclusion of all other business occupations, *provided, however*, that he shall also hold and perform the duties of the office of county surveyor, but no salary or other compensation shall be paid him as county surveyor. He shall not be, either directly or indirectly, interested in any contract or works, nor shall he be so interested in the purchase of any supplies, tools or materials of any kind used in the carrying out of any of his duties under the provisions of this Charter.

(g) Prepare annually a proper budget showing in detail the needs of the county for construction, improvement, maintenance or repair of county roads, highways and bridges for the ensuing year, and submit the same to the County Auditor and Board of Supervisors at least sixty days prior to the date of the meeting at which the Board of Supervisors is required to fix the county tax rate.

(h) Make a written report to the Board of Supervisors at their regular meeting each month, in which he shall state the amount and character of work done during the preceding month, the progress of any contracts under way, approximate cost of the work, and matters of interest pertaining to the same. In this report he shall call the attention of the Board of Supervisors to any repairs or construction work he deems important to have made or done, and make recommendations therefor, and inform and advise the Board of Supervisors of all matters pertaining to the public roads, highways, streets, bridges or other public work which in his judgement should be brought to their attention. This report shall contain the recommendation of acceptance or rejection of any public work completed, and all official announcements or statements which the Engineer is required to make to the Board.

(i) During the calendar year 1919, to classify preliminarily the public highways of the county as "Main County Roads," "Secondary County Roads," and "County by-roads." He shall compute the total mileage contained in the respective classes. The Main County Roads shall be called "Class A" roads and shall be named. The Secondary County Roads shall be called "Class B" roads and shall be numbered. The County by-roads shall be called "Class C" roads. Keep a road register properly indexed in which shall be entered the names, numbers, class, length, and a brief description of each and every public road and bridge in the county. The road fund available for construction work, after a reasonable reservation has been made for emergencies, shall be apportioned to the three classes herein named, and the relative amount so apportioned shall depend upon the mileage, and the general public necessity, in each class; provided, that the apportionment per mile to Class A roads shall be greater than similar apportionments to the two other classes, and the apportionment per mile to Class B roads shall be greater than the apportionment per mile to Class C roads. The apportionment to Class C or County by-roads shall not exceed twenty per cent of the road revenue; provided, that Class C roads may have the use and benefit of the county road machinery, tools and implements, under such rules and restrictions as may be adopted by the Board of Supervisors.

The work of building, maintaining, repairing and keeping in repair all Class A and Class B highways must be let on contract by the Board of Supervisors to the lowest bidder in the manner provided by law. The general plan of letting road contracts shall be that the county is to furnish machinery and the heavier road implements, while the contractor is to perform the labor and to furnish the lighter implements, tools, teams, wagons and materials. The road engineer shall provide in his specifications rules and restrictions regarding the use, care and repair of the county machinery, and of the county implements by contractors. The county may also furnish crushed stone, gravel and other road material to contractors, provided its intention so to do shall be plainly stated in the specifications.

(j) Prior to entering upon the duties of his office, the Road Engineer shall file with the County Clerk his oath of office and bond.

(k) Perform such other duties pertaining to the construction, improvement, maintenance or repair of county roads, highways and bridges as the Board of Supervisors shall prescribe.

Section 4. The board of Supervisors shall appoint and employ such district foremen and assistants to the Road Engineer as may be needed from time to time.

and fix their compensation. Such appointments shall be made only upon the recommendation of the Road Engineer. The compensation of such district foremen shall be paid from the road funds of the district or districts in which said foremen are employed. The compensation of assistants to the Road Engineer shall be paid out of the Salary Fund.

Section 5. The Road Engineer shall make requisition upon the Board of Supervisors for the purchase of all tools, implements, machinery, materials and supplies required to carry out the provisions of this Charter, and said requisition shall state plainly the estimated cost of the article or articles to be purchased. He shall approve all claims for the same before such claims are audited and passed by the Board of Supervisors. He shall be the custodian and be responsible for all equipment under his control. All such property shall be stored and protected from the weather when not in use. An inventory of all property in his custody shall be made annually, and kept on file in the office of the Road Engineer.

Section 6. No claims against the county for work done on its roads, highways, streets, bridges, aqueducts or in connection with the same, or for materials, supplies, implements or machinery used for or in connection therewith, shall be passed by the Board of Supervisors or paid for by the Treasurer of the county unless they shall have endorsed thereon the written approval of the Road Engineer and the Auditor.

Section 7. The Board of Supervisors shall provide for and assign to the Road Engineer and his assistants a suitable office or offices in the Court House or some place conveniently located with reference thereto, together with all office tools, implements and other equipment necessary for the performance of the duties herein prescribed.

Section 8. The Road Engineer shall hold office for a period of four years from the date of his appointment; provided, however, that he may be removed at any time by the Board of Supervisors for inefficiency, neglect of duty, or misconduct in office, or other good cause shown.

ARTICLE XI.

CHARITIES.

Section 1. There is hereby created the office of Superintendent of Charities.

Section 2. It shall be the duty of the Superintendent of Charities to receive all petitions for county and state aid, to investigate and report on same to the Board of Supervisors, and no petition for county or state aid shall be granted by the Board of Supervisors until it has considered and acted upon the report of the Superintendent of Charities accompanying said petition.

Section 3. The Superintendent of Charities shall receive, in addition to the salary hereinbefore provided for, his actual and necessary traveling expenses while performing the duties of his office.

ARTICLE XII.

MISCELLANEOUS.

Section 1. The holder of any elective or appointive county or township office, his deputies or assistants, shall be subject to removal from office by recall in the manner provided by general law, as applicable to counties and townships.

Section 2. The compensation of any elective or appointive county or township officer shall not be increased or decreased during the term for which he was elected, nor within six months preceding his election.

Section 3. Nothing in this Charter shall be construed to affect the tenure of office of any of the elective officers of the county or townships thereof in office at the time this Charter goes into effect, and such officers shall continue to hold their respective offices until the expiration of the term for which they were elected, unless sooner removed in the manner provided by law. But the successors of each and all of such officers shall be elected or appointed as in this Charter provided, and not otherwise.

Section 4. If any article, section or part of this Charter shall be for any reason judicially determined to be invalid, such invalidity shall not affect the remaining portions hereof.

Section 5. The Constitution and general law of the State of California shall apply to all matters not provided for in this Charter.

Section 6. Words used in this Charter in the masculine gender include the feminine.

Section 7. This Charter shall take effect and be in force from and after its approval by the Legislature of the State of California, except as herein otherwise provided.

We, the undersigned, members of the Board of Freeholders of the County of Butte, State of California, elected at a special election held in said county on the second day of May, 1916, to prepare and propose a Charter for said county in accordance with the provisions of Section 7½ of Article XI of the Constitution of the State of California, have prepared, and we do hereby propose the foregoing as a Charter for said County.

IN WITNESS WHEREOF, we have hereunto affixed our names this 1st day of September, 1916.

GEORGE W. JONES,
Secretary.
JOHN H. GUILL, JR.,
Chairman.
TIMOTHY F. HORNUNG,
B. B. MEEK,
GEORGE F. JONES,
GEORGE E. CANFIELD,
ALEXANDER G. SIMPSON,
ELMER I. MILLER,
CALVIN M. BURKET,
EDWARD T. REYNOLDS,
B. CALDWELL,
CHARLES A. MOORE,
W. P. LYNCH,
FRANK S. BRIGGS

State of California,
County of Butte, } ss.

On this 1st day of September, 1916, before me, Mildred P. Martin, a Notary Public in and for the County of Butte, State of California, residing thereon, duly commissioned and sworn, personally appeared FRANK S. BRIGGS, CALVIN M. BURKET, B. CALDWELL, GEORGE E. CANFIELD, JOHN H. GUILL, JR., TIMOTHY F. HORNUNG, GEORGE F. JONES, GEORGE W. JONES, W. P. LYNCH, B. B. MEEK, ELMER I. MILLER, CHARLES A. MOORE, EDWARD T. REYNOLDS, and ALEXANDER G. SIMPSON, known to me to be the same persons whose names are subscribed to the within instrument, and each acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in the County of Butte, the day and year first above written.

[Seal]

MILDRED P. MARTIN,
Notary Public in and for the County of Butte, State of California.

Filed September 2, 1916

C. F. BELDING, Clerk,
By FLORENCE DANFORTH,
Chief Deputy.

State of California,
County of Butte, } ss.

I, C. F. BELDING, County Clerk of the County of Butte, do hereby certify that the foregoing is a full, true and correct copy of the proposed Charter for the County of Butte, prepared by a duly qualified Board of fifteen Freeholders, duly elected on the second day of May, 1916, in pursuance of an order of the Board of Supervisors made after the presentation of a petition of the qualified electors of said County, equalling more than fifteen per centum thereof, petitioning that an election be held for said purpose; and that a copy of said Charter was duly filed in my office on the fifth day of September, 1916, said copy having been signed by a majority of the members of said Board of Freeholders; and that thereafter said proposed Charter was duly published for ten times in the "The Oroville Mercury" a daily newspaper of general circulation, printed, published and circulated in the County of Butte; and that the first publication thereof was made within fifteen days after the date of the filing of the said Charter in my office, to-wit: on the sixth day of September, 1916, and that the last publication thereof was made on the seventeenth day of September, 1916, and that after such publication said Charter was duly submitted to the qualified electors of the County of Butte, at the general election held on the seventh day of November, 1916, and that at said election a majority of said qualified electors voting thereat duly ratified the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, this sixth day of January, 1917.

[Seal]

C. F. BELDING,
County Clerk.
By FLORENCE DANFORTH,
Chief Deputy.

State of California,
County of Butte, } ss.

I, A. H. LOCEY, County Recorder of the County of Butte, do hereby certify that the foregoing is a full, true and correct copy of the proposed Charter for the County of Butte, prepared and proposed by a duly qualified Board of fifteen Freeholders, duly elected on the second day of May, 1916:

That a copy of said Charter was duly filed in my office on the second day of September, 1916, said Charter having been signed by a majority of the members of the said Board.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, this eighth day of January, 1917.

A. H. LOCEY,
County Recorder.

[Seal]

Now, Therefore, be it resolved by the Senate of the State of California, the Assembly thereof concurring, the majority of all the members elected to each House voting for the adoption of this resolution and concurring therein: That the said proposed charter of the county of Butte as presented, as submitted to, adopted and ratified by the qualified electors of the said county, and as hereinbefore set forth, be, and the same is hereby approved as a whole, for and as the charter of the said county of Butte, State of California.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 6 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, Luce, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Senate Concurrent Resolution No. 6 ordered transmitted to the Assembly.

RESOLUTION.

The following resolution was offered:

By Senator Luce:

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants for the said amounts and the Treasurer is directed to pay the same:

Name.	Position.	Per diem.
J. F. Courtney,	Committee Clerk	$4 00
Wm. P. Ryan,	Committee Clerk	4 00

Resolution read.

Senator Luce moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Crowley, Evans, Flaherty, Hans, Ingram, Inman, Irwin, Kehoe, Luce, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS—(OUT OF ORDER).

The following bills were introduced:

By Senator Burnett: Senate Bill No. 164—An act to amend section 3440 of the Civil Code, relating to certain transfers which are presumed to be fraudulent.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 165—An act to amend sections 1107, 1214 and 1217 of the Civil Code, relating to the effect of transfers of real property and of the recording and nonrecording thereof.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 166—An act to amend section 1469 of the Code of Civil Procedure, relating to administration of estate not exceeding one thousand five hundred dollars in value.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 167—An act to amend section 337 of the Code of Civil Procedure, relating to the time of commencing actions other than for recovery of real property.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 168—An act to amend section 2268 of the Civil Code of the State of California, relating to the powers of trustees.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 169—An act to amend section 2289 of the Civil Code of the State of California, relating to the appointment of trustees.

Bill read first time, and referred to Committee on Judiciary.

ADJOURNMENT.

At twelve o'clock and twenty-five minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned out of respect to the memory of the late Honorable John Morton Eshleman, formerly Lieutenant Governor of the State of California, until Thursday, January 18, 1917, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Thursday, January 18, 1917.

The Senate met at eleven o'clock a.m.

Lieutenant Governor William D. Stephens, President of the Senate, in the chair.

SECRETARY CLIFTON E. BROOKS AT THE DESK.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—39.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, January 17, 1917, the further reading was dispensed with, on motion of Senator Slater.

ADDRESSES TO SENATE.

The President introduced the Honorable Newton W. Thompson of Los Angeles, former President pro tempore of the Senate, who addressed the Senate.

The President introduced the Honorable Edward I. Wolfe of San Francisco, former President pro tempore of the Senate, who addressed the Senate.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Kehoe, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Judge Clifton H. Conniek of Eureka.

Also:

On request of Senator Tyrrell, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Leon A. Clark of Oakland.

RUSH ORDER TO PRINTER.

On motion of Senator Hans, the Secretary was directed to issue a rush order for printing Senate Concurrent Resolution No. 8.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

SACRAMENTO, January 17, 1917.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Assembly Concurrent Resolution No. 4, Relative to authorizing the loan of the battery of Alameda County Horse-Drawn and the same under consideration, and respectfully reports the same back and recommends that it be adopted.

SCOTT, Chairman.

Also:

SACRAMENTO, January 17, 1917.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Assembly Concurrent Resolution No. 4, Relative to the loan of the William F. Cody Post, Grand Army of the Republic, Sons of Veterans, and the same under consideration, and respectfully returns the same back and recommends that it be adopted.

SCOTT, Chairman.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills were introduced:

By Senator Chandler: Senate Bill No. 170—An act appropriating money for the care and improvement of grounds of the Fresno State Normal School.

Bill read first time and referred to Committee on Finance.

Also: Senate Bill No. 171—An act appropriating money for the completing of the plant and equipment of the Fresno State Normal School.

Bill read first time and referred to Committee on Finance.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Breed, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 2, Relative to the oil industry of the State of California.

B. O. DONOGHEY, Chief Clerk of Assembly.
By M. Sasse, Assistant Clerk.

CONSIDERATION OF MESSAGE—(OUT OF ORDER).

Senator Chandler asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 2 for immediate consideration out of order.

ASSEMBLY JOINT RESOLUTION NO. 2

Relating to the oil industry of the State of California.

WHEREAS, The oil industry of California is in a demoralized condition caused by litigation instituted and threatened by the United States government against bona fide operators who entered upon, and were developing public lands in good faith at the time of their withdrawal, and continued such development under the law, as they were legally advised it to be, until by such efforts they greatly increased the production of oil, and in some instances were the means of opening up new oil fields; and

WHEREAS, Unless congress settles by a law these vexatious disputes, the present litigations will probably continue for many years, resulting in great hardship to the operators by preventing the marketing of their oil, and to the public by reason of constantly increasing the price of gasoline and oil due to the stoppage by the government of the operation of large areas of this land, and also resulting in many instances in bankrupting the small operators who have not the resources to stand years of expensive litigations against the United States government; and

WHEREAS, We firmly believe that justice requires that the government shall legalize the validity of all locators who were actually developing such land in good faith at the time of its withdrawal; now, therefore, be it

Resolved, That the legislature of the State of California respectfully request congress to pass the bill now pending before it to legalize the rights of these operators; and be it further

Resolved, That the secretary of the senate be and he is hereby directed to send a certified copy of these resolutions to each of our senators and representatives in congress, to the president of the senate, and to the speaker of the house of representatives, to the attorney general, the secretary of the navy, and the secretary of the interior.

Resolution read.

The question being on the adoption of the resolution

The roll was called and Assembly Joint Resolution No. 2 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M. Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hare, Ingram, Irwin, Johnson, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Parker, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—35.

NOES—None.

Assembly Joint Resolution No. 2 ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Breed, the following message from the Assembly was taken up and read out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed as a case of urgency Senate Bill No. 11—An act to amend section 1 of an act entitled "An act giving and granting to the board of park commissioners of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes," approved March 24, 1911, extending the terms of said section to include the year 1917.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 11 ordered to enrollment.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON MUNICIPAL CORPORATIONS.

SACRAMENTO, January 18, 1917.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 8—Approving the charter for the city of Alameda, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the ninth day of January, 1917, has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

TYRRELL, Chairman.

CONSIDERATION OF RESOLUTION—(OUT OF ORDER).

Senator Hans asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 8 for consideration out of order.

SENATE CONCURRENT RESOLUTION No. 8,

Approving the charter for the city of Alameda, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the ninth day of January, one thousand nine hundred seventeen.

WHEREAS, The city of Alameda, in the county of Alameda, State of California, now is and was at all times herein referred to, a city containing a population of more than three thousand five hundred inhabitants, as ascertained by the last preceding census taken under the authority of the congress of the United States; and

WHEREAS, Said city of Alameda at all times mentioned herein was, and now is, organized and existing under a freeholders' charter adopted under the provisions of section eight of article eleven of the constitution of the State of California, which charter was duly adopted and ratified by a majority of qualified electors of said city on the twenty-seventh day of January, one thousand nine hundred six, and approved by the legislature of the State of California on the seventh day of February, one thousand nine hundred seven; and

WHEREAS, Proceedings have been had for the proposal, adoption and ratification of a new charter for said city of Alameda, as set out in the certificate of the mayor and city clerk of the city of Alameda, to wit:

City of Alameda,
County of Alameda, } ss.
State of California.

We, the undersigned, F. H. Bartlett, mayor of the city of Alameda, State of California, and R. E. Bosshard, city clerk of said city, do hereby certify and declare as follows:

That the city of Alameda, in the county of Alameda, State of California, now is and at all times herein referred to, was a city containing a population of more than three thousand five hundred inhabitants, as ascertained by the last preceding census taken under the authority of the congress of the United States.

That said city of Alameda at all times mentioned herein was and now is, organized and existing under a freeholders' charter adopted under the provisions of section eight, article eleven of the constitution of the State of California, which charter was duly adopted and ratified by a majority of the qualified electors of said city on the twenty-seventh day of January, one thousand nine hundred six, and approved by the legislature of the State of California on the seventh day of February, one thousand nine hundred seven.

That pursuant to the provisions of section eight of article eleven of the constitution of the State of California, the council of the city of Alameda, said council being then and there the legislative body of such city, did by a two-thirds vote of all its members, pass an ordinance, calling a special election to be held on Tuesday, the twenty-third day of May, one thousand nine hundred sixteen, for choosing a board of fifteen freeholders to frame, prepare and propose a new charter for the city of Alameda; that at such election held on said day, a board of fifteen freeholders, duly qualified, was elected in and by said city, by the qualified electors thereof, which said board within one hundred eighty days after the result of said election was declared, the period of one hundred twenty days allowed by law to prepare and propose said charter having been, with the consent of said council, duly extended sixty days to and including the twenty-fifth day of November, one thousand nine hundred sixteen, duly prepared and proposed, and did on the twenty-sixth day of October, one thousand nine hundred sixteen, file in the office of said city clerk a new charter for the government of said city, and upon said charter designated the ninth day of January, one thousand nine hundred seventeen, as date upon which said charter should be submitted to the electors of said city for ratification; that said proposed charter and said designation for the date for the submission therefor to the electors for ratification were duly signed by a majority of the members of the said board of freeholders; that thereupon said mayor and council duly caused and gave notice of such special election to be held on the ninth day of January, one thousand nine hundred seventeen, and did, within fifteen days after the filing of said charter, cause the same to be published once on the first day of November, one thousand nine hundred sixteen, in The Evening Times-Star and Alameda Daily Argus, a newspaper of general circulation printed and published in said city, and caused copies of said charter to be printed in convenient pamphlet form, and until the date fixed by the election upon such charter, advertised in said named paper a notice that such copies of said charter could be had at the office of the city clerk upon application therefor; that at the said election, duly and regularly held on said ninth day of January, one thousand nine hundred seventeen, a majority of qualified

voters, voting thereon, voted in favor of such proposed charter, and the mayor and council of said city at a meeting held in the manner required by law, duly canvassed the returns of said election and duly found, determined and declared that a majority of said electors voting thereon had voted for and ratified said charter; that said charter, after the same was prepared, proposed and ratified as herein set forth, is as follows, to wit:

Charter prepared and proposed for the City of Alameda by the Board of Freeholders elected May 23, 1916, in pursuance of the provisions of section eight, article eleven, of the constitution of the State of California.

ARTICLE I.

BOUNDARIES.

SECTION 1. The City of Alameda shall continue to be a municipal corporation by the name of City of Alameda. The boundaries thereof are hereby declared to be as follows:

Commencing at a point where the center line of the Tidal Canal intersects the western line of Park Street produced northerly; thence westerly along the center line of the Tidal Canal and the north or Brooklyn Channel, through Oakland Harbor and the center line of San Antonio Estuary to its mouth, as said Brooklyn Channel and pierhead lines of San Antonio Estuary were established by the United States Harbor Line Survey of one thousand nine hundred ten; thence along the center line of San Antonio Estuary produced westerly to its intersection with the western boundary of Alameda County; thence southeasterly along the western boundary line of Alameda County to its intersection with the township line between township two south, range four west and township three south, range four west, Mount Diablo meridian; thence easterly along said township line to the section line dividing sections thirty-one and thirty-two, township two south, range three west, Mount Diablo meridian; thence northerly along said section line to the northeast corner of lot one, section nineteen, township two south, range three west, Mount Diablo meridian; thence northerly to the center of said Tidal Canal as established by the United States Harbor Line Survey of one thousand nine hundred ten; thence along the center line of the Tidal Canal to the point of commencement.

SEC. 2. Unless a majority of the electors of the city shall affirmatively vote therefor at a general or special municipal election, neither shall the boundaries of the city be changed, nor shall the city be consolidated with any other city or city and county.

ARTICLE II.

LEGISLATIVE.

SECTION 1. The legislative power of the City of Alameda shall be vested in a body to be designated the council, and in the electors.

SEC. 2. The Council. The council shall consist of five members, who shall serve without compensation. Each councilman shall hold office for four years and until his successor is elected and qualified, except that in case of the council first elected, the three councilmen receiving the highest vote shall hold office for four years and the two receiving the next highest vote shall hold office for two years. At the time of the election each nominee must have been an elector of the city for at least three years next preceding his election, and must be of the age of at least twenty-five years.

SEC. 3. Quorum. A majority of the members shall constitute a quorum, but a less number may adjourn from time to time, and may compel the attendance of absent members in such manner and under such penalties as the council may prescribe.

SEC. 4. Powers of the Council. Subject to the provisions and restrictions in this charter contained, and the valid delegation by this charter of any of the powers hereinafter included to any person, officer, board or committee, which delegation, of power, if any, shall control, the council shall have power in the name of the city to do and perform all acts and things appropriate to a municipal corporation and the general welfare of its inhabitants and which are not specifically forbidden by the constitution of the state or which now or hereafter it would be competent for this charter specifically to enumerate; and no enumeration or specific statement herein of any particular powers shall be held to be exclusive or a limitation of the foregoing general grant of power. The council shall have the power to delegate any of the powers conferred on or vested in it.

SEC. 5. The council shall:

One. Judge of the qualifications of its members and of all election returns;

Two. Establish rules for its proceedings;

Three. Keep a correct journal of its proceedings. The ayes and noes shall, on demand of any member, be taken and entered therein;

Four. Choose one of its members president and another vice-president, each of whom shall serve for two years, and without compensation. The president shall be ex officio mayor;

Five. Appropriate annually, and the council must so appropriate, to the mayor, for his own use, the sum of six hundred dollars, for which he need furnish no vouchers;

Six. Appoint a city clerk;

Seven. Fix the compensation of all officers and employees not otherwise provided for.

SEC. 6. Council Meetings. The council shall meet at eight o'clock p.m. on the third Tuesday in April next succeeding the general municipal election, and shall hold regular meetings twice in each month and at such other times as they shall fix by ordinance. They shall not convene at any place other than their regular place of meeting. Their meetings shall be public. Special meetings may be called by the mayor or by three councilmen, by serving the members personally with written notices, or leaving the same at places designated by the respective members at least three hours before the time of the proposed meeting.

SEC. 7. The Mayor. The mayor shall be recognized by the courts as the official head of the city for the purpose of serving civil process, by the governor for the purpose of military law, and shall represent the city for all ceremonial purposes. He may take command of the police and govern the city by proclamation during times of public danger or emergency, and he shall himself be the judge of what constitutes such public danger or emergency.

SEC. 8. Absence of the Mayor. If the mayor be temporarily absent or unable to perform his official duties, the vice president shall during such time act as mayor pro tempore and perform such duties. In the absence of both president and vice president the other members of the council shall elect one of their number to perform the duties of president and mayor.

SEC. 9. City Clerk. The duties of the city clerk shall be such as are prescribed by the council and provided by law. He shall hold office until removed by a four-fifths vote of the whole council.

SEC. 10. Legislative Acts. The enacting clause of every ordinance passed by the council shall be in these words: "Be it ordained by the council of the City of Alameda." The enacting clause of every ordinance passed by the people shall be as follows: "Be it ordained by the people of the City of Alameda." No ordinance shall be so amended as not to be germane to its original purpose. No ordinance shall be passed by the council on the day of its introduction or within five days thereafter, or at any time other than at a regular meeting or an adjourned regular meeting. Every ordinance shall be signed by the officer presiding at the time of its adoption, attested by the clerk and published at least once in a newspaper published in the City of Alameda, or advertised as hereinafter provided.

SEC. 11. Ordinances. All ordinances and resolutions shall be deposited with the city clerk, who shall record them in a suitable book. All ordinances shall be published once in the city official newspaper within three days after the same shall have become a law. The publication of all ordinances granting any franchise or privilege shall be at the expense of the applicant therefor.

SEC. 12. It shall not be necessary in any action to plead or prove the organization or existence of the corporation, City of Alameda, or the passage, existence or validity of any ordinance thereof; and courts shall take judicial cognizance thereof without proof.

SEC. 13. Any measure that the council or the electorate of the city, as herein provided, has authority to adopt, the council may, of its own motion, submit to a vote of the electors at a general or special election.

SEC. 14. Time of Taking Effect of Ordinances. Except as herein provided no penal ordinance or measure passed by the council, granting any franchise or privilege, and no ordinance or measure making or authorizing any contract, except contracts for improvements the expenses whereof are to be defrayed by local assessment and contracts where the subject matter involved is of less value than one thousand dollars, shall go into effect in less than thirty days after its final passage. But ordinances and contracts declared by the council to be necessary as emergency measures for the immediate preservation of the public peace, health or safety, passed by a four-fifths vote of the whole council, and not obligating the city for a longer period than one year, may go into effect at the will of the council, or as otherwise provided by law.

SEC. 15. Ayes and Noes. Except as hereinafter provided no bill shall become an ordinance, and no resolution shall be adopted unless finally passed by a majority vote of all the members of the council, the vote taken by ayes and noes, and the names of the members voting for and against the same entered in the journal. No resolution or order for the payment of money shall be passed at any other than a regular meeting or an adjourned regular meeting.

SEC. 16. No ordinance shall be revised, reenacted or amended by reference to its title; but the ordinance to be revised or reenacted or the section thereof to be amended, shall be reenacted at length as revised and amended. Any ordinance revised, reenacted or amended contrary to the provisions of this section shall be void.

SEC. 17. General City Work. In the erection, improvement and repair of all public buildings and works, in all street and sewer work, and in all work in or about bays or waterfronts, or in or about embankments or other works for protection

against overflow, and in furnishing any supplies or materials for the same, when the expenditure required for the same shall exceed the sum of one thousand dollars, the same shall be done by contract, and shall be let to the lowest responsible bidder, after notice by publication in the official news paper.

Provided, that the council may reject any and all bids presented and may readvertise, in their discretion, and

Provided, further, that after rejecting bids the council may declare and determine by a four-fifths vote of all its members that in its opinion the work or function may be performed more economically by day labor or the materials or supplies purchased at a lower price in the open market, and after the adoption of a resolution to this effect, they may proceed to have the same done in the manner stated without further observance of the foregoing provisions of this section; and

Provided, further, that in case of a great public calamity such as an extraordinary fire, flood, storm, epidemic or other disaster, the council may by resolution passed by a vote of four fifths of all its members declare and determine that public interest and necessity demand the immediate expenditure of public money to safeguard life, health or property, and thereupon they may proceed to expend or order into a contract involving the expenditure of any sum required in such emergency. Advertisements for bids need not specifically state the work contemplated, but may refer to specifications on file in the office of the city clerk.

SEC. 18. Printing and Advertising. The council shall annually call for bids for printing and advertising. The contracts for printing may be awarded separately on the various items, and contracts for each shall be awarded to the lowest responsible bidder;

Provided, that the council may reject all bids for printing if in their opinion the bid of the lowest responsible bidder is exorbitant, and may again call for bids, subject to the reservation hereinafter mentioned. If the council shall determine that the bids secondly received are exorbitant, they may nevertheless let the contract to the lowest bidder for such portion of the printing as the board may determine, reserving the option to obtain other printing from such bidder at the schedule rates; and as to any printing not specifically mentioned in the contract, the board may from time to time secure the same to be done by any party who may agree to do the same at a lower rate than that submitted in the bid for doing the city printing. In lieu of newspaper advertising the council may issue and publish a bulletin containing such matter as they are required by law to publish, sending the same by mail to the registered voters of the city at their addresses as the same shall appear on the great register of Alameda County, and shall also post printed copies of such advertisement in three public places in the City of Alameda, at least five days before action is taken in response to said publication. Such publishing and posting shall be conclusively deemed to be of the same effect as if the advertisement had been fully published in the official newspaper of the city. The council shall annually designate as the official paper, a newspaper of general circulation published in this city, which shall have been established at least one year. In no event shall the rate for official advertising exceed the usual rate charged by the paper for publishing legal notices.

SEC. 19. No councilman shall be eligible to appointment on any board or commission provided for in this charter except as designated in the charter.

SEC. 20. Vacancies in the Council. Any vacancy occurring in the council shall be filled by majority vote of the remaining councilmen. In case of failure of the council to appoint within thirty days, a board consisting of the police judge, the auditor and the tax collector shall, by majority vote, make the appointment.

SEC. 21. Committees of Council. The council shall appoint such standing and other committees as they deem necessary.

SEC. 22. The council shall not sell or convey any portion of any water-front. No lease or sale of real estate shall be authorized by the council except by ordinance passed by the affirmative vote of four-fifths of all the members, and no lease shall be made for a period longer than twenty five years except by ordinance adopted by the people. No ordinance for the lease or sale of real estate or for the lease of water front rights by the council shall take effect within sixty days from the date of passage.

SEC. 23. Whenever an applicant for a franchise or other person shall pay in advance to the city the expenses of a special election, the council may, in its discretion, call such election, at which the proposed ordinance shall be submitted to vote of the electors.

SEC. 24. Expert Accountant. The council shall appoint and fix the compensation of a certified public accountant who shall semi-annually investigate the transactions and accounts of all officers having the collection, custody or disbursement of public money, or having the power to approve, allow or audit demands on the treasury; and who shall have free access to all records, books and papers in all departments of the city; he shall have power to administer oaths and affirmations to examine witnesses and compel their attendance by subpœna. He may at any time visit any of the public offices and make examinations and investigations therein without hindrance. He must examine the official bonds of all city officers and investigate the sufficiency and solvency of the sureties thereon. He shall keep a

record of his proceedings, with the names of the witnesses examined and a substantial statement of the evidence taken. At the close of his investigation he shall file with the council a written report containing his recommendations. If during his examination it shall appear that a public offense has been committed, or that an official is in default, or that the sureties on any bond are insufficient, he shall immediately report to the council, which shall take such proceedings as are authorized by law, and may suspend the official pending such proceedings. Any police officer shall execute the processes issued by him.

SEC. 25. Official Bonds. The council shall by ordinance, determine what officers shall give bonds for the faithful performance of their duties, and shall fix the amounts of such bonds, and each of such officers shall, before entering upon the duties of his office, execute a bond to the city in the penal sum provided by the ordinance, including in the same bond the duties of all offices of which he is made by this charter ex officio incumbent. Such bonds shall be approved by the council. All bonds when approved shall be filed with the city clerk, except the city clerk's bond, if any, which shall be filed with the auditor. All the provisions of any law of this state relating to the official bonds of officers as then existing shall apply to such bonds except as herein otherwise provided. Every officer of the city, before entering upon the duties of his office, shall take and file with the city clerk the constitutional oath of office.

SEC. 26. Initiative and Referendum. Legislation may be enacted by the electors of Alameda under the general laws of the state providing for the initiative and referendum.

SEC. 27. Prison Relief Fund. The council may in its discretion, set aside a sum each year to be known as the Prison Relief Fund. Out of this fund, in the discretion of the city manager, city justice and chief of police, acting as a commission, may be disbursed to a prisoner or to the family of a prisoner, such sum as the commission may deem a fair wage for services and work actually performed by the prisoner for the city. Nothing herein contained shall be construed to compel the commission or the city to pay for any work or services rendered by any prisoner.

ARTICLE III.

JUDICIAL AND LEGAL.

Chapter I—Police Court.

SECTION 1. The judicial power of the city shall be vested in a police court to be held by the police judge of the city. Said police court shall have jurisdiction concurrently with the justices' courts, of all actions and proceedings, civil and criminal, arising within the corporate limits of the city, and which might be tried in such justice's court; and shall have exclusive jurisdiction of all actions for the recovery of any fine, penalty or forfeiture prescribed for the breach of any ordinances of the city, of all actions founded upon any obligation or liability created by any ordinance, and of all prosecutions for any violation of any ordinance. The rules of practice and mode of proceeding in said police court shall be the same as are or may be prescribed by law for justices' courts in like cases; and appeals may be taken to the superior court of Alameda County, from all judgments of said police court, in like manner and with like effect as in cases of appeals from justices' courts.

SEC. 2. The police judge shall be judge of the police court and shall have the powers and perform the duties of a magistrate. He may administer and certify oaths and affirmations, and may take and certify acknowledgements. He shall receive for his services a salary to be fixed by the council.

SEC. 3. In all cases in which the police judge is a party, or in which he is interested, or when he is related to either party by consanguinity or affinity within the third degree, or is otherwise disqualified, or in case of sickness or inability to act, the police judge may call upon any justice of the peace residing in the county to act in his stead.

SEC. 4. The police judge must be an attorney-at-law, duly admitted to practice by the supreme court of the state. He shall be elected in the same manner and at the same time as the councilmen, and shall hold office for four years.

SEC. 5. The foregoing provisions of this article shall not take effect until the provisions of the general laws of the state applicable to city justices of the peace shall be repealed. In the event of such repeal the council shall by ordinance establish a police court.

Chapter II—City Attorney.

SEC. 6. There shall be a city attorney who shall be appointed by the council, and who shall be an elector of the city at the time of his appointment, and shall be an attorney and counselor at law duly admitted to practice by the supreme court of the state. He shall have actually been engaged in the practice of his profession for a period of at least four years next before his appointment. He shall hold office until removed by a four-fifths vote of the whole council.

SEC. 7. It shall be his duty to prosecute on behalf of the people all criminal cases before the police court and justices of the peace, for all violations of this charter and of city ordinances and resolutions. It shall be his duty to attend to all

suits and other matters to which the city is a party or in which the city may be legally interested. He shall be in attendance at every meeting of the council unless excused therefrom; and shall give his advice or opinion in writing whenever required by the council, board of education or other city officers. He shall be the legal adviser of all city officers; he shall approve the forms of all bonds given to and all contracts made with the city; he shall, when required by the council or any member thereof, draft all proposed ordinances for the city, and amendments thereto, and shall do and perform all things touching his office as the council or the presiding officer thereof may require of him, and at the expiration of his term shall surrender to his successor all books, papers and documents pertaining to the city's business. He shall receive a salary to be fixed by the council.

ARTICLE IV

FINANCE.

Chapter I—Auditor and Assessor.

SECTION 1. Auditor. An auditor shall be elected at the general municipal election. He shall hold office for four years and until his successor is elected and qualified. He shall be ex officio assessor. His compensation for acting in both capacities shall be two thousand four hundred dollars per annum. He may appoint one or more deputies, for whose acts he and his bondsmen shall be responsible.

SEC. 2. The auditor shall be the general accountant of the city. He shall receive and preserve in his office all accounts, books, vouchers, documents and papers pertaining to the accounts and contracts of the city, its debts, revenues and other financial affairs.

SEC. 3. He shall keep an account of all moneys paid into and out of the treasury, and the treasurer shall pay no money except on demand approved by the auditor. He must always know the exact condition of the treasury.

SEC. 4. He shall approve no demand unless the same has been allowed by the council, board of other authority directed by the charter to act thereon.

SEC. 5. Every demand approved by him shall specify on its face the several items composing it, the amounts and the dates thereof, and shall be numbered and entered upon in the order of presentation.

SEC. 6. Every demand upon the treasurer, before it can be paid, must be presented to the auditor, who shall satisfy himself whether the money is legally due, that its payment is authorized by law, and out of what fund payable. If he allow it he shall endorse thereon the word "allowed," the name of the fund out of which it is payable, and the date and consecutive number of its allowance, and shall sign his name thereto.

SEC. 7. Except as otherwise provided in this charter no money shall be drawn from the treasury unless in consequence of appropriations made by the council and upon demands duly drawn by the auditor. No warrant shall be drawn except upon an unexhausted fund.

SEC. 8. Assessor. As assessor the auditor shall perform all duties prescribed by this charter, by ordinance and by general law, for assessing property for the purposes of taxation.

SEC. 9. The assessment of property within the city shall be made for each year by the assessor; and he shall employ such clerical assistance as may be required to properly prepare such assessment.

Chapter II—Treasurer and Tax Collector.

SEC. 10. Treasurer. A treasurer shall be elected at the general municipal election. He shall hold office for four years, and until his successor is elected and qualified. He shall be ex officio tax collector. His compensation for acting in both capacities shall be two thousand four hundred dollars per annum. He may appoint one or more deputies, for whose acts he and his bondsmen shall be responsible.

SEC. 11. As treasurer he shall receive and pay out all moneys belonging to the city, and shall keep an account of all receipts and disbursements.

SEC. 12. He shall pay out money belonging to the city only upon legal demands allowed and audited in the manner provided by this charter or authorized by law.

SEC. 13. Tax Collector. As tax collector he shall perform such duties as are prescribed by this charter, by ordinance, and by general law.

SEC. 14. Bank may be Treasurer. When not in conflict with the constitution of this state, it shall be permissible, in the following manner, to abolish provision for the election of a treasurer:

An ordinance may be adopted by the vote of the electorate abolishing the provision in this chapter for the election of a treasurer, and for the salary thereof, and substituting in lieu thereof a provision for the appointment of a bank or banks to act as depositary or depositaries of the funds of the city. Such ordinance must provide due safeguards for the proper keeping and disbursement of the funds of the city. It may also name the salary of the official who shall thereafter be elected tax collector; and shall provide that such tax collector shall make daily deposit in the proper depositary of all sums collected by him as tax collector. Such ordinance may be drawn to cover, supersede and repeal all the provisions of this chapter. It shall not take effect until the close of the term for which the treasurer then in office has been elected.

Chapter III—Levying of Taxes

SEC. 15. Department Estimates. On or before the second Monday of May in each year the several boards and heads of departments shall send to the city manager detailed estimates of the amount of expenditure required in each department for the fiscal year next ensuing, including a statement of the salaries of all subordinates.

SEC. 16. City Manager to Estimate Expenses. On or before the first Monday in July in each year the city manager shall transmit to the council an estimate of the expenses of the city government for the ensuing fiscal year, stating the amount required to meet the interest and sinking funds for all outstanding funded debts and the wants of all the departments of the municipal government in detail, showing specifically the amount necessary to be apportioned to each fund in the treasury; also an estimate of the income from fines, licenses and other sources or revenue, exclusive of taxes upon property; also the probable amount required to be levied and raised by taxation.

SEC. 17. The council shall provide by ordinance a system for the levy and collection of all city taxes, which system shall conform, as nearly as circumstances may permit, to the provisions of the laws of this state.

SEC. 18. Dollar Limit. The amount of the tax levy shall be sufficient to provide for the payment during the fiscal year, of all demands upon the treasury authorized to be paid out of the same; but such levy, exclusive of the tax to pay the interest on and maintain the sinking funds of bonded indebtedness of the city, and exclusive of the tax to pay for street and sewer work and to pay for the maintenance and improvement of the parks, squares and public grounds of the city, shall not exceed the rate of one dollar on each hundred dollars valuation of the property assessed. The council in making the levy shall apportion the taxes to the several funds.

SEC. 19. Emergency Reservation. The limitation in the section last preceding shall not apply in case of any great necessity or emergency. In such case the limitation may be temporarily suspended. No increase over the dollar limit shall be made in the rate of taxation authorized to be levied in any fiscal year, unless such increase be authorized by ordinance adopted by vote of the people or passed by a four-fifths vote of the whole council. The character of such necessity or emergency shall be recited in the ordinance authorizing such action. Nothing in this section shall authorize the incurring of liabilities not allowed by law or which can not be paid out of the income and revenue provided, collected and paid into the proper fund as its proportion of the same for such fiscal year, or permit liabilities or indebtedness incurred in any one fiscal year to be a charge upon or paid out of the income or revenue of any other fiscal year.

SEC. 20. All sales of delinquent taxes shall be made to the City of Alameda.

SEC. 21. If the council fail to fix the tax rate within the time prescribed, then the previous year's rate and valuation shall be arbitrarily used and adopted.

SEC. 22. No contract made, the expense of the execution of which is not provided by law or ordinance to be paid by assessments upon the property to be benefited, shall be binding or of any force unless the auditor shall endorse thereon his certificate that there remains unexpended and unapplied as herein provided, a balance of the appropriation or fund applicable thereto, sufficient to pay the estimated expenses of executing such contract as certified by the board or officer making the same. This provision shall not apply to work done or supplies furnished, involving the expenditure of less than two hundred and fifty dollars. The auditor shall make such endorsement upon every such contract so presented to him if there remain unapplied and unexpended such amount so specified by the officer making the contract, and thereafter he shall hold and retain such sum to pay the expenses incurred until the contract shall be fully performed.

SEC. 23. The council shall authorize the disbursement of all public moneys except as otherwise provided in this charter, or by state law.

SEC. 24. Surplus Returned to General Fund. At the close of each fiscal year, if all demands against each fund have been paid or satisfied, and all disputed or contested demands fully determined, the council shall direct the treasurer to transfer all surplus moneys to the general fund, except such surplus moneys as may be in the several interest and sinking funds and in such other funds the disposition of whose surplus moneys is otherwise provided for.

SEC. 25. All moneys derived from the sale of bonds, including premiums, and interest accruing by reason of the depositing thereof, shall be applied only to the purpose for which the bonds were voted. Any moneys remaining after the work for which the bonds were voted has been completed and paid for, shall be applied to the payment of interest on or to the retiring of such bonds.

SEC. 26. Board of Equalization. The council shall meet at the usual place of holding meetings, on the first Tuesday of September of each year, at ten o'clock in the forenoon of said day, and sit as a board of equalization. It shall have power to hear complaints, and to correct, modify or strike out any assessment made by the assessor and may of its own motion, raise any assessment, upon notice to the party whose assessment is to be raised. Such corrected list shall constitute the assessment roll for the fiscal year. It shall be certified by the city clerk, who shall act as clerk of the board of equalization.

SEC. 27. Any demand against the treasury remaining unpaid at the end of the fiscal year for lack of money applicable to its payment may be paid out of any money which may subsequently come into the proper fund from delinquent taxes or other uncollected income or revenue for such year. Such demands shall be paid out of such delinquent revenue when collected.

SEC. 28. All moneys received from taxes, licenses, fees, fines, penalties and forfeitures, and all moneys which may be collected or received by any officer of the city in his official capacity, or from any department of the city, for the performance of any official duty, and all moneys accruing to the city from any source, and all moneys directed by law or by this charter to be paid or deposited in the treasury, shall be paid into the treasury daily.

SEC. 29. On the first day of each month every officer authorized by law to charge any fee, commission, percentage, allowance or compensation, must make a written report to the auditor of all moneys received by him during the preceding month.

SEC. 30. All demands for salaries fixed by law, ordinance or this charter, and made payable out of the treasury, may be allowed by the auditor without previous approval by the council.

ARTICLE V.

EDUCATION.

Chapter I—School Department.

SECTION 1. Board of Education. The control of the school department shall be vested in a board of education, which shall consist of five members, who shall receive no compensation. The members of the board of education who shall be in office at the time this charter shall take effect shall remain in office until the expiration of their respective terms. Thereupon and thereafter the vacancies occurring by expiration of the terms of the incumbents shall be filled by appointment by the mayor; each appointee to hold office for five years, and until his successor is appointed and qualified. Any vacancy occurring prior to the expiration of a term shall be filled by appointment by the mayor, the appointee to serve for the unexpired term.

SEC. 2. Organization. The board shall organize annually by electing one of its number president, whose term of office shall be one year, and until his successor is elected and qualified.

SEC. 3. Meetings. The board shall hold regular meetings at least once in each month, and at such other times as it may determine. Special meetings may be called at any time by the president, and the president shall call a special meeting at any time when requested in writing so to do, by any two members. Absence by any member from four consecutive regular meetings, unless such member be excused by the board by resolution entered upon its minutes, shall work a forfeiture of office.

SEC. 4. Powers of the Board. In addition to the powers and duties prescribed by the general laws of the state, the board shall have power:

One. To establish and maintain public schools, including kindergarten, primary, grammar, high, technical, and evening schools, and to change, consolidate and discontinue the same as the welfare of the department may require;

Provided, that no teacher shall be elected to a position in any of the public schools of the city unless he or she be a properly accredited graduate of either a California state normal school, the University of California, the Leland Stanford Junior University, or of an institution of equal rank, or who has had at least two years successful teaching experience;

Two. To manage and control the school property;

Three. To employ, pay, promote, transfer and dismiss teachers and other employees; to fix, alter and approve their salaries and compensation, and to make rules governing the same;

Four. To provide the department with all necessary supplies, and to incur such other incidental expenses as may be necessary for the welfare of the department;

Five. To construct, repair, alter, rent and provide school houses; to supply them with proper furniture, apparatus and appliances, and to insure any and all school property against loss by the elements;

Six. To recommend and arrange for the purchase, sale, lease and exchange of school lots and other school property; to take charge of any and all real estate and personal property which may have been or may hereafter be acquired for the use and benefit of the public schools of the city. The proceeds of any sale and the income from any school property shall be used for school purposes;

Seven. To sue and to prosecute and defend actions at law or in equity in the name of the board of education, and to employ counsel therefor in case the district attorney or the city attorney be disqualified or unable to act.

SEC. 5. School Superintendent. The board of education shall appoint a superintendent of schools, who shall hold office for four years unless sooner removed by a vote of four members. He shall be the executive officer of the board in all matters relating to instruction, discipline and conduct of the schools. He shall receive such compensation as may be fixed by the board. He shall be ex officio the secretary of the board and shall act as bookkeeper for the board, without extra compensation.

He shall attend all sessions of the board, and shall make such reports as the board may require, or as he may deem to be for the interest of the department.

SEC. 6. The board shall appoint an assistant secretary, whose compensation shall be fixed by the board.

SEC. 7. The board of education shall organize and act as a high school board as provided by law.

SEC. 8. The board shall determine annually the amount of money necessary to support and maintain the public schools of the city and to carry into effect all provisions of law regarding the same, and shall, on or before the second Monday in May of each year, submit in writing to the council an estimate of the money to be received from the state and county and an itemized estimate of proposed expenditures for the next fiscal year, with a request for such additional money as they may need in excess of the amount to be received from the state and county. Such additional money, when collected, shall immediately be paid into the school fund of the city, which fund shall be drawn upon only by warrants for claims duly allowed by the board against the school department. The warrants must be signed by the president and secretary of the board and by the auditor.

Chapter II—Free Library.

SEC. 9. Free Library Trustees. The Alameda Free Library shall be under the control of a board of five trustees who shall receive no compensation. The members of the board who shall be in office at the time this charter shall take effect shall remain in office until the expiration of their respective terms. Thereupon and thereafter the vacancies occurring by expiration of the terms of the incumbents shall be filled by appointment by the mayor, each appointee to hold office for five years, and until his successor is appointed and qualified. Any vacancy occurring prior to the expiration of a term shall be filled by appointment by the mayor, the appointee to serve for the unexpired term.

SEC. 10. The board of library trustees shall meet at least once a month at such time and place as they may fix by resolution. Special meetings may be called at any time by the president or by two trustees. A majority of the board shall constitute a quorum. The board shall elect one of its number president, who shall serve for one year, and until his successor is elected, and in his absence the board shall select a president pro tem. The board shall cause a proper record of its proceedings to be kept.

SEC. 11. The board of library trustees shall have power:

One. To make and enforce rules, regulations and by-laws necessary for the administration, government and protection of the library, and all property belonging thereto. All fines collected shall be deposited with the treasurer to the credit of the library fund:

Two. To administer any trust declared or created for the library, and to receive by gift, devise or bequest and hold in trust or otherwise, property situated in this state or elsewhere, and when not otherwise provided, dispose of the same for the benefit of the library;

Three. To prescribe the duties and powers of the librarian, secretary and other officers and employees of the board, to determine the number of and appoint all such officers and employees, and to fix their compensation:

Four. To purchase necessary books, journals, publications and other personal property;

Five. To request the secretary of state and other state officials to furnish the library with copies of any and all reports, laws and other publications of the state not otherwise disposed of by law;

Six. To borrow books from, lend books to, and exchange the same with, other libraries and to allow non-residents to borrow books upon such conditions as the board may prescribe.

SEC. 12. The board shall, on or before the last day of July in each year, make a report to the city council, giving the condition of the library on the thirtieth day of June preceding, together with a statement of its proceedings for the year then ended, and forward a copy thereof to the state library at Sacramento.

SEC. 13. Library Fund. The board shall determine annually the amount of money necessary for the maintenance of the library. They shall, on or before the second Monday in May, each year, submit to the council an itemized estimate of the amount so determined. If this amounts to seven cents, or less, on each one hundred dollars of assessed valuation, it shall be added to the amounts otherwise provided by them to be levied and collected for city purposes. Any amount in excess of seven cents per hundred dollars valuation shall be at the discretion of the council. When collected, the proceeds shall immediately be paid into a fund to be designated the "Library Fund," which fund is hereby created and shall be drawn upon only on order of the board of library trustees, as herein provided.

SEC. 14. All money acquired by gift, devise, bequest, or otherwise, for the purpose of the library, shall be credited to the library fund, and shall be applied to the purpose therein authorized. If such payment into the treasury should be inconsistent with the conditions or terms of any such gift, devise, or bequest, the board shall provide for the safety and preservation of the same, and the application thereof to the use of the library, in accordance with the terms and conditions of such gift, devise, or bequest.

SEC. 15. All claims against the library fund, which shall have been allowed by the library trustees and signed by the president and secretary thereof and by the auditor, shall be paid by the treasurer from said fund.

SEC. 16. The use of the library shall be subject to such regulations as may be made by the board, for violation of which any person may be fined, suspended or excluded from the privileges of the library.

SEC. 17. When not inconsistent with the terms of its acquisition, and when not otherwise designated, the title of property acquired for the purpose of the library shall vest in the city of Alameda, and may be sued for and defended by action at law or otherwise, in the name of the city of Alameda. The library board shall have full charge, management and control of such property.

ARTICLE VI.

DEPARTMENT OF ADMINISTRATION.

SECTION 1. The department of administration when hereafter referred to, shall be held to include the department of safety, the department of health and the department of recreation; also, subject to the city ordinances and general law, the control of all street and sewer work, the erection and repair of buildings, except such as may be under the control of the board of education, the library board or the board of public utilities; the control of all wharves, docks, quays and waterfront property belonging to or under the control of the city, and the development thereof. It shall embrace all other executive and administrative functions of the city government not otherwise provided for.

ARTICLE VII

CITY MANAGER.

SECTION 1. The council shall appoint a city manager. He need not be a resident of the State of California at the time of his appointment. His salary shall be fixed by the council, but shall not be less than three thousand dollars per annum. He shall hold office until removed by a four-fifths vote of the whole council.

SEC. 2. His powers and duties shall be:

One. To see that all ordinances of the city are enforced;

Two. To appoint, except as otherwise provided in this charter, all heads of departments, subordinate officials and employees in the department of administration, and to remove the same;

Three. To exercise general supervision and discretion over all persons, firms, companies and corporations owning, controlling or operating public utilities within the city limits, in so far as any of them are subject to municipal control. This provision is subject to other charter provisions relative to such public utilities as now are or may hereafter be owned by the city;

Four. To keep the council fully informed as to compliance with the law in the operation of public utilities within the city limits; to see that the provisions of franchises, permits and privileges granted by the city are fully observed, and to report to the council any violation thereof;

Five. Board of Social Service. To appoint a board of social service, which shall, under him, have charge of all matters pertaining to the care and relief of the needy, the establishment of employment bureaus, day nurseries and the like. Said board shall, under the city manager, have charge of the expenditure of the relief fund provided by the council. It may receive and disburse gifts from private individuals and from institutions. Its members shall serve without compensation;

Six. To act as purchasing agent for all departments of the city except those of education and public utilities; and in those departments he shall assist in making purchases when requested to do so by the respective boards in control thereof;

Seven. To attend all meetings of the council unless excused therefrom by the council or by the mayor;

Eight. To examine or cause to be examined, without notice, the conduct of any officer or employee in the department of administration;

Nine. To keep the council advised as to the needs of the city;

Ten. To appoint a secretary, whose compensation shall be fixed by the council;

Eleven. To prepare or cause to be prepared, plans, specifications, etc., for work which the council may order, coming under his supervision;

Twelve. To have control, subject to such ordinances as may from time to time be adopted, of all public utilities owned and operated by the city and not by this charter assigned to other control;

Thirteen. To devote his entire time to the interests of the city;

Fourteen. He may appoint advisory boards of such number of members as he may deem best, to confer with him and assist him in his management.

SEC. 3. The city manager shall not be subject to the control or influence of the council or of any member thereof, in the appointment of any subordinate, or in the making of purchases.

SEC. 4. In the absence or disability of the city manager the council shall fill the vacancy by temporary appointment.

SEC. 5. City Engineer. The city manager shall appoint a city engineer. He must be a civil engineer, who has practiced his profession not less than five years. He shall devote his whole time to the work of the city, under the direction of the city manager. He may be directed by the city manager to work for private parties inside the city limits. Bills therefor shall be rendered by the city manager, and the fees collected shall be paid into the city treasury, accompanied by a statement of the services rendered. The city engineer shall do no private work outside the city. The city manager may appoint a street superintendent, and may combine in one appointment the offices of street superintendent and city engineer.

SEC. 6. The city engineer shall possess the same power in making surveys, plats and certificates as is given by law to city engineers and to county surveyors. He shall be the custodian of and shall be responsible for all maps, plans, profiles, field notes and other records and memoranda belonging to the city and pertaining to his office and to the work thereof; all of which he shall keep in proper order and condition, with full indexes thereof, and shall turn over the same to his successor, taking from him duplicate receipts therefor, one of which he shall file with the auditor. All maps, plans, profiles, field notes, estimates and other memoranda of surveys and other professional work made or done by him or under his direction or control, during his term of office, or that he may have received from his predecessor, shall remain the property of the city.

SEC. 7. Department of Safety. The department of safety shall include the police and fire departments, and shall be under the control of the city manager, subject to the provisions of Section 7, Article II of this charter.

SEC. 8. Police Department. The city manager shall appoint a chief of police. He shall (a) appoint and remove all subordinates in the police department, subject to the provision hereafter stated; (b) make rules and regulations for the government of the police department; (c) prescribe tests for examination as to fitness of applicants for positions in the police department. All appointments to the police department shall be made after competitive examination.

SEC. 9. Fire Department. The city manager shall appoint a chief of the fire department, and shall (a) appoint and remove all subordinates in the fire department, subject to the provision hereafter stated; (b) make rules and regulations for the government of the fire department. All appointments to the fire department shall be made after competitive examination.

SEC. 10. Any charge brought by the city manager against a member of the police department or fire department who has been in the service of the city for five years at the time of the taking effect of this charter, which charge, if sustained, would warrant dismissal, shall be heard and determined by a board to be known as the police and fire board. Said board shall consist of the mayor, the police judge and the city attorney. A majority vote shall control. Any charge involving a penalty less than dismissal shall be determined by the city manager.

ARTICLE VIII.

DEPARTMENT OF HEALTH.

SECTION 1. Health Officer. The city manager shall appoint a health officer who may also be the city physician, and shall hold office during the pleasure of the city manager. He shall have the degree of Doctor of Medicine, and shall hold a license to practice medicine in the State of California. He shall have practiced medicine for at least five years.

SEC. 2. As health officer he shall have all the powers and shall be subject to all the duties conferred on boards of health and on health officers by the general laws of the state, and shall have such other powers and duties as may be conferred by ordinance.

SEC. 3. City Physician. As city physician he shall attend free of charge, when called upon, the indigent and the indigent sick of the city. He shall have charge of any receiving hospital or dispensary established for the treatment of emergency cases and the sick poor.

SEC. 4. He shall have the power of removal of all appointees of the health department.

SEC. 5. He shall have power to appoint and prescribe the duties of such subordinates as are necessary to the efficiency of the department, including a veterinarian and a sanitary and plumbing inspector.

SEC. 6. He may, with the written consent of the city manager, appoint also, one or more physicians, emergency surgeons, bacteriologists, chemists, food and market inspectors, and a clerk of the department, and may prescribe and direct their duties.

ARTICLE IX.

DEPARTMENT OF RECREATION.

SECTION 1. The city manager shall have supervision, direction and control of all playgrounds and recreation centers, and of all games, recreation, athletic sports and physical exercises that now are or shall be permitted to be conducted in any of the playgrounds or recreation centers of the city.

SEC. 2. He is empowered to employ all necessary supervisors and assistants, to discharge them, and to adopt rules and regulations for the conduct of the department.

SEC. 3. He shall keep a record of all proceedings relative to the playground activities, and shall make to the council, on or before the second Monday in May of each year, a report in writing thereof, and an itemized statement of expenditures during the preceding year, embodying recommendations for the development, control and use of playgrounds and recreation centers.

ARTICLE X.

DEPARTMENT OF PUBLIC UTILITIES.

SECTION 1. There is hereby created a board of public utilities, which shall control the construction, operation, maintenance and funds of all utilities from which income is derivable, which now are or may hereafter be owned by the city.

SEC. 2. The city manager shall be one member. The other two members shall be either civil, mechanical or electrical engineers. They shall be appointed by the mayor and shall hold office for four years. Their terms of office shall aforesaid so that one shall go out every two years. The two first appointed shall decide their terms so as to so that one shall hold for two years and one for four years. They shall serve without compensation.

SEC. 3. The board shall organize by electing a president and appointing a secretary. Two shall constitute a quorum. They shall hold regular meetings once a month, and shall hold such other meetings as they may determine.

SEC. 4. The treasurer shall keep the fund of each utility separate. Any surplus to the limit of fifteen per cent of the book value of any utility may be invested by direction of the board in bonds of the City of Alameda, or in state, county or municipal bonds of this state, or may be transferred to the general fund of the city.

SEC. 5. The books of each utility shall be kept in such form as is required by state regulation governing public utilities, and a monthly report in detail shall be made to the council.

SEC. 6. Subject to other provisions of this charter the board of public utilities shall have power:

One. To fix rates for service;

Two. To buy and sell materials and supplies incidental to the operation of each utility;

Three. To employ, fix the compensation of and discharge employees;

Four. To do work for other departments of the city at cost.

SEC. 7. On or before the second Monday in May of each year the board shall prepare and submit to the council an estimate of income and expenditure of each utility for the coming fiscal year.

SEC. 8. All money collected shall be deposited with the treasurer as soon as practicable. Demands on any fund shall be signed by the president and secretary of the board.

SEC. 9. Purchases or contracts exceeding one thousand dollars in amount shall be advertised by the board and shall be awarded to the lowest responsible bidder, unless all bids are rejected.

SEC. 10. The board shall control the generation, purchase, distribution and sale of electrical energy, and shall also control all allied activities, such as electrical inspection, fire alarm and police telegraph and telephone system, which are or may be operated by the city. It shall also control the sale and distribution of water, gas and the product of any commodity acquired by purchase of the service of any person or corporation supplying a public utility.

SEC. 11. The board shall have power to enter into a contract for a term not to exceed five years, for the purchase of water, gas or electrical energy, or for the purchase of the service of any public utility. No such contract shall be valid unless ratified by ordinance. The distribution of the commodity so acquired shall be subject to the provisions of this article. Such contract shall not be subject to the provisions of Section 22, Article IV. Such ordinance shall not take effect until sixty days after its adoption.

ARTICLE XI.

ELECTIONS.

Chapter I. General Elections.

SECTION 1. General municipal elections shall be held on the second Tuesday in March in each odd numbered year. The first election under this charter shall be held on the second Tuesday in March, 1917.

SEC. 2. Elections shall be held and conducted as nearly as may be, in accordance with the provisions of the election laws of the state, except as herein otherwise provided.

SEC. 3. Terms of Elective Officers. Elective officers shall hold office for a period of four years from and after eight o'clock p.m. of the third Monday of April following the day of election, and until their successors are elected and qualified.

SEC. 4. In the election of commissioners after the first general municipal election, where full terms and one or more unexpired terms are to be filled, the persons elected by the highest number of votes shall be elected for the full term, and the person or persons receiving the next highest vote shall be elected for the short term or terms, as the case may be.

SEC. 5. Nominating Petitions. The mode of nomination and election of officers to be voted for at any general municipal election shall be as follows:

Not later than thirty days and not earlier than sixty days before any general municipal election, electors of the city may, by written petition, present names of candidates for election. The signatures to said petition need not be appended to one paper, but each signer shall add to his signature his place of residence, giving street and number when such designation can be given. One of the signers of each paper shall make oath that the statements therein are true, and that each signature is the genuine signature of the person whose name purports to be thereto subscribed.

Each candidate shall be proposed by not less than fifty qualified electors of the city. No more than one candidate may be named in any one petition, and no person may sign more than one petition for a candidate for any one office.

SEC. 6. Such petition shall be presented to the city clerk, and if accompanied by the written acceptance of the nominee, shall be filed by the clerk. He shall immediately examine the city register and the petition, shall ascertain whether such petition is signed by the requisite number of qualified electors. He shall, within five days, attach his certificate to said petition, showing the result of his examination.

SEC. 7. Withdrawal. Any candidate may withdraw by filing with the city clerk, before the publication hereinafter provided, a written statement of his desire to withdraw; and on receipt thereof the city clerk shall strike his name from the list of candidates.

SEC. 8. Election Proclamation. Immediately after the closing of nominations the city clerk shall enter the names of the commissioners in a list, with the offices to be filled, and not later than twenty days before the day of election shall cause to be published four times in and shall, at least ten days before the election, cause to be posted four times in the official paper, a proclamation calling the election. Said proclamation shall contain a statement of the time of the election, the offices to be filled, and the names of the candidates, and shall be signed by the mayor and attested by the city clerk.

SEC. 9. Form of Ballot. All ballots shall be substantially in the following form:

GENERAL (OR SPECIAL) MUNICIPAL ELECTION, CITY OF ALAMEDA

(Insert date thereof.)

INSTRUCTION TO VOTERS. To vote, stamp a cross (x) opposite the name of the candidate for whom you desire to vote. Vote your first choice in the first column, your second choice in the second column and your third choice in the third column. Vote only one choice for any one candidate, as only one choice will count. Any mark placed on this ballot for the purpose of identification will make the ballot void. If you wrongly mark, tear or deface this ballot, return it and obtain another.

SEC. 10. Arrangement of Ballots. The ballots shall be arranged with proper headings above each office or classification of offices, showing the number to be voted for, for each office or classification, and the names of the candidates arranged in alphabetical order, with three voting squares opposite each name, designated "first choice," "second choice," and "third choice," and with blank line or lines below the printed names of candidates for each office to be voted for equal to the number to be voted for, wherein the voter may write the name of any person or persons for whom he may wish to vote, stamping a cross (x) opposite the name, as herein provided. If there are charter amendments or other questions to be voted upon, a column therefor shall be provided on the right hand side of the ballot.

SEC. 11. Sample Ballots. At least five days immediately preceding any municipal election, the clerk shall mail to each registered voter a sample ballot, and nothing unofficial shall be mailed therewith.

SEC. 12. Preferential Voting. Voting for elective offices shall be by the preferential system, that is to say: for each office to be filled at any election the voter may designate one first, one second and one third choice, by stamping a cross (x) in the square provided.

SEC. 13. Counting Ballots. In counting ballots, the first, second and third choices for each candidate shall be separately tallied and accredited to the candidates receiving them.

SEC. 14. Rejecting Ballots. Should any elector express any of said choices for more candidates than there are offices to be filled in that particular classification, said choices shall not be counted; and should he express more than one of said choices for any one candidate, only the first shall be counted.

SEC. 15. Canvass of Returns. The council, at its next regular meeting following the election, shall canvass the returns. The candidate receiving the highest number of first choice votes, if such votes constitute a majority of all ballots cast for candidates under that classification, shall be declared elected. If no candidate shall have received a majority of first choice votes, a canvass shall be made of the second choice votes, which shall be added to the first choice votes, and the candidate having received

the largest number of votes so combined, if such constitute a majority, shall be declared elected. If after adding the first and second choice votes no candidate shall be found to have a majority, then the third choice votes of each candidate shall be added to his first and second choice votes, and the candidate having received the highest number of votes shall be declared elected.

SEC. 16. Tie Votes. A tie between two or more candidates shall be decided in favor of the one having the highest number of first choice votes. If they are equal, the highest number of second choice votes shall determine. If there still be a tie, it shall be decided by lot, under the direction of the council.

SEC. 17. Publicity of Qualifications. At least fifteen days before the day of election each candidate may deliver at his own cost to the city clerk a verified statement with printed copies thereof equal to the number of qualified electors. Each copy shall be printed on white paper four inches wide by nine inches long, and shall have the candidate's photo-engraving printed thereon, followed by his name, the office for which he is a candidate, and a statement as to his residence, place of birth, present occupation, and what public office he has held, and whether he is a taxpayer in the city of Alameda. He may give such other information regarding his experience and qualifications as might enable the electors to estimate his fitness to fill the office. Such statement shall also contain the names of not more than twenty residents of the city of Alameda to whom he refers. One copy of such statement shall be mailed to each qualified elector, with the sample ballot.

Chapter II—Recall.

SEC. 18. Every incumbent of an elective office who shall have held office for six months shall be subject to removal by recall.

SEC. 19. Affidavit for Recall. Before any petition for a recall is circulated for signatures, an affidavit in duplicate by the elector or electors proposing such recall, shall be filed with the city clerk, who shall at once deliver one of such affidavits to the officer sought to be recalled, or send one by registered mail addressed to him at his residence. Such affidavit shall contain a statement of not more than two hundred words, declaring the intention to circulate a recall petition, giving the reasons for the proposed recall, and the names and addresses of the elector or electors proposing such recall. The elector or electors making such affidavit shall pay in advance to the city clerk a fee of twenty-five dollars to cover costs of printing blanks and other incidental expenses. The officer whose recall is sought shall have five days after the filing and serving of such affidavit in which to file in duplicate with the city clerk his answer of not to exceed two hundred words.

SEC. 20. Printed Blanks. The city clerk shall within ten days after the filing of such answer, cause to be printed as may be necessary, blank petitions in the form hereafter provided, numbered consecutively. Such blanks shall be delivered to verification deputies upon payment of one cent each.

SEC. 21. Petition for Recall. A petition or petitions signed by qualified electors requesting the calling of a special election to determine whether or not the said incumbent of an elective office shall be removed from office by recall, shall be addressed to the council and presented to the city clerk. The form of the recall petition shall permit the elector to express his or her opinion either for or against the recall, and everything pertaining to the circulation, filing, signing, etc., of the same must conform to the requirements hereinafter provided.

SEC. 22. The form of petitions shall be as follows:

No. _____

TO THE COUNCIL OF THE CITY OF ALAMEDA
PETITION FOR OR AGAINST RECALL.

Of _____ (Name in full; printed in 12 pt. black-face type).
As _____ (Give name of office in 12 pt. black-face type).
Reasons for recall.
(Here insert reasons contained in affidavit for recall.)
Reasons against recall.
(Here insert reasons against recall, as contained in answer.)

I, the undersigned, certify that I am a qualified elector of the City of Alameda, State of California; that I have carefully read the foregoing reasons both for and against the recall of said officer and have signed below in accordance with my convictions; that I am not at this time a signer of any other like petition;

That I	That I am
Favor the recall of	Against the recall of
_____(name of officer)_____	_____(name of officer)_____
(name to be in 12 pt. blackface type.)	(name to be in 12 pt. blackface type.)
and petition the council forthwith to submit the question to vote of the electors.	and oppose the submission of the question to the vote of the electors.
(Signed) _____	(Signed) _____
Address _____	Address _____
(Nine additional lines and addresses.)	(Nine additional lines and addresses.)

VERIFICATION DEPUTY'S AFFIDAVIT.

_____ being duly sworn, deposes and says: I am the person sworn as a verification deputy. I have personally circulated the above petition. I have not prevented any person from signing this petition either for or against the recall. All the signatures appended were subscribed in my presence. To the best of my knowledge and belief the signatures are the true names and signatures of the persons signing; and no signature has been erased, changed or defaced.

(Signed) _____

Verification Deputy.

Subscribed and sworn to before me this_____day of_____, 191___

_____

Notary Public.

SEC. 23. Verification Deputies. Any qualified elector desiring to circulate recall petitions shall apply to the city clerk and may by him be sworn as a verification deputy. On delivery of printed blanks to the verification deputies the city clerk shall take receipts therefor, each receipt to specify the consecutive numbers of said blanks. Each verification deputy must make oath that he will not make untruthful or misleading statements concerning the proposed recall, or prevent or hinder any person from signing said petition, either for or against the recall; that he will not threaten, bribe or use any improper means, or permit the same to be done by others, in soliciting signatures either for or against the recall. On return of the signed petitions to the city clerk each verification deputy shall make affidavit to each section of the petition circulated by him.

SEC. 24. It shall be unlawful for any officer or employee of the city to sign or circulate or cause to be signed or circulated, any petition, either for or against a recall.

SEC. 25. Penalty. Any verification deputy who shall violate any of the provisions of this chapter or who shall fail to return to the city clerk within fifty days after the filing of the affidavit provided for in section nineteen of this chapter, any of the petition blanks received by him, shall be guilty of a misdemeanor.

SEC. 26. No petition for a recall shall be received by the city clerk later than fifty days after the filing of the affidavit provided for in section nineteen of this chapter.

SEC. 27. City Clerk's Certificate. The city clerk shall endorse upon such petitions the date of filing in his office. He shall immediately commence an examination of said petitions to ascertain whether they are signed by the requisite number of qualified electors, and whether they conform in every particular to the requirements of this chapter. At the hour of five o'clock in the afternoon of the tenth day after the expiration of the fifty day period provided for in section twenty-five of this chapter he shall attach to such petitions his certificate showing the result of his examination, which shall be conclusive. He shall endorse his finding on said petitions and shall present the same to the council at its next regular meeting.

SEC. 28. Withdrawal of Signatures. Any signer of a petition for recall may file with the city clerk a verified revocation of his signature. If said revocation is filed with the city clerk before the petition is certified to by him, he shall cancel such signature.

SEC. 29. Recall Election. If the officer whose recall is sought shall not have resigned within five days after the filing of the petition, and if the petition favoring the recall shall contain the signatures of qualified electors equal in number to ten per cent of the highest vote cast for a councilman at the last preceding general municipal election, in excess of the signatures of qualified electors opposed to the recall as certified by the city clerk, the council shall cause a special election to be held not less than forty days nor more than sixty days after the filing of said petition, to determine such recall. If a municipal election is to occur within sixty days after the filing of said petition, the council may postpone the holding of the recall election to said municipal election.

SEC. 30. Recall Ballots. Upon both the sample and official ballots there shall be printed the reasons for and against the recall, as set forth in the petition.

SEC. 31. The ballots shall be provided with squares opposite "Yes" and "No," in which the voter may stamp a cross (X) indicating his vote. The ballots shall read:

"Shall _____ (naming the officer) be recalled? { "Yes." "No."

SEC. 32. The city clerk shall name three disinterested electors who shall act as a canvassing board to canvass the returns of said election, and who shall declare the result thereof. Before entering upon his duties, each member of the canvassing board shall take the constitutional oath of office.

SEC. 33. If a majority voting on the recall shall vote in favor of such recall, said officer shall thereupon be deemed removed from office, and his incumbency shall terminate upon the declaration of the result of said election by the canvassing board.

SEC. 34. The mayor shall appoint a successor to the officer removed, who shall hold until the next general municipal election. If the officer recalled be the mayor the remaining councilmen shall appoint his successor.

SEC. 35. If a majority of the council be simultaneously recalled, a board consisting of the police judge, the auditor and the treasurer shall appoint their successors, who shall serve until the next general municipal election.

SEC. 36. Recount. In case of a recount of votes taken at a recall election, the law of the state controlling general elections shall govern.

ARTICLE XII.

ALCOHOLIC LIQUORS.

SEC. 1. It shall be unlawful for any person, firm or corporation to establish, open, keep, maintain or carry on within the City of Alameda any saloon, bar, store, dramshop, tippling place, stand or any place where spirituous, malt or fermented liquors or wines or any admixture thereof, are sold or given away, or for any person, firm or corporation, except as hereinafter provided, to sell or barter or give away within the limits of the city any spirituous, malt or fermented liquors or wines or any admixture thereof, without having permission pursuant to an ordinance of the council or electors, as provided in this article. The provisions of this article shall not apply to the sale or dispensing of the said liquors, or any of them, by a regularly and duly licensed pharmacist, in the course of his business as a druggist, for medicinal purposes, at his drug store, when the same are sold or dispensed upon a prescription of a duly and regularly licensed physician. Violation of any of the provisions of this section shall constitute a misdemeanor.

SEC. 2. Subject to the provisions of this charter the council shall have power by ordinance to impose all license taxes for, to require bonds, to confine within the limits of time and place and to otherwise regulate the selling and giving away of any spirituous, malted or fermented liquors or wines or any admixture thereof.

Provided, that the council shall not have power to grant more than twenty of the licenses or permits specified in this article to be in force at any one time. The licenses granted shall be numbered consecutively from one to twenty, and not more than one license bearing any one number from one to twenty, inclusive, shall be valid at one time.

SEC. 3. No license provided for in this article shall be granted for a sum less than five hundred dollars per annum, payable quarterly in advance.

SEC. 4. No remission of any such license shall be made during the period for which it is granted, and the bonds required to be given by keepers or proprietors of saloons or drinking houses shall not in any case be fixed at less than one thousand dollars.

SEC. 5. No license issued under the provisions of this article shall be assignable or transferable without the consent of the council, endorsed thereon, such consent being evidenced by resolution, and only to such person, firm or corporation as may have filed a bond as heretofore provided, and complied in all other respects with such preliminary requirements as are provided by law.

Provided, that in case any licensee is charged with violation of the provisions of this article or of any ordinance imposing restrictions on his conduct as such licensee, which charge or charges result in an investigation by the council or by any court or other body authorized by law to conduct such investigation, then during such investigation or during a trial upon such charge or charges, and also after conviction, if the same shall follow, no transfer of said license shall be granted.

SEC. 6. Upon sufficient cause being shown or proof furnished to the council that any person, firm or corporation holding a license under the provisions of this article has violated any of the provisions thereof, or of any ordinance of the city relative to the sale of liquors, the council shall, upon notice being given to the person, firm or corporation so licensed, revoke such permission, cancel the license and declare the bond forfeited. Any license shall be revoked ipso facto by judgment of conviction of the holder thereof of a felony or of the violation of any of the provisions of any ordinance by this article authorized.

SEC. 7. No license shall be issued entitling the licensee to carry on the business licensed at more than one place. Each licensee shall at all times keep his license posted in a conspicuous place in his saloon or place of making sales thereunder, so that the license shall at all times be easy to read by any person entering said place.

SEC. 8. No license shall be required for the purpose of selling liquors at wholesale to any retail dealer in this city who holds a license under the provisions of this article.

ARTICLE XIII.

FRANCHISES.

SECTION 1. Franchises to Use Streets. Every franchise, permit or privilege for the purposes hereinafter enumerated in this section shall, except as otherwise provided in the constitution of the State of California, be granted by ordinance upon the condition specified in this article, and not otherwise.

One. Every franchise, permit or privilege to construct or maintain or operate a street railroad, a suburban railroad, or an interurban railroad along, upon, over, in, under or across any street, lane, alley, court, highway, road, park or other public place in the City of Alameda.

Two. Every franchise, permit or privilege to lay or maintain or operate pipes or conduits along, upon, in, under or across any street, lane, alley, court, highway, road, park or other public place in the City of Alameda for the purpose of transmitting electrical energy, water, gas, steam, oil, air or other substances.

Three. Every franchise, permit or privilege to erect, maintain or operate poles or to string wires along, upon, over, under, in or across any street, lane, alley, court, highway, road, park or other public place in the City of Alameda, for the purpose of transmitting electrical energy.

SEC. 2. Granting New Franchises. New franchises may be granted by the council by ordinance, to the person, firm or corporation bidding therefor the highest percentage of the net annual revenue received from the use, operation or possession of said franchise, fixed as herein provided. Upon receipt of a written application from any person, accompanied by a cash deposit or certified check sufficient to pay the cost of such advertisement, the council may advertise for sale the franchise referred to in said application, said advertisement to be published for at least five days in the official newspaper, describing the nature of said proposed franchise and the conditions thereof, and giving the date when said franchise will be offered for sale in open council to the person, firm or corporation offering to pay the city the highest percentage of net receipts, fixed as herein provided, which percentage shall not be less than fifty-five per cent. Any responsible person, firm or corporation may appear at said sale and may raise the bid of any other bidder, not less than one per cent, until said franchise is finally sold by the council to the person, firm or corporation offering the highest percentage of the net receipts:

Provided, that the council may in its discretion reject any and all bids, and may withdraw said franchise from sale or advertise for new bids. Every bidder, before his bid shall be received, must file with the city clerk a certified check or make a cash deposit in an amount sufficient to pay the cost of the advertisement herein provided for. The deposit of the successful bidder, or so much thereof as may be necessary, shall be used to pay the cost of said advertisement, and all other deposits shall be returned upon the acceptance by the council of any bid, or upon the rejection of all bids.

SEC. 3. Granting Resettlement Franchises. Resettlement franchises may be granted by the council by ordinance, subject to the approval of a majority of the electors of the city voting thereon at a general or special election called and conducted as provided by law for other municipal elections, upon application therefor made within three years from the date of the taking effect of this charter, by any person, firm or corporation actually engaged in operating a public utility in the City of Alameda at the time this charter becomes effective. Any resettlement franchise shall provide for the surrender of any or all of the franchises owned or claimed by the grantee of such resettlement franchise and for the acceptance in lieu thereof of the rights and privileges granted in the resettlement franchise for the continued operation of such utility within the limits of the city, or such portions thereof as had theretofore been operated under the franchises so surrendered. It shall also provide that new franchises granted to the holder of any resettlement franchise shall be considered as a part of the resettlement franchise, and that the council may by ordinance grant to the holder of such resettlement franchise the right to make extensions of appliances and service, which said extensions shall be subject to all the obligations and conditions of such resettlement franchise. Every resettlement franchise shall provide for the payment by the grantee thereof to the city of at least fifty-five per cent of the net annual revenue of said grantee, determined as in this charter provided.

SEC. 4. New and Resettlement Franchises; Valuation. (1) The valuation of all property of the franchise grantee, used or useful, or in the judgment of the council prospectively useful, in the operation of the utility for which said franchise is granted, and owned by the grantee at the time of the granting of such franchise shall be fixed by the Railroad Commission of the State of California, or its successor in interest, said valuation thus fixed to be set forth in the franchise ordinance. To this valuation shall be added the cost of all additions, extensions and betterments, and from this valuation shall be deducted the value of property sold or abandoned, and a depreciation fixed and determined as in the franchise provided. The valuation to which said additions have been made and from which said deductions have been made, shall be the valuation upon which the six per cent interest herein provided for shall be computed, and the valuation at which said property can be acquired by the city, or by a third person, firm or corporation to which the right is assigned by the city.

Franchises for Indeterminate Period; Public Ownership. (2) Every franchise shall be granted for an indeterminate period, subject always to the right of the city at any time, and upon six months notice in writing, to acquire and possess the property of the grantee, or to assign to a third person, firm or corporation its right to acquire and possess.

Assumption of Bonded Indebtedness. (3) Every franchise may provide that, when purchasing the property of the grantee, the city, if and when permitted by the constitution of the State of California, may assume the obligation of such grantee for the payment of the bonds then outstanding against said property, not exceeding in aggregate par value the valuation of the property thus purchased, and in such case the par value of such bonds shall be deducted from the valuation of said property, and the excess, if any, of such valuation over such par value shall be the purchase price to be paid to the grantee by the city. After such purchase the bonds so assumed shall no longer be a lien exclusively upon the franchise or property of the utility as such, but may be secured by the general credit of the city, or by a lien upon a fixed percentage of the gross earnings of such utility, or otherwise, as may be provided in such franchise.

Determination of Net Revenue. (4) The annual net revenue upon which the city's percentage is computed shall be determined by deducting from the annual gross revenue all operating and maintenance costs, taxes, insurance and depreciation as provided in the franchise, and six per cent interest on the valuation of the property used and useful or determined in the franchise to be of prospective usefulness in the public service, such valuation being the valuation fixed by the Railroad Commission of the State of California, and to which additions have been made and from which deductions have been made as herein provided.

Amendment of Franchise. (5) Any franchise may be amended by ordinance passed by the council, approved by vote of the electors as herein provided, and accepted by the franchise grantee, but if the amendment is of a resettlement franchise, it shall not become effective until approved by the electors in the same manner as the original resettlement franchise.

Board of Control. (6) Any franchise may provide for a board of control to consist of two competent and experienced men, one to be selected by the council and one by the grantee of said franchise, with such powers and duties as may be provided in the franchise, all disagreements between the two to be decided by an arbiter appointed for that purpose in a manner to be determined in such franchise.

Additional Powers. (7) The council in granting any franchise shall have power to impose terms and conditions not inconsistent with this charter, in addition to the terms and conditions herein provided for, and shall have such other powers hereunder as may be proper and necessary in the preparation, enactment, and the carrying out of the terms of any franchise.

Application to Resettlement Franchises. (8) The provisions of this section shall apply to resettlement franchises as well as to new franchises.

ARTICLE XIV.

MISCELLANEOUS.

SECTION 1. All general laws of the state applicable to municipal corporations, now or hereafter enacted, and which are not in conflict with the provisions of this charter or with ordinances or resolutions hereafter enacted, shall be applicable to the city.

SEC. 2. Whenever in this charter the word "city" occurs, it means the City of Alameda; and every department, board or officer, whenever either is mentioned, means a department, board or officer, as the case may be, of the City of Alameda.

SEC. 3. The fiscal year shall begin with the first day of July and end with the last day of June of each year.

SEC. 4. The compensation of elected officers shall not be increased or diminished during the terms of their respective offices.

SEC. 5. If any officer of the city shall remove from the city or absent himself therefrom for more than thirty days consecutively, without the permission of the council, or shall fail to qualify by taking the oath of office and filing his official bond whenever such bond is required, within fifteen days from the time his certificate of election or appointment is mailed or delivered to him, or shall resign, or be convicted of a felony, or be adjudged insane, his office shall be vacant.

SEC. 6. The mayor shall have the power to fill vacancies except as this charter otherwise provides. Such appointee shall hold for the unexpired term and until the election or appointment and qualification of a successor.

SEC. 7. The improvement, widening and opening of streets, the planting of trees, and all matters not specified in this charter, shall be done, and assessments therefor levied, in conformity with and under the authority conferred by general law.

SEC. 8. The mayor, the auditor and the city manager shall together count the money in the treasury at least once in three months, and see if the amount on hand tallies with the amount that should be in said treasury as shown by the books of the city, and they shall make a written report thereof to the council within five days thereafter.

SEC. 9. All officers and boards shall deliver to their successors all papers, books, documents, records, archives and other properties pertaining to their respective offices or departments, in their possession or under their control.

SEC. 10. No member of the council, or of any board, and no officer or employee of the city shall be or become directly or indirectly interested in any contract, work

or business, or in the sale of any article, the expense, price or consideration of which is payable from the city treasury, nor shall either or any of them receive any gratuity or advantage from any contract or person furnishing labor or material for the same; and any contract with the city in which any such officer or employee is or becomes interested may be declared void by the council.

SEC. 11. No officer or employee of the city shall give or promise to give any person, any portion of his compensation, or any money or thing of value in consideration of having been, or of being nominated, appointed, voted for or elected to any office or employment.

SEC. 12. No officer or employee shall accept any donation or gratuity in money, or other thing of value, either directly or indirectly, from any subordinate or employee, or from any one under his charge, or from any candidate or applicant for any position as employee or subordinate in any department of the city.

SEC. 13. No officer or employee of the city shall aid or assist a bidder in securing a contract to furnish labor, material or supplies at a higher price or rate than that proposed by any other bidder, or shall favor one bidder over another, giving or withholding information, or shall wilfully mislead any bidder in regard to the character of the material or supplies called for, or shall knowingly accept materials or supplies of a quality inferior to that called for by the contract, or shall knowingly certify to a greater amount of labor performed than has actually been performed, or to the receipt of a greater amount of material or supplies than has actually been received.

SEC. 14. A violation of any provision of the four sections last preceding shall cause a forfeiture of the office or employment.

SEC. 15. Every officer who shall wilfully approve, allow or pay any demand on the treasury not authorized by law, shall be liable to the city individually and on his official bond for the amount of the demand so approved, allowed or paid, and shall forfeit such office and be forever disbarred and disqualified from holding any position in the service of the city.

SEC. 16. All books and records of every office and department shall be open to the inspection of any citizen during business hours, subject to the proper rules and regulations for the efficient conduct of the business of such department or office; but the records of the police department shall not be subject to such inspection except by permission of the proper police authorities.

SEC. 17. Copies or extracts, duly certified, from said books and records open for inspection, shall be given by the officer having the same in custody to any person demanding the same and paying or tendering ten cents per folio of one hundred words for such copies or extracts, and the additional sum of twenty-five cents for certifying.

SEC. 18. Unless otherwise provided for by law, all city officers shall keep their offices open for the transaction of business continuously from nine o'clock a.m. to five o'clock p.m. each day except Sundays and holidays.

SEC. 19. Every officer or board authorized by law to allow, audit or certify demands upon the treasury, or to make official investigation, shall have power to issue subpoenas, administer oaths and affirmations and take testimony concerning any matter relative thereto.

SEC. 20. Unless otherwise provided by this charter, any officer or board authorized to appoint any deputy, clerk, assistant or employee, shall have the right to remove the person so appointed. This right shall not apply to the removal of appointees on the several boards which are vested with the management and conduct of branches or departments of the government of the city.

SEC. 21. All ordinances and resolutions in force at the time this charter takes effect, and not inconsistent therewith, shall continue in full force until amended or repealed.

SEC. 22. All officers and employees, when this charter takes effect, shall continue to hold and exercise their respective offices or employment, under the terms of this charter, until the election or appointment and qualification of their successors.

SEC. 23. The present council shall provide for the holding of the first election of officers under this charter and shall canvass the votes and declare the result thereof.

SEC. 24. All vested rights of the city shall continue and shall not in any manner be affected by the adoption of this charter, nor shall any right, liability, pending suit or prosecution, either in behalf of or against the city, be affected by the adoption of this charter, unless otherwise herein expressly provided. All contracts entered into by the city or for its benefit prior to the taking effect of this charter shall continue in full force and effect. All public work begun prior to the taking effect of this charter shall be continued and perfected hereunder. Public improvements for which legislative steps shall have been taken under laws in force at the time this charter takes effect, may be carried to completion in accordance with the provisions of such laws.

SEC. 25. No person who holds, or who is a candidate for any national, state or county office shall hold or be eligible to an appointment on the board of education, the library board or the board of public utilities. If any member of either one of said boards shall become a candidate for, or shall hold any national, state or county office, or shall accept any appointment to a national, state or county office, excepting that of a notary public or a member of the state militia, such act shall work a forfeiture of his office, and the vacancy thereby created shall be filled as provided by this charter.

SEC. 26. No councilman shall in any manner attempt to influence the city manager in the making of any appointment or in the purchase of supplies. A violation of this provision shall work a forfeiture of the office of the councilman.

SEC. 27. Any person, firm or corporation may attach the salary or wages of any city official or employee for money justly due.

SEC. 28. If any section or part of a section of this charter proves to be invalid, it shall not be held to invalidate or impair the validity of any other section or part of a section, unless it clearly appears that such other section or part of a section is dependent for its operation upon the section or part of a section so held invalid.

SEC. 29. For the purpose of holding and conducting the elections provided for by Section one of Article eleven of this charter, this charter shall take effect from the time of the approval of the same by the legislature; and for all other purposes this charter shall take effect at eight o'clock p.m. on the third Monday in April, one thousand nine hundred seventeen.

SEC. 30. When making purchases for all departments of the city, local merchants shall be given the preference, quality and price being equal.

SEC. 31. Neither the city manager, nor any person in the employ of the city shall take any active part in securing, or shall contribute money toward the nomination or election of any candidate for a municipal office.

WHEREAS, the City of Alameda for years last past has been and now is a city containing a population of more than three thousand five hundred inhabitants, as ascertained by the last preceding census taken under the authority of the congress of the United States; and

WHEREAS, on the twenty third day of May, one thousand nine hundred sixteen, at a special election duly held on that day in said city, under and in accordance with the provisions of Section eight of Article eleven of the Constitution of the State of California, the electors of said city did duly choose and elect Smith Anderson, Brainard C. Brown, Geo. L. Dillman, A. O. Gott, Frank W. Hally, P. Jorgenson, E. A. Larkin, A. Latham, Wm. Tappan Lum, Wynn Meredith, Frank Otis, A. T. Spence, A. F. St. Sure, L. R. Weinmann, Geo. S. Williams, who are all electors of said city and eligible as candidates under said section, a board of fifteen freeholders to prepare and propose a charter for the government of said city; and

WHEREAS, the result of said election was duly declared by the legislative body, to wit: the council of said city on the twenty ninth day of May, one thousand nine hundred and sixteen, and the said electors thereafter duly qualified as such freeholders in accordance with law; and

WHEREAS, the period of one hundred twenty days allowed by law to prepare and propose said charter was, with the consent of said council, duly extended sixty days to and including the twenty fifth day of November, one thousand nine hundred sixteen.

Be it known, that in pursuance of the provisions of said constitution and within the period of one hundred eighty days after the result of said election was so declared, the board of freeholders has prepared and does now propose the foregoing as and for the charter of the city of Alameda; and

Be it further known, that the said board of freeholders hereby requests said council to cause the publication of the said proposed charter as provided by said Section eight of Article eleven and fixes Tuesday, the ninth day of January, one thousand nine hundred seventeen, as the date for holding a special municipal election in said city, at which the proposed charter shall be submitted to the electors of said city for their ratification and adoption.

In witness whereof, we the undersigned freeholders have hereunto set our hands at the city of Alameda in the State of California, this twenty fifth day of October, A. D. one thousand nine hundred sixteen.

FRANK OTIS, President.
GEO. L. DILLMAN, Vice President.
BRAINARD C. BROWN, Secretary.
SMITH ANDERSON,
A. O. GOTT,
FRANK W. HALLY,
P. JORGENSON,
A. LATHAM,
WM. TAPPAN LUM,
A. T. SPENCE,
A. F. ST. SURE,
L. R. WEINMANN,
GEO. S. WILLIAMS,
Freeholders of the City of Alameda.

The board of freeholders of the City of Alameda hereby requests the council of said city to cause the publication of the foregoing proposed charter in the manner provided by law and fixes Tuesday, the ninth day of January, A. D. one thousand nine hundred seventeen, as the date for holding a special municipal election in said

city, at which the said charter shall be submitted to the electors of said city for their ratification and adoption.

Dated, October 25, 1916.

FRANK OTIS, President.
GEO. L. DILLMAN, Vice President.
BRAINARD C. BROWN, Secretary.
SMITH ANDERSON.
A. O. GOTT.
FRANK W. HALLY.
P. JORGENSON.
A. LATHAM.
WM. TAPPAN LUM.
A. T. SPENCE.
A. F. ST. SURE.
L. R. WEINMANN.
GEO. S. WILLIAMS.
Freeholders of the City of Alameda

Filed, October 26, 1916.

(Seal of the City of Alameda.)

R. E. BOSSHARD.
City Clerk of the City of
Alameda, State of California.

I, R. E. Bosshard, City Clerk of, in and for the City of Alameda, hereby certify that the above and foregoing is a full, true and correct copy of the proposed Charter of the City of Alameda, as prepared and proposed by a Board of Fifteen Freeholders thereof and filed in the office of the City Clerk of said City on the twenty-sixth day of October, one thousand nine hundred sixteen.

In witness whereof, I have hereunto set my hand and have affixed the seal of the City of Alameda, this twelfth day of January, one thousand nine hundred seventeen.

R. E. BOSSHARD.
City Clerk of the City of Alameda.

In witness whereof, we have hereunto set our hands and caused the seal of said City to be affixed this twelfth day of January, one thousand nine hundred seventeen.

F. H. BARTLETT,
Mayor of the City of Alameda.
R. E. BOSSHARD,
City Clerk of the City of Alameda.

AND WHEREAS, said Charter has been submitted to the legislature of the State of California for approval or rejection without alteration or amendment in accordance with section eight of article eleven of the constitution of the State of California.

Now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, a majority of all the members elected to each house voting therefor and concurring therein, that said charter was presented to, adopted and ratified by said city of Alameda and as herein above fully set forth, be and the same is hereby approved as the charter of the city of Alameda.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 8 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—35.

NOES—None.

Senate Concurrent Resolution No. 8 ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SACRAMENTO, January 18, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 3—Relative to the adjournment of the Legislature for the constitutional recess and to the reassembling of the Legislature after said

recess and fixing the date for said adjournment and said reassembling—and report that the same has been correctly enrolled, and presented the same to the Governor on this 18th day of January, 1917, at 10 o'clock and 30 minutes a.m.

CANEPA, Chairman.

Also:

SACRAMENTO, January 18, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 6—Approving the charter of the county of Butte, State of California, which was submitted to the qualified electors of the said county, voted for, and ratified at a general election held therein on the seventh day of November, 1916—and report that the same has been correctly engrossed.

CANEPA, Chairman.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills were introduced:

By Senator Johnson: Senate Bill No. 172—An act to provide for the completion, construction and maintaining of a state highway from the Jackson Ranch near Pescadero, in the county of San Mateo to Governor's Camp in California Redwood Park, in Santa Cruz County, and making an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Lyon: Senate Bill No. 173—An act authorizing counties to employ public health visitors and prescribing their qualifications and duties.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 174—An act limiting the hours of female employees, requiring employers to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment, providing penalties for violations of the provisions thereof, and repealing an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman or other agent of any such employer to violate the provisions of this act," approved March 22, 1911.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Ingram: Senate Bill No. 175—An act to amend section 4263 of the Political Code, relating to the compensation of officers in counties of the thirty-fourth class.

Bill read first time, and referred to Committee on County Government.

By Senator Flaherty: Senate Bill No. 176—An act adding a new section to the Political Code to be numbered 3245*a*, relating to hours of employment of state employees.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Inman: Senate Bill No. 177—An act to recognize and declare valid all proceedings in Carmichael Irrigation District.

Bill read first time, and referred to Committee on Irrigation.

By Senator Maddux: Senate Bill No. 178—An act validating the formation and organization, and determining the boundaries of drainage improvement district No. 1 of the county of Merced, State of California.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 179—An act validating the formation and organization, and determining the boundaries of drainage improvement district No. 2 of the county of Merced, State of California.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 180—An act validating the formation and organization of drainage districts under the provisions of an act of the Legislature of the State of California, approved March 21, 1903, as amended May 7, 1915, and entitled as amended, "An act to promote the drainage of wet, swamp and overflowed lands, and to promote the public health in the communities in which they lie, providing for the issuance of bonds and levying of assessments on lands benefited, to pay the costs and expense thereof."

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

RUSH ORDER TO PRINTER.

On motion of Senator Jones, the Secretary was directed to issue a rush order for printing Senate Bills Nos. 178, 179, and 180.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(RESUMED).

By Senator McDonald: Senate Bill No. 181—An act to provide for the furnishing by public utility corporations, to employees thereof leaving their service, of service letters.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 182—An act to require employers to pay the cost of bonds and photographs required of and furnished by employees or applicants for employment.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 183—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect, or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman or any other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Stuckenbruck: Senate Bill No. 184—An act to provide for the establishment of county free markets and for the conducting and the maintenance of the same.

Bill read first time, and referred to Committee on Agriculture.

By Senator Purkitt: Senate Bill No. 185—An act to amend section 4279 of the Political Code, relating to salaries of county officers in counties of the fiftieth class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 186—An act to amend section 4273 of the Political Code relating to salaries of county officers in counties of the forty-fourth class.

Bill read first time, and referred to Committee on County Government.

By Senator Rush: Senate Bill No. 187—An act appropriating money for the construction of sewer line at the Napa State Hospital.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 188—An act appropriating money for the installation of electric elevators at the Napa State Hospital.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 189—An act appropriating money for the construction of power house and the purchase of machinery for same for the Napa State Hospital.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 190—An act appropriating money for the purchase of laundry machinery for the Napa State Hospital.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 191—An act appropriating money for the construction of a convalescent cottage for females at the Napa State Hospital.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 192—An act appropriating money for the construction of a pathological laboratory at the Napa State Hospital.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 193—An act appropriating money for the construction of a chapel on the grounds at the Veterans' Home.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 194—An act appropriating money for the construction of quarters for inebriates on the grounds of the Veterans' Home.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 195—An act appropriating money for the construction of a tubercular ward on the grounds of the Veterans' Home.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 196—An act appropriating money for the purchase of dairy cows for the Veterans' Home.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 197—An act appropriating money for the painting of buildings at the Veterans' Home.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 198—An act appropriating money for electric wiring at the Veterans' Home.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 199—An act appropriating money for plumbing and repairs to plumbing at the Veterans' Home.

Bill read first time, and referred to Committee on Finance.

By Senator Brown: Senate Bill No. 200—An act authorizing the State Board of Prison Directors to make and enforce rules and regulations to establish and maintain an earning system to apply to the inmates of state prisons engaged in productive activity, and making an appropriation to carry out the provisions of this act.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Senator Kehoe: Senate Bill No. 201—An act to appropriate money to maintain the model and training schools at the several state normal schools.

Bill read first time, and referred to Committee on Finance.

By Senator Ballard: Senate Bill No. 202—An act to amend section 3088 and section 3093 of the Civil Code, relating to negotiable instruments.

Bill read first time, and referred to Committee on Judiciary.

By Senator King: Senate Bill No. 203—An act to amend an act entitled "An act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other acts and parts of acts now in force relating to estrays," approved March 23, 1901, and to exempt certain counties from provisions thereof.

Bill read first time, and referred to Committee on Agriculture.

By Senator Luce: Senate Bill No. 204—An act appropriating money for the improvement of the grounds of the San Diego State Normal School.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 205—An act appropriating money for furniture and equipment for the San Diego State Normal School.

Bill read first time, and referred to Committee on Finance.

By Senator Benson: Senate Bill No. 206—An act appropriating money for repairs and improvements, including fire protection, at the Women's Relief Corps Home.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 207—An act appropriating money for traveling expenses of directors of the Women's Relief Corps Home.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 208—An act to appropriate money to construct an assembly hall at San Jose State Normal School.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 209—An act to appropriate money for the construction of a manual training school building at the San Jose State Normal School.

Bill read first time, and referred to Committee on Finance.

By Senator Inman: Senate Bill No. 210—An act to amend section 1582 of the Penal Code of the State of California, relating to the salary of the wardens, clerks and other officers of the penitentiaries and state prisons.

Bill read first time, and referred to Committee on Finance.

By Senator Rigdon: Senate Bill No. 211—An act to establish standards of purity and viability of agricultural seeds sold for sowing or seeding in the State of California, to provide for uniform labels and certificates; to provide for a charge per acre for the inspection of seed to be certified, and to create the office of state seed inspector; prescribing his duties and making an appropriation to carry out the provisions of the act.

Bill read first time, and referred to Committee on Agriculture.

By Senator Burnett: Senate Bill No. 212—An act to amend section 398 of the Code of Civil Procedure, relating to the transfer of actions in the superior court.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 213—An act to amend sections 850, 852, 855, 860, 871, 879, 880, and 890 of the Code of Civil Procedure, and to repeal sections 854, 857, 858, and 872 thereof, all relating to civil actions in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 214—An act to amend section 4300*a*, of the Political Code of the State of California, relating to fees to be collected by county clerk.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 215—An act to amend section 430 of the Code of Civil Procedure of the State of California, relating to the demurrer to the complaint.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 216—An act to amend section 1054 of the Code of Civil Procedure of the State of California, relating to the extension of time within which an act is to be done.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 217—An act to amend section 1025 of the Code of Civil Procedure of the State of California, relating to costs.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 218—An act to amend an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof and repealing an act entitled, 'An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, approved April 16, 1909, Statutes of California of 1909, page 948,' and approved April 10, 1911," Statutes of California of 1911, page 860, as amended.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Thompson: Senate Bill No. 219—An act to amend section 1619 of the Code of Civil Procedure, relating to fees allowed for attorneys.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 220—An act to amend section 1618 of the Code of Civil Procedure, relating to commissions allowed to executors and administrators.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 221—An act appropriating money for a sewer system at the Santa Barbara State Normal School.

Bill read first time, and referred to Committee on Finance.

By Senator Duncan: Senate Bill No. 222—An act to amend section 4248 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the nineteenth class.

Bill read first time, and referred to Committee on County Government.

By Senator Jones: Senate Bill No. 223—An act appropriating money for the construction of workers' cottage for men at the Agnews State Hospital.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 224—An act appropriating money to cover the cost of furnishing workers' cottage for men at the Agnews State Hospital.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 225—An act to amend section 1070 of the Penal Code of the State of California, relating to peremptory challenges.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 226—An act to amend section 1207 of the Civil Code of the State of California, relating to defectively acknowledged instruments.

Bill read first time, and referred to Committee on Judiciary.

By Senator Scott: Senate Bill No. 227—An act to amend section 791 of the Political Code, relating to notary public.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 228—An act to amend section 304 of the Civil Code, relating to entries to be made in the book of by-laws kept by corporations.

Bill read first time, and referred to Committee on Corporations.

Also: Senate Bill No. 229—An act to amend section 1021 of the Code of Civil Procedure, relating to costs.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rominger: Senate Bill No. 230—An act to provide for the fighting of forest fires in the San Antonio Canyon in the San Gabriel Mountains, California, and to make an appropriation therefor.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 231—An act to amend section 67*a* of the Code of Civil Procedure, relating to the number of superior court judges and providing for the appointment of five additional superior court judges in counties of the first class and providing for their compensation.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 232—An act to amend section 3 of an act entitled "An act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, as amended.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Irwin: Senate Bill No. 233—An act to amend section 408 of the Code of Civil Procedure of the State of California, relating to the manner and time of issuing alias summons.

Bill read first time, and referred to Committee on Judiciary.

The following resolution was offered:

By Senator Kehoe: Senate Concurrent Resolution No. 11—Relative to revision and amendment of provisions of the Constitution and laws respecting the judiciary.

Resolution ordered to print, and referred to Committee on Contingent Expenses.

The following amendments were offered:

By Senator Ballard: Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to Article IV of the Constitution by adding thereto a new section to be numbered 8½, relating to municipal courts.

Constitutional amendment ordered to print, and referred to Committee on Constitutional Amendments.

By Senator Burnett: Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to section 8 of Article XI of the Constitution of the State of California, relating to municipal corporations.

Constitutional amendment ordered to print, and referred to Committee on Constitutional Amendments.

CONSIDERATION OF DAILY FILE

ASSEMBLY CONCURRENT RESOLUTION NO. 4

Relative to the death of Colonel William F. Cody, late Chief of Civilian Scouts of the United States Army.

WHEREAS, It has pleased an all wise Providence to call from us Col. William F. Cody, late Chief of Civilian Scouts of the United States Army, and in his passing the entire West has sustained a loss; and

WHEREAS, The State of California desires to express its appreciation of the courage and fearlessness of this, our last frontiersman, whose life stands forth in the establishment and foundation of our western country; and

WHEREAS, In his death that romantic and stirring chapter in our national history that began with Daniel Boone is forever closed; now, therefore, be it

Resolved, by the Senate and Assembly concurring, That the Secretary of the Senate and the Chief Clerk of the Assembly are hereby directed to convey to the family this expression of tribute from the Senate and Assembly of California; and, be it further

Resolved, That a copy of this resolution be sent to the Legislature of the State of Colorado now in session.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 4 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—37.

NOES—None.

Assembly Concurrent Resolution No. 4 ordered transmitted to the Assembly.

ASSEMBLY CONCURRENT RESOLUTION NO. 5

Relative to adjournment in honor of the memory of Admiral George Dewey.

WHEREAS, a Divine Providence has called to his eternal rest, George Dewey, Admiral of the Navy of the United States of America; and

WHEREAS, in his death we behold the passing of a memorable figure in world history, a life consecrated to the service of the people of the United States, defender of the nation, strategist, hero; be it, therefore,

Resolved, the Senate concurring, That when the Legislature of the State of California adjourns this day, it adjourn in honor of the memory of Admiral George Dewey.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 5 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—38.

NOES—None.

Assembly Concurrent Resolution No. 5 ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Breed, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 4—Relative to a proposal to amend Article XX of the charter of the city of Oakland, dealing with franchises, after due ratification by the qualified electors of said city;

Also: Senate Concurrent Resolution No. 5—Relative to approving thirteen certain amendments to the charter of the city and county of San Francisco, State of California, voted for and ratified by the electors of said city and county of San Francisco, at a general election held therein on the seventh day of November, 1916.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Concurrent Resolutions Nos. 4 and 5 ordered to enrollment.

ADJOURNMENT.

At eleven o'clock and fifty minutes a.m., on motion of Senator Breed, the President declared the Senate adjourned out of respect to the memory of the late Admiral George Dewey, until Friday, January 19, 1917, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Friday, January 19, 1917.

The Senate met at eleven o'clock a.m.

Lieutenant Governor William D. Stephens, President of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Thompson—32.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, January 18, 1917, the further reading was dispensed with, on motion of Senator Crowley.

LEAVES OF ABSENCE.

Senator Carr, F. M., was, on motion of Senator Ingram, granted leave of absence for this day.

Senator Flaherty was, on motion of Senator Crowley, granted leave of absence for this day.

Senator Canepa was, on motion of Senator Crowley, granted leave of absence for this day.

Senator Maddux was, on motion of Senator Slater, granted leave of absence for this day.

Senator Tyrrell was, on motion of Senator Breed, granted leave of absence for this day.

Senator Shearer was, on motion of Senator Scott, granted leave of absence for this day.

Senator Chandler was, on motion of Senator Breed, granted leave of absence for this day.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed as a case of urgency Assembly Bill No. 255. An act making an appropriation to defray the expense of legislative mailing handled by the Superintendent of State Printing, for the forty-second session of the Legislature of the State of California.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY BILL—(OUT OF ORDER).

Senator Breed moved that Assembly Bill No. 255 be taken up for consideration without reference to committee.

Motion carried.

CASE OF URGENCY.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 255 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is

hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Senator Breed moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Gates, Ingram, Irwin, Johnson, Jones, Kehoe, Luce, Lyon, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, and Thompson—27.

NOES—Senator Stuckenbruck—1.

Whereupon the President declared that section 15 of Article IV of the Constitution had been suspended for the purpose of considering Assembly Bill No. 255.

Bill read first time previously.

Read second time and considered engrossed.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 255 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, W. J., Chamberlin, Crowley, Evans, Gates, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Rush, Scott, Sharkey, Slater, and Thompson—25.

NOES—Senator Stuckenbruck—1.

Assembly Bill No. 255 ordered transmitted to the Assembly.

CONSIDERATION OF RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Committee on Contingent Expenses:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Senate in the sum of two hundred dollars in favor of the Secretary of the Senate, for the purchase of postage stamps for the press mailing department, and the State Treasurer is hereby directed to pay the same.

NEALON, Chairman.

Resolution read.

Senator Nealon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Chamberlin, Crowley, Duncan, Evans, Gates, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, McDonald, Nealon, Purkitt, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Thompson—27.

NOES—None.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON FEDERAL RELATIONS.

SACRAMENTO, January 18, 1917.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 1—Relative to the work of the California Debris Commission—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

RUSH, Chairman.

CONSIDERATION OF JOINT RESOLUTION—(OUT OF ORDER).

Senator Ingram asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 1 for consideration out of order.

SENATE JOINT RESOLUTION NO. 1.

Relative to the Work of the California Debris Commission.

WHEREAS, There is now pending in the Congress of the United States H. R. 351 by John E. Raker, making an appropriation of $200,000.00 for defraying the expenses of the California Debris Commission in carrying on the work authorized by an act of Congress of March 1, 1893; and

WHEREAS, The prosecution of said work will greatly augment the wealth, productiveness, taxable property and income both of the State of California and of the United States; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That our Senators and Representatives in Congress be and they are hereby urged and requested to take all proper means to expedite and secure the passage and enactment into law of the said H. R. 351; and be it further

Resolved, That the secretary of the senate be, and he is hereby directed to transmit copies of these resolutions forthwith to each of our Senators and Representatives in Congress.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 1 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Chamberlin, Crowley, Duncan, Evans, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Lane, Lyon, McDonald, Nealon, Rigdon, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Thompson—28.

NOES—None.

Senate Joint Resolution No. 1 ordered engrossed and transmitted to the Assembly.

RESOLUTION.

The following resolution was offered:

By Committee on Revision and Printing:

WHEREAS, Rule No. 70 of the Rules of the Senate provides that amended new matter be set in italic type; and

WHEREAS, Such a system would necessarily double the cost of such changes; therefore be it

Resolved, That the section referred to be amended to read as follows:

70. All bills amended, either in committee or on the floor of the Senate, shall be immediately reprinted; the new matter added by any amendments to be enclosed in heavy brackets and the omission of any matter to be indicated by the insertion of heavy parentheses.

STUCKENBRUCK, Chairman.

Resolution referred to Committee on Rules.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills were introduced:

By Senator Crowley: Senate Bill No. 234—An act to amend section 3692 of the Political Code, relating to the powers and duties of the State Board of Equalization.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Kehoe: Senate Bill No. 235—An act to repeal sections 3664, 3665, 3666, 3667, 3668, 3669, 3670, and 3671 of the Political Code, and to reenact said sections, and to add twenty-nine new sections to said code, to be numbered sections 3664*a*, 3664*b*, 3664*c*, 3664*d*, 3665*a*, 3665*b*, 3665*c*, 3666*a*, 3666*b*, 3666*c*, 3667*a*, 3667*b*, 3667*c* 3668*a*, 3668*b*, 3668*c*, 3669*a*, 3669*b*, 3669*c*, 3669*d*, 3669*e*, 3670*a*, 3670*b*, 3670*c*, 3671*a*, 3671*b*, 3671*c*, 3671*d*, 3671*e*, all relating to taxation of public service

and other corporations, banks and insurance companies for the benefit of the state.

Bill read first time, and referred to Committee on Judiciary.

By Senator Gates: Senate Bill No. 236—An act to add a new section to the Political Code, to be numbered 633*a*, concerning the licensing of insurance brokers, and providing for the issuance and revoking of licenses by the Insurance Commissioner, and providing penalties for a violation thereof.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 237—An act to add a new section to the Political Code, to be numbered 633*b*, concerning insurance and surety companies, agents and brokers, requiring that policies or contracts of insurance, or surety bonds shall show the correct premium consideration and the risks insured thereunder; prohibiting the giving of rebates on insurance or surety bonds and providing penalty therefor and for the suspension of certificate of authority of any insurance or surety company and the revoking or suspension of the license of any agent or broker violating the same, and prescribing the powers and duties of the Insurance Commissioner in relation thereto.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 238—An act to amend section 633 of the Political Code, relating to the licensing of insurance agents.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 239—An act to amend section 596 of the Political Code concerning certificate of authority to insurance companies; prohibiting the use of unauthorized companies except for surplus line insurance; providing for the licensing of surplus line brokers, their obligations and duties and providing penalty for violation thereof.

Bill read first time, and referred to Committe on Insurance.

By Senator Rush: Senate Bill No. 240—An act appropriating money for sewerage and water systems at the University of California Farm School at Davis.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 241—An act appropriating money for the construction and equipment of a creamery at the University of California Farm School at Davis.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 242—An act appropriating money for necessary buildings, equipment and live stock for animal husbandry department at the University of California Farm School at Davis.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 243—An act appropriating money for the construction of small buildings at the University of California Farm School at Davis.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 244—An act appropriating money for repairs and improvements to buildings, structures and equipment at the Veterans' Home.

Bill read first time, and referred to Committee on Finance.

By Senator Irwin: Senate Bill No. 245—An act to amend an act entitled, "An act to repeal an act entitled 'An act relating to revenue and taxation, providing for a license tax upon corporations and making

an appropriation for the purpose of carrying out the objects of this act,' approved March 20, 1905, and all acts amendatory thereof or supplemental thereto, and to provide upon what conditions any corporation which has failed to pay any license tax imposed by the provisions of any of the acts hereby repealed may pay the same and be restored to its former corporate status and rights, and also to provide for settling the affairs of any corporation which by reason of failure to pay any tax imposed by any of said acts, has forfeited either its charter or right to do business in this State," approved June 10, 1913, by adding a new section thereto to be numbered three and one-half relating to the appointment of directors or managers of corporations whose franchise has been forfeited.

Bill read first time, and referred to Committee on Judiciary.

By Senator Slater: Senate Bill No. 246—An act appropriating money for the construction of cottage for low grade adult females at the Sonoma State Home.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 247—An act appropriating money for the construction and equipment of bakery building at the Sonoma State Home.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 248—An act appropriating money for the construction and equipment of laundry building at the Sonoma State Home.

Bill read first time, and referred to Committee on Finance.

By Senator Purkitt: Senate Bill No. 249—An act to recognize and declare valid all the proceedings in Princeton-Codora-Glenn Irrigation District.

Bill read first time, and referred to Committee on Irrigation.

Also: Senate Bill No. 250—An act appropriating money to cover the cost of water softening plant at the Mendocino State Hospital.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 251—An act appropriating money for the reconstruction of ward seven, Mendocino State Hospital.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 252—An act appropriating money for repairs to flooring at the Mendocino State Hospital.

Bill read first time, and referred to Committee on Finance.

By Senator McDonald: Senate Bill No. 253—An act to amend sections 2283 and 2289 of the Political Code, relating to the support and maintenance of orphans, half-orphans and abandoned children.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 254—An act to protect the health of persons employed in handling Portland cement, and to provide for the manner of packing the same.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Jones: Senate Bill No. 255—An act appropriating money for the construction and equipment of a heating plant at the Lick Observatory of the University of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 256—An act to add a new section to the Political Code, to be numbered 1582, and to amend section 1543 of the Political Code of the State of California, relating to the lapsing, suspending and reestablishing of school districts, and the powers and duties of superintendents of schools.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 257—An act to amend an act entitled "An act to allow incorporated towns and villages to establish, equip and maintain systems of street lights on public highways, to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and the creation of ex officio boards of supervisors," approved March 20, 1909, and the acts amendatory thereof, by adding a new section thereto to be numbered section 18½, relating to the annexation of additional territory to highway lighting districts.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Stuckenbruck: Senate Bill No. 258—An act appropriating money to cover the cost of four continuous baths for the Stockton State Hospital.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 259—An act appropriating money to cover the cost of grading and filling ground on farm of Stockton State Hospital.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 260—An act appropriating money for the construction of a tubercular hospital at the Stockton State Hospital.

Bill read first time, and referred to Committee on Finance.

By Senator Luce: Senate Bill No. 261—An act to amend section 1920 of the Civil Code of the State of California, relating to interest on judgments.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 262—An act amending section 636 of the Penal Code, relating to the regulation of use of nets, lines and seines in the waters of the State of California, and providing a penalty for the violation thereof.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 263—An act appropriating money to pay the claim of the Board of Regents of the University of California.

Bill read first time, and referred to Committee on Finance.

By Senator Chamberlin: Senate Bill No. 264—An act amending section 499*a* of the Penal Code relating to stealing of electric current and the injuring of electric wires or appliances, and providing a punishment therefor.

Bill read first time, and referred to Committee on Judiciary.

By Senator Evans: Senate Bill No. 265—An act appropriating money for the completion of the buildings of Riverside Citrus Experiment Station of the University of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 266—An act appropriating money to pay the claim of the Board of Regents of the University of California.

Bill read first time, and referred to Committee on Finance.

By Senator Thompson: Senate Bill No. 267—An act appropriating money for the improvement of grounds at the California School for Girls.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 268—An act appropriating money for the construction and equipment of ice plant in commissary building at the California School for Girls.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 269—An act appropriating money for the furnishing of three cottages at the California School for Girls.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 270—An act appropriating money for the construction of three cottages at the California School for Girls.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 271—An act appropriating money for the construction of trades building and gymnasium at the California School for Girls.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 272—An act appropriating money for the equipment of trades building and gymnasium at the California School for Girls.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 273—An act appropriating money for the heating of office in commissary building and manor house at the California School for Girls.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 274—An act appropriating money for service connections to new buildings at the California School for Girls.

Bill read first time, and referred to Committee on Finance.

By Senator Burnett: Senate Bill No. 275—An act to amend section 453*cc* of Chapter VIII of Title II of Part IV, Division First, of the Civil Code, relating to mortgage insurance.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 276—An act authorizing suits against the state concerning certain real property purchased under the provisions of an act entitled "An act to survey and dispose of certain marsh and tide lands belonging to the State of California," approved March 30, 1868, or any of the acts supplementary thereto and amendatory thereof, and regulating the procedure therein.

Bill read first time, and referred to Committee on Judiciary.

By Senator Slater: Senate Bill No. 277—An act to add a new section to the Penal Code of the State of California, to be numbered 636*c*, relating to the protection of fish and game, and providing for the construction of fishways on dams and other artificial obstructions in the waters of this State, and providing for furnishing of plans and specifications therefor and providing penalties for a violation thereof.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 278—An act to amend section 637 of the Penal Code of the State of California, relating to fishways.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Inman: Senate Bill No. 279—An act authorizing and regulating the practice of chiropractic in the State of California:

creating a state board of chiropractic examiners; providing for the appointment of the same; defining its powers, duties and emoluments; to provide a standard of education for chiropractors; to provide penalties for the violation of this act; to provide for the examination and licensing of chiropractors in the State of California, and to repeal any or all parts of any act or acts in conflict with this act.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 280—An act appropriating money for the construction of a prison school building at the Folsom State Prison.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 281—An act appropriating money for the purchase of new machinery and equipment for the machine and blacksmith shops at the Folsom State Prison.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 282—An act appropriating money for repairs and improvements to buildings, structures and equipment at the Folsom State Prison.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 283—An act appropriating money for repairs to employees' cottages at the Folsom State Prison.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 284—An act appropriating money for the erection and repairing of barns, sheds and buildings at the State Agricultural Park.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 285—An act appropriating money for the improvement of grounds and erection of stock barns at the State Agricultural Park.

Bill read first time, and referred to Committee on Finance.

By Senator Duncan: Senate Bill No. 286—An act appropriating money for the construction and equipment of addition to the training school building of the Chico State Normal School.

Bill read first time, and referred to Committee on Finance.

By Senator Sharkey: Senate Bill No. 287—An act to amend section 3714 of the Political Code.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 288—An act to amend section 628*i* of the Penal Code, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 289—An act to amend section 4288 of the Political Code.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 290—An act to amend section 2646 of the Political Code.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 291—An act appropriating money for the purchase of live stock at the San Quentin State Prison.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 292—An act appropriating money for recreation center at the San Quentin State Prison.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 293—An act appropriating money for the construction of new additions to farm buildings for San Quentin State Prison.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 294—An act appropriating money for repairs and improvements to buildings, structures and equipment at the San Quentin State Prison.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 295—An act appropriating money for the purchase of machinery and equipment for the jute mill at San Quentin State Prison.

Bill read first time, and referred to Committee on Finance.

By Senator Breed: Senate Bill No. 296—An act appropriating money for the improvement of the grounds of the Industrial Home for the Adult Blind.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 297—An act appropriating money to be used for water development at the Industrial Home for the Adult Blind.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 298—An act appropriating money for the purchase of a burial plot for the Industrial Home for the Adult Blind.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 299—An act appropriating money for the purchase of equipment, for the Industrial Home for the Adult Blind.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 300—An act appropriating money for repairs and improvements to buildings and equipment at the Industrial Home for the Adult Blind.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 301—An act appropriating money to complete the heating plant of the California School for the Deaf and the Blind.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 302—An act appropriating money to complete the electric wiring of the California School for the Deaf and the Blind.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 303—An act appropriating money for medical teaching in the University of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 304—An act to amend section 1 of an act approved April 25, 1911, and entitled "An act to carry into effect the provisions of subdivision (e) of section 14 of Article XIII of the Constitution of the State of California as the said article was amended on the eighth day of November in the year one thousand nine hundred ten, in so far as the same relates to the State University; and also to provide for the permanent support and improvement of the University of California; and to that end making a continuing appropriation and creating an annual fund therefor; and repealing an act entitled 'An act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a

fund therefor, and to repeal an act approved February 14, 1887, entitled 'An act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor,' and also to repeal an act approved February 27, 1897, entitled 'An act to provide additional support and maintenance, and for the acquisition of necessary property and improvements of the University of California, by the levy of a rate of taxation, and the creation of a fund therefor,' approved March 20, 1909.'"

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 305—An act to provide an exposition building or buildings in Alameda county, for the use of all the counties of the state, for the purpose of establishing and maintaining permanent exhibits therein of the products and resources of the different counties, and to make an appropriation for the construction of said building or buildings, and for the equipment of same.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 306—An act entitled an act to amend section 4131 of the Political Code, relating to the duties of county recorder.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 307—An act to amend sections 3607, 3608, 3617, 3627, 3628, 3629, 3641, 3643, 3650, 3663, 3678, 3679, 3701, 3728, 3734 and 3753 of the Political Code, and to repeal sections 3609, 3610, 3719, 3757, 3769*a*, 3839, 3840, 3841, 3842, 3843, 3844, 3845, 3846, 3847, 3848, 3849, 3850, 3851, 3852, 3853, 3854, 3855, 3856, 3857, 3858, 3859, 3860, 3861 and 3862.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Johnson: Senate Bill No. 308—An act to add a new section to the Penal Code of the State of California, to be numbered 628*j*, relating to the protection of salt water eels.

Bill read first time, and referred to Committee on Fish and Game.

By Senator King: Senate Bill No. 309—An act to amend section 862 of an act entitled, "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as heretofore amended.

Bill read first time, and referred to Committee on Public Morals.

By Senator Purkitt: Senate Bill No. 310—An act appropriating money for the construction and equipment of new laundry and bakery at the Mendocino State Hospital.

Bill read first time, and referred to Committee on Finance.

By Senator Carr, W. J.: Senate Bill No. 311—An act to validate municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 312—An act confirming and validating the organization of school districts.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 313—An act to validate bonds of school districts and high school districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 314—An act to amend sections 1578 and 1579 of the Political Code, relating to the organization of elementary school districts.

Bill read first time, and referred to Committee on Education.

By Senator Rominger: Senate Bill No. 315—An act to amend section 230 of the Civil Code, relating to adoption of illegitimate child.

Bill read first time, and referred to Committee on Judiciary.

By Senator Scott: Senate Bill No. 316—An act to amend the Political Code of the State of California by adding thereto a new section to be numbered 633*b*, defining the meaning of a solicitor or an agent as referred to in section 633 of said Political Code.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 317—An act to amend the Political Code of the State of California by adding thereto a new section to be numbered 633*a*, defining the meaning of the words broker or insurance broker, as referred to in section 605 of said Political Code.

Bill read first time, and referred to Committee on Insurance.

By Senator Slater: Senate Bill No. 318—An act to amend section 632 and to repeal section 632½ of the Penal Code, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Jones: Senate Bill No. 319—An act to add a new section to be numbered 1582 and to amend section 1543 of the Political Code, relating to the lapsing, suspending and reestablishing of school districts and the powers and duties of superintendents of schools.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 320—An act to amend section 1858 of the Political Code, relating to the apportionment of the elementary school funds and the counting of attendance in the elementary and secondary schools of the state.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 321—An act to amend section 1662 of the Political Code, relating to elementary schools and kindergartens, school age, kindergarten age, deaf children, exclusion of children, and special classes of the elementary schools.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 322—An act to amend section 1619 of the Political Code, relating to the duties of boards of school trustees and city boards of education.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 323—An act to amend section 1751 of the Political Code, relating to the admission of pupils to high schools.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 324—An act to provide for the establishment and maintenance of classes for the training of vocational teachers and providing state aid therefor.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 325—An act to amend section 1532, relating to the powers and duties of the Superintendent of Public Instruction, and to repeal section 1505 of the Political Code.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 326—An act to add a new section to the Political Code, to be numbered 1750½, and to amend sections 1760 and 1761 of the Political Code, to provide for the establishment and maintenance by high school boards of special classes and part-time vocational courses and to provide state aid for standard vocational courses and the manner of appropriation and apportionment of the same and the apportionment of the regular high school funds of the state.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 327—An act to amend section 1673 of the Political Code, relating to the length of the school day and the length of time that pupils may be required to attend during each day.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 328—An act to amend section 1551 of the Political Code, relating to the reporting of attendance by superintendents of schools.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 329—An act to amend section 1735 of the Political Code, relating to the lapsing of high schools and high school districts.

Bill read first time, and referred to Committee on Education.

The following resolutions were offered:

By Senator Benson: Senate Joint Resolution No. 3—Relative to the establishment of definite lines of division between federal and state income and inheritance taxes, and the calling of a congress of the states to consider conflicting jurisdictions of the federal and state governments.

Resolution ordered to print, and referred to Committee on Revenue and Taxation.

By Senator Thompson: Senate Concurrent Resolution No. 12—Approving the charter of the city of Santa Barbara, State of California, voted for and ratified by the qualified electors of said city of Santa Barbara at a special municipal election held therein for that purpose on the twenty-first day of September, 1915.

Resolution ordered to print, and referred to Committee on Municipal Corporations.

By Senator Sharkey: Senate Concurrent Resolution No. 13—Approving amendments to the charter of the city of San Rafael, a municipal corporation, in the county of Marin, State of California, voted for and ratified by the qualified electors of said city at a general election held therein on the twelfth day of April, 1915.

Resolution ordered to print, and referred to Committee on Municipal Corporations.

The following amendments were offered:

By Senator Irwin: Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending sections 1 and 14 of Article XIII thereof, both relating to revenue and taxation, so as to permit taxation of certain public utilities owned or operated by counties, cities and counties, or municipal corporations.

Constitutional amendment ordered to print, and referred to Committee on Constitutional Amendments.

By Senator Breed: Senate Constitutional Amendment No. 12—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article IV thereof, to be designated as section 14, of said Article IV, relating to the use of the initiative and referendum provisions of the Constitution of the State of California, regarding assessment and levy of taxes.

Constitutional amendment ordered to print and referred to Committee on Constitutional Amendments.

Also: Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of the State by adding a new section thereto to be known as section 7½ of Article XI, relating to the consolidation of city and county government and to the framing of charters therefor and amendments to such charters.

Constitutional amendment ordered to print, and referred to Committee on Constitutional Amendments.

By Senator CARR, W. J.: Senate Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amendment to the Constitution by amending section 5 of Article IX thereof, relating to the public school system.

Constitutional amendment ordered to print, and referred to Committee on Constitutional Amendments.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SACRAMENTO, January 19, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 8—Approving the charter for the city of Avenal, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the third day of January, one thousand nine hundred and seventeen—and reports that the same has been correctly engrossed.

ROMINGER, Vice Chairman.

MESSAGE FROM THE ASSEMBLY—OUT OF ORDER.

On motion of Senator Breed, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 7—Approving certain amendments to the charter of the city of Eureka, a municipal corporation in the county of Humboldt, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the twenty-seventh day of November, A. D. 1916.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Concurrent Resolution No. 7 ordered to enrollment.

RECESS.

At eleven o'clock and forty-five minutes a.m., on motion of Senator Breed, the President declared the Senate at recess until twelve o'clock and fifteen minutes p.m.

RECONVENED.

At twelve o'clock and three minutes p.m. the Senate reconvened, Lieutenant Governor William D. Stephens, President of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ENGROSSMENT AND ENROLLMENT.

SACRAMENTO, January 19, 1917.

Mr. President: Your Committee on Engrossment and Enrollment has examined Senate Bill No. [illegible] and find it correctly engrossed. As far as [illegible] the same has been carefully compared, and contains the same by [illegible] the same to the Governor on this 19th day of January, 1917, at 12 o'clock m.

ROBINSON R. [illegible], Chairman.

ADJOURNMENT.

At twelve o'clock and three minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until Monday, January 22, 1917, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Monday, January 22, 1917.

The Senate met at eleven o'clock a.m.

Lieutenant Governor William D. Stephens, President of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Carr, F. M., Carr, W. J., [illegible], and Tyrrell—37.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, January 19, 1917, the further reading was dispensed with, on motion of Senator Crowley.

LEAVES OF ABSENCE.

Senator Chamberlin was, on motion of Senator Rominger, granted leave of absence for this day.

Senator Campbell was, on motion of Senator Scott, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Carr, F. M., the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. Lewis B. Avery, Assistant City Superintendent of Schools of Oakland.

PETITIONS.

The following petitions were ordered printed in the Journal:

By the Taxpayers League of Oakland:

WHEREAS, A bill has been introduced in the Senate of the Legislature of California by Senator Duncan, providing for the repeal of the statute making it a crime to "solicit State candidates and the Legislature of [illegible] putting their views on public measures or proposed legislation"; and

WHEREAS, The public press report that the Judiciary Committee of the Senate has reported against the passage of this bill by Senator Duncan; and

WHEREAS, We deem it an outrageous act of an Assemblyman [illegible] to allow any candidate for the Legislature [illegible] putting forth his views upon public measures; therefore, be it

Resolved, That the Taxpayers League, Incorporated, of Oakland, urge every member of the Legislature to vote for Senator Duncan's bill and assure the shadow of the jail or prison as a protection for candidates for the Legislature from the voters.

The foregoing resolutions were adopted at a meeting of the Executive Committee of the Taxpayers League, Incorporated, on the 18th day of January, 1917.

J. F. HERRICK, M.D., President.
W. R. WEBB, Secretary.

Also:

By the Down Town Association of San Francisco:

WHEREAS, The Legislature at the special session of 1916 passed acts providing for the acquisition and acceptance by the State of the California Building as a normal school and appropriated $200,000 out of the proceeds coming to the State from the assets of the exposition; and

WHEREAS, The State has pressed the California Building at the Panama-Pacific International Exposition, and its gardens and California Building, as a permanent structure will require the expenditure of approximately $[illegible], which is the estimated value of the gift of normal school buildings and grounds; and

WHEREAS, Three bills have been introduced by Assemblyman Marks at the request of the trustees of the normal school authorizing the State to accept its share of the assets of the exposition either in lands or in money, and providing that the value of the present normal school lands and buildings, amounting to $[illegible], be appropriated to assist in making permanent the $[illegible] value of the California Building, and that as such appropriation the present normal school property shall be turned over to the Board of Control for sale; and

Resolved, That we urge the Legislature to pass these bills in order to protect the interests of the State and secure the value of the [illegible] and present property, including the normal school, and to guarantee a great monument of the Panama-Pacific International Exposition.

DOWN TOWN ASSOCIATION,
JOHN F. WALSH, President.
THOS. F. DOLAN, Secretary.

Also:

By the Ingleside Terrace Improvement Club:

WHEREAS, The Legislature at the special session of 1916 passed acts providing for the acquisition and acceptance by the State of the California Building as a Normal School and appropriated $200,000 out of the proceeds coming to the State from the assets of the exposition; and

WHEREAS, It was understood at that time that such amount was insufficient to complete the acquisition, further action should be taken at a subsequent session to accomplish the true intent of the Legislature; and

WHEREAS, Assembly Bills Nos. 31, 70 and 91 have been introduced in Assemblyman Marks at the instance of the Trustees of the Normal School, authorizing the State to accept its share of the assets of the exposition either in lands or in money, and providing that the value of the present Normal School lands and buildings, estimated at $150,000, should be appropriated to assist in making permanent the $100,000 value of the California Building, and that as such appropriation the present Normal School property shall be turned over to the Board of Control for sale; and

Resolved, That Ingleside Terrace Improvement Club does respectfully urge the Legislature to pass these bills in order to protect the interests of the State, secure the safety of the children and young women attending the Normal School, and conserve to a useful purpose a great monument of the Panama-Pacific International Exposition.

L. D. MACDONALD, President.
E. E. BOWLES, Secretary.
By J. O'CONNELL.

At eleven o'clock and ten minutes a.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair:

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SACRAMENTO, January 22, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Joint Resolution No. 1—Relative to the work of the California Debris Commission—and reports that the same has been correctly engrossed.

ROMINGER, Vice Chairman.

RESOLUTIONS.

The following resolutions were offered:

By Senator Luce:

Resolved, That Donald Graham be transferred from the position of Committee Clerk at $4.00 per day to Assistant Minute Clerk at a per diem of $7.00.

Also: That J. G. Bisbee be transferred from the position of Gatekeeper at $3.00 per day to the position of Assistant Sergeant-at-Arms at a per diem of $5.00.

Resolution read.

Senator Luce moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, King, Luce, Lyon, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Also:

By Senator Luce:

Resolved, That the name of Frank Rouse, Assistant Minute Clerk at $7.00 per day, be stricken from the pay roll.

Resolution read.

Senator Luce moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, King, Luce, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills were introduced:

By Senator Scott: Senate Bill No. 330—An act to amend section 1402 of the Civil Code relating to the succession by the wife to the community property on the death of the husband.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 331—An act to amend section 1 of an act entitled "An act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor."

Bill read first time, and referred to Committee on Military Affairs.

Also: Senate Bill No. 332—An act to amend section 626m of the Penal Code of the State of California.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 333—An act to amend section 643 of the Political Code, relating to the compensation of fish and game commissioners.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 334—An act providing for reciprocal and interexchanges of indemnities, prescribing regulations therefor and fixing a license fee, and repealing an act entitled "An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor and fixing a license fee," approved December 24, 1911.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 335—An act relating to the sale and carrying of dangerous weapons, and prescribing penalties for violation of the provisions hereof.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 336—An act providing for a state fire marshal, and prescribing his powers and duties.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 337—An act relating to health and accident insurance and the conduct of the business of such insurance, and prescribing certain standard provisions for such insurance policies.

Bill read first time, and referred to Committee on Insurance.

By Senator Stuckenbruck: Senate Bill No. 338—An act to amend section 4238 of the Political Code, relating to the compensation of county and township officers of counties of the ninth class, and to the number, appointment and salaries of their assistants and deputies.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 339—An act to amend section 626 of the Penal Code, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 340—An act to amend section 626a of the Penal Code, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 341—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 342—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and

government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Ingram: Senate Bill No. 343—An act to amend section 628*a* of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 344—An act declaring the county road extending from Truckee, Nevada County, State of California, in a southeast direction and connecting with Carnelian Bay, Placer County, State of California, a state highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Hans: Senate Bill No. 345—An act to amend sections 61 and 67 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," relating to the definition and regulation of the business of banking.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 346—An act to amend sections 7, 8, 9, 10, 12*c*, 13, 20, 28, 31*a*, 35, 41, 43, 45, 68, 80, 90, 98, 128, 139 and 142 of the act entitled "An act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," all relating to the definition and regulation of the business of banking.

Bill read first time, and referred to Committee on Banking.

By Senator Irwin: Senate Bill No. 347—An act creating a district to be designated "Tulare Lake Water Control District," providing for the control of the surface and underground waters found in or flowing, or tending to flow into said district, and for preventing the same from flooding or damaging property in said district, and, as incidental thereto, for applying said waters to useful purposes.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Shearer: Senate Bill No. 348—An act to amend section 636 of the Penal Code, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Slater: Senate Bill No. 349—An act to form agricultural districts, providing for boards of directors for the government thereof, and for the management and control of the same by the State, and making an appropriation therefor, and repealing all acts and portions of acts in conflict with this act.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 350—An act to amend section 628*c* of the Penal Code of the State of California.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 351—An act to amend section 626*c* of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 352—An act to add a new section to the Penal Code of the State of California, to be numbered section 636d, relating to the pollution of the streams and public waters of this State.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Johnson: Senate Bill No. 353—An act to authorize the conveyance to the State of California of a certain road, situate in Boulder Creek township, in the county of Santa Cruz, State of California, and to provide for the acceptance, maintenance and improvement of said road by the State of California as a state road and to appropriate money for the maintenance and improvement thereof.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 354—An act to regulate the vocation of mounting or preparing the skins for mounting of any animal or part of animal, for profit, and to provide therefrom revenue for the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Luce: Senate Bill No. 355—An act to amend section 1401 of the Civil Code, relating to community property and the distribution thereof upon the death of the wife.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 356—An act to amend section 7 of an act known as the "Inheritance Tax Act" approved June 16, 1913, as amended.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 357—An act to amend section 137 of the Civil Code of the State of California, relating to alimony pending suit for divorce, permanent support of the wife and children of the marriage, and the disposition of community property and homestead without divorce of the parties.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 358—An act to amend section 1402 of the Civil Code, relating to community property, and the distribution thereof upon the death of the wife.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 359—An act to amend section 172 of the Civil Code of the State of California, relating to the management and control of community property.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 360—An act to amend the Civil Code of the State of California by adding thereto a new section to be numbered 164*a*, relating to property acquired after marriage in a state where no community property law exists, and which is later brought to California.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rominger: Senate Bill No. 361—An act making an appropriation to control and conserve flood and storm waters for the protection of Los Angeles and Long Beach harbors.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 362—An act to validate municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 363—An act to amend an act entitled "An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements, and regulating the acquisition, construction or completion thereof," which became a law under the constitutional provision without the Governor's approval, February 25, 1901, as subsequently amended by adding a new section thereto to be numbered section 6½, relating to the cancellation of unsold bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 364—An act making an appropriation for general repairs and improvements at the Whittier State School.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 365—An act to impose a license tax upon motor vehicles engaged in or used in the business of carrying passengers for compensation over any public highway in this State, and making an appropriation for the purpose of carrying out the provisions hereof.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 366—An act to provide for the imposition and collection of a state license tax upon motor vehicle trucks operated or run, or held out to operate or run, as common carriers of goods and chattels for hire upon the public highways of the State of California, and making an appropriation for the purpose of carrying out the provisions of this act.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Flaherty: Senate Bill No. 367—An act providing for the proper heating, lighting, sanitation and ventilation of factories and premises where females are employed, and prescribing penalties for violations of the provisions hereof.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Benson: Senate Bill No. 368—An act to appropriate money for the construction of a domestic arts building at the San Jose State Normal School.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 369—An act to appropriate money for piping the grounds at the San Jose State Normal School.

Bill read first time, and referred to Committee on Finance.

By Senator King: Senate Bill No. 370—An act to authorize the incurring of indebtedness by counties for the construction of roads and highways and for all necessary public improvements or for any purpose whatsoever.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 371—An act authorizing counties to declare noxious or dangerous weeds growing upon the roads or upon private

property not within municipalities to be a public nuisance, and creating a lien upon the property fronting upon such roads or upon which such nuisance exists for the cost of abating the same.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 372—An act to amend an act entitled "An act to provide for the formation, organization and government of storm water ditches, for the purpose of protecting the land therein from damage from storm water and from the waters of any unnavigable stream, water-course, canyon or wash, for the construction of the necessary works of protection by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1901, by adding five new sections thereto, to be designated as sections 26a, 26b, 26c, 26d and 26e.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Scott: Senate Bill No. 373—An act to amend an act entitled "An act to amend an act entitled 'An act to provide for the burial of ex-union soldiers, sailors and marines in this State who may hereafter die without leaving sufficient means to defray burial expenses,' approved March 15, 1889, and to extend the operation of said act to all honorably discharged soldiers, sailors and marines who served in the army and navy of the United States, approved March 23, 1901, by extending the operation of said act to widows of all such honorably discharged soldiers, sailors and marines who served in the army or navy of the United States," approved March 24, 1911, by designating who shall be appointed by boards of supervisors to carry out the terms of said act.

Bill read first time, and referred to Committee on Military Affairs.

By Senator Thompson: Senate Bill No. 374—An act to amend section 628f of the Penal Code of the State of California relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 375—An act to amend section 635 of the Penal Code of the State of California, relating to the pollution of streams and the use of explosives in streams and public waters.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 376—An act to amend section 636a of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Nealon: Senate Bill No. 377—An act to provide for the establishment, maintenance and control of institutions for the treatment of tuberculosis and making appropriation therefor, and authorizing counties and cities and counties within the State to send patients to said institutions and to pay the running expenses and maintenance of the same and of patients therein, and to levy taxes therefor, and providing for other sources of revenue.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 378—An act to establish a state normal school in the city and county of San Francisco, State of California, to be known as State Normal School, and making an appropriation for the maintenance of said school.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 379—An act to provide for the payment of old age pensions; establishing an old age pension commission; creating an old age pension fund and providing for the administration of such funds and making an appropriation for the uses of said funds.

Bill read first time, and referred to Committee on Finance.

By Senator Rigdon: Senate Bill No. 380—An act to amend section 1 of an act entitled "An act to establish a standard form of fire insurance policy and to prevent variations therefrom, excepting under certain stated conditions and restrictions," approved March 18, 1909.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 381—An act to amend section 632 of the Penal Code, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 382—An act providing for the establishment and maintenance of sewer districts outside of municipal corporations.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 383—An act to amend section 632 of the Penal Code, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Lyon: Senate Bill No. 384—An act to amend section 110 of the Code of Civil Procedure, relating to the term of office of justices of the peace.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 385—An act relating to the sale and carrying of dangerous weapons.

Bill read first time, and referred to Committee on Judiciary.

By Senator Ballard: Senate Bill No. 386—An act to amend the Penal Code of the State of California by adding a new section thereto to be numbered 496g and relating to the purchase of certain materials by junk dealers.

Bill read first time, and referred to Committee on Judiciary.

By Senator Burnett: Senate Bill No. 387—An act to amend section 199 of the Code of Civil Procedure of the State of California, relating to the competency of jurors.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 388—An act to amend section 200 of the Code of Civil Procedure of the State of California, relating to the exemption of jurors from duty.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 389—An act to amend section 204 of the Code of Civil Procedure of the State of California, relating to jury lists, by whom and when to be made.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 390—An act to amend section 210 of the Code of Civil Procedure of the State of California, relating to the service of regular jurors.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 391—An act to amend section 226 of the Code of Civil Procedure of the State of California, relating to the drawing and summoning of jurors.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 392—An act to amend section 227 of the Code of Civil Procedure of the State of California, relating to the summoning of jurors to complete panel.

Bill read first time, and referred to Committee on Judiciary.

By Senator Purkitt: Senate Bill No. 393—An act making an appropriation for the construction of the Yolo and Lake Highway.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 394—An act to amend section 1741 of the Political Code, relating to the powers and duties of high school boards.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 395—An act to amend section 1662 of the Political Code.

Bill read first time, and referred to Committee on Education.

By Senator Shearer: Senate Bill No. 396—An act making an appropriation for the investigation of agricultural problems and conditions in Siskiyou County, contingent upon the appropriation by the United States of America of the 10c or greater sum for the same purpose.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 397—An act to add a new section to the Penal Code of the State of California, relating to unfair competition and substitution, to be known as and numbered 536 of said code.

Bill read first time, and referred to Committee on Judiciary.

By Senator Kehoe: Senate Bill No. 398—An act to amend section 737 of the Political Code, relating to the salary of superior judges.

Bill read first time, and referred to Committee on Judiciary.

By Senator Breed: Senate Bill No. 399—An act appropriating money to complete the construction of the trail in the Sierra Nevada Mountains known as the "John Muir Trail" and laterals therefrom.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 400—An act to appropriate money to pay the expense of improving certain streets in the city of Berkeley adjoining the grounds of the University of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 401—An act to appropriate money to pay the expense of improving Oxford Street in the city of Berkeley adjoining the grounds of the University of California.

Bill read first time, and referred to Committee on Finance.

By Senator Scott: Senate Bill No. 402—An act to amend section 86 of the Code of Civil Procedure, relating to justices' clerk and appointees.

Bill read first time, and referred to Committee on Judiciary.

By Senator Burnett: Senate Bill No. 403—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and

counties, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled, 'An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948, and approved June 13, 1913, Statutes of California, page 737," approved May 29, 1915.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Inman: Senate Bill No. 404—An act to repeal an act entitled, "An act to provide for the reporting of occupational diseases," approved April 21, 1911.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 405—An act providing for the inspection of all institutions treating syphilis and gonococcus infections, and defining the powers and duties of the State Board of Health in relation thereto.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Maddux: Senate Bill No. 406—An act creating a State Board of Forestry and providing for the qualifications and duties of the members of said board and the payment of their expenses; providing for the appointment of a State Forester and providing for the appointment of a proper person therefor; providing for the appointment of a Deputy and an Assistant State Forester and for the salaries of such Forester, Deputy Forester and Assistant Forester; providing for the appointment of technical and other assistants and for their compensation; providing for the duties of the State Forester, Deputy State Forester, Assistant State Forester and other assistants; providing for cooperation with landowners, counties and others in forest protection and for the employment of fire wardens; providing for the summons of citizens to assist in fighting forest fires; providing for the issuance of permits for burning brush, inflammable debris, or rubbish; providing for prevention of forest destruction by insects; providing for the inspection of forest areas; declaring certain dangerous areas and forest fires to be public nuisances; providing for notice to owners and others of the existence of such nuisance and for the abatement thereof of such owner or others or by the State Forester; providing for a lien upon the property of such owner for the cost of such abatement; exempting certain classes of owners from the liens created by this act; providing for the foreclosure of such liens; providing for the payment into county treasuries of all of moneys recovered under the penal sections of the forest laws of this State; making certain violations of the forest laws of this state misdemeanors and fixing a penalty therefor; defining the term "forest"; repealing Chapter 264 of the Laws of 1905, and all acts and parts of acts in conflict herewith.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 407—An act to amend section 369 of the Civil Code of the State of California, relating to corporation, by adding thereto a provision exempting from the liability and penalty thereof where the division, withdrawal or payment are made with the consent of all who are then stockholders or where all who are then stockholders participate in the division, withdrawal or payment and all creditors are paid.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Senate Bill No. 408—An act to provide for the payment of retirement salaries to justices of the supreme court, justices of the district courts of appeal and judges of the superior court who have served, or shall hereafter serve, as a justice or judge in any one or more of the courts of record of this State for twenty-four years in the aggregate, and providing for the certification of the fact of such service by the Secretary of State to the State Controller.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 409—An act authorizing the issuance of letters patent to the heirs at law of P. W. Fabes, deceased, for certain swamp and overflowed land in Tuolumne County, California.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Rigdon: Senate Bill No. 410—An act declaring ground squirrels to be a public nuisance, providing for the manner and means of extermination of ground squirrels and the abatement of said nuisance, and prescribing penalties for violations of the provisions thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Ingram: Senate Bill No. 411—An act to amend section 4131 of the Political Code, relating to the recording of instruments.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 412—An act to amend section 1614 of the Penal Code, relating to the labor of prisoners confined in the county jail.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 413—An act to amend section 2765 of the Penal Code, relating to work of convicts on roads and payment therefor.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Rominger: Senate Bill No. 414—An act making it unlawful to manufacture, sell, offer for sale, give away, furnish or have in possession any whiskey, rum, brandy, gin, liquors, wines or any other spirituous, malt, vinous, fermented or other intoxicating liquors containing more than ten per cent of ethyl alcohol in proportion to all other substances therein contained, except for scientific or mechanical purposes, or for medical purposes pursuant to the written prescription of a duly licensed physician or surgeon; prohibiting any physician from giving any person a prescription for the purpose of enabling or assisting such person to evade any of the provisions of this act or to obtain such liquors for any purpose except that of treating disease; and providing penalties for the violation thereof.

Bill read first time, and referred to Committee on Public Morals.

The following resolution was offered:

By Senator Benson: Senate Joint Resolution No. 4—Relative to amending the act of Congress, approved February 28, 1891, providing for an exchange of lands between the United States and the State of California.

Resolution ordered to print and referred to Committee on Federal Relations.

RUSH ORDER TO PRINTER.

On motion of Senator Irwin, the Secretary was directed to issue a rush order for printing Senate Bill No. 347.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON CONTINGENT EXPENSES.

SACRAMENTO, January 22, 1917.

MR. PRESIDENT: Your Committee on Contingent Expenses, to which was referred Senate Concurrent Resolution No. 11—Relative to revision and amendment of provisions of the Constitution and laws respecting the judiciary—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

NEALON, Chairman.

CONSIDERATION OF CONCURRENT RESOLUTION—(OUT OF ORDER).

Senator Kehoe asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 11 for consideration out of order.

SENATE CONCURRENT RESOLUTION NUMBER ELEVEN.

Relative to revision and amendment of provisions of the Constitution and laws respecting the judiciary.

WHEREAS, By Assembly Concurrent Resolution No. 26, filed in the office of the Secretary of State January 11, 1916, the California Bar Association and other bar associations were requested to submit to the Legislature at this session such recommendations as they might consider necessary in order to avoid, as far as possible, dilatory practice and delays in courts of justice; and

WHEREAS, Pursuant to such invitation the California Bar Association has recommended that a committee be appointed at this session of the Legislature to suggest remedies for the revision and amendment of the provisions of the Constitution and the laws respecting the judiciary; now, therefore, be it

Resolved by the Senate, the Assembly concurring, That a committee of ten members be appointed as follows: Five members thereof by the President of the Senate, five members thereof by the Speaker of the Assembly, and that the chairmen of the judiciary committees of the Senate and Assembly, shall be ex officio members thereof, said committee to serve without compensation and to confer with, and act in conjunction with, a committee of twenty members, to be named by the California Bar Association, the president of such association to be ex officio a member thereof, to investigate the matters covered by this resolution and report to the Legislature, when it shall convene after its recess, such recommendations as may be advisable respecting the revision or amendment of the Constitution and laws respecting the judiciary.

Resolved, That the chairmen of the judiciary committees of the Senate and Assembly shall have power to employ clerical assistance in connection with said investigation, at a cost not exceeding the sum of five hundred dollars, such cost to be paid equally by the Senate and Assembly out of their respective contingent funds.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 11 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, F. M., Carr, W. J., Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Jones, Kehoe, McDonald,

Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Thompson, and Tyrrell—27.

NOES—None.

Senate Concurrent Resolution No. 11 ordered engrossed and transmitted to the Assembly.

RECESS.

At eleven o'clock and forty-five minutes a.m., on motion of Senator Benson, the President declared the Senate at recess until twelve o'clock m.

RECONVENED.

At twelve o'clock m. the Senate reconvened. Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Hans, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 8—Approving the charter for the city of Alameda, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the 9th day of January, 1917.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Concurrent Resolution No. 8 ordered to enrollment.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON MUNICIPAL CORPORATIONS.

SACRAMENTO, January 22, 1917.

MR. PRESIDENT: Your Committee on Municipal Corporations to which was referred Senate Concurrent Resolution No. 10—Relative to amendments to the charter of the city of Berkeley, after due consideration by the qualified electors of said city at a city election properly held, has had the same under consideration and respectfully reports the same back and recommends that it be adopted.

TYRRELL, Chairman.

CONSIDERATION OF CONCURRENT RESOLUTION—(OUT OF ORDER).

Senator Hans asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 10 for consideration out of order.

SENATE CONCURRENT RESOLUTION No. 10.

Relative to Amendments to the Charter of the City of Berkeley after the Ratification by the Qualified Electors of Said City at a City Election Properly Held.

WHEREAS, the City of Berkeley, State of California, contains a population of over forty thousand inhabitants, and has been ever since the First Day of July, one thousand nine hundred and nine, and is now organized and acting under a freeholders' charter adopted under and by virtue of Section Eight of Article Eleven of the Constitution of the State of California, and which Charter was duly ratified by the qualified electors of said City at an election held for that purpose on the Thirtieth day of January, one thousand nine hundred and nine, and approved by

the legislature of the State of California, on the Fourth day of March, one thousand nine hundred and nine (Statutes of 1909, page 1208); and

WHEREAS, the legislative authority of the City, namely, the Council thereof, duly proposed to the qualified electors of the City of Berkeley, four certain amendments to the Charter of said City by the submission of four proposals, entitled as follows, to wit:

CHARTER AMENDMENT No. I.

Describing and setting forth a proposal to the qualified electors of the City of Berkeley, County of Alameda, State of California, to amend the Charter of said City by amending Sections eight, fourteen, fifteen, sixteen, seventeen and nineteen of Article five; Sections twenty-one, twenty-four, twenty-five and twenty-six of Article six; Sections thirty, thirty-one, thirty-three, thirty-four and thirty-five of Article seven; Sections fifty-two and fifty-three of Article ten, and adding to Article sixteen a new section to be numbered one hundred fifteen and repealing Sections twenty-seven, twenty-eight and twenty-nine of Article seven and Section forty-five of Article eight thereof so as to introduce the Business Manager Form of Government, said amendment relating to the officers of the City of Berkeley and their duties.

CHARTER AMENDMENT No. II.

Describing and setting forth a proposal to the qualified electors of the City of Berkeley, County of Alameda, State of California, to amend the Charter of said city by amending Article twelve of said Charter dealing with franchises, said proposal being to amend Subdivisions two and three of Section seventy-seven of said Article, relating to franchises, to add a new section to said Article dealing with Resettlement Franchises to be numbered seventy-seven and one-half, and to amend Sections seventy-eight, eighty-two, eighty-five and eighty-eight of said Article, relating to franchises.

CHARTER AMENDMENT No. III.

Describing and setting forth a proposal to the qualified electors of the City of Berkeley, County of Alameda, State of California, to amend the Charter of said City by amending Article nine of said Charter by adding to Section forty-nine a new subdivision to be numbered fifty-six and one-half dealing with pensions.

CHARTER AMENDMENT No. IV.

Describing and setting forth a proposal to the qualified electors of the City of Berkeley, County of Alameda, State of California, to amend the Charter of said City by amending Sections fifty-five and fifty-six of Article ten of said Charter dealing with the time of meeting of the Board of Equalization and the date of the annual tax levy, and

WHEREAS, said four proposals above mentioned containing said proposed amendments to said Charter were, in accordance with the provisions of Section eight of Article eleven of the Constitution of the State of California, published for one day after their passage in the "Berkeley Daily Gazette," a daily newspaper of general circulation published in said City of Berkeley, and the official newspaper of said City; and whereas, copies of said proposals containing said proposed amendments were printed in convenient pamphlet form, and until the date fixed for the election hereinafter described and as required by law an advertisement was published in said "Berkeley Daily Gazette," that such copies could be had upon application therefor at the office of the city clerk; and whereas, such copies could be had upon application therefor at the office of the city clerk until the date fixed for the election hereinafter described, and

WHEREAS, the legislative body of said City by its Resolution No. 6009—N.S. adopted on the twenty-sixth day of September, one thousand nine hundred sixteen, did order the holding of a special municipal election in said City of Berkeley, on the seventh day of November, one thousand nine hundred sixteen, said day being at least forty days after the completion of publication of said proposed amendments for one day, in said official paper of said City of Berkeley, to wit, the "Berkeley Daily Gazette," and no more than sixty days after the completion of said publication, and did provide in said resolution for the submission of the proposed charter amendments numbers one, two, three and four, to the qualified electors of said City for their ratification at said election; and

WHEREAS, said election was duly called and held on said seventh day of November, one thousand nine hundred sixteen, and at said election a majority of the qualified electors voting thereon voted in favor of the ratification of, and did ratify one of the proposed amendments to said charter, to wit, Charter Amendment number two; and

WHEREAS, the returns of said election were in accordance with the law in such cases made and provided, duly and regularly canvassed and certified to, and it was duly found and determined and declared by the proper officers thereunto duly and properly authorized that a majority of the qualified electors of said city voting thereon had voted for and ratified one of the said proposed amendments to said charter, to wit, Charter Amendment number two; and

WHEREAS, said amendment to the charter so ratified by a majority of the qualified electors of said City voting at said election to wit: Charter Amendment number two, is in words and figures following, to wit:

CHARTER AMENDMENT No. II

Describing and setting forth a proposal to the qualified electors of the City of Berkeley, County of Alameda, State of California, to amend the Charter of said City by amending Article twelve of said Charter dealing with franchises and proposal being to amend Subdivisions two and three of Section seventy-seven of said Article relating to franchises, to add a new section to said article, dealing with Resettlement Franchises to be numbered seventy-seven and one-half, and to amend Sections seventy-eight, eighty-two, eighty-five and eighty-eight of said Article relating to franchises.

That Subdivisions two and three of Section seventy-seven of Article twelve of the Charter be amended to read as follows:

CONDITION OF GRANT

Section 77. Subdivision 2. The advertisement must state the character of the franchise, permit or privilege it is proposed to grant, and if it be a street or suburban or interurban railroad the route to be traversed; that sealed bids therefor will be opened at a stated time and place, and that the franchise, permit or privilege will be awarded to the bidder offering to pay to the City during the life of the franchise, permit or privilege, the highest percentage of the net annual revenue received from the use, operation or possession of the franchise, permit or privilege; provided, that such net annual revenue shall be determined by deducting from the gross annual revenue collected from any and all sources under and by virtue of such franchise, permit or privilege, all operating and maintenance costs, taxes, insurance, depreciation as fixed by the Board of Control and six (6) per cent interest on the valuation of the property of the grantee used and useful or determined in the franchise ordinance to be of prospective usefulness to the public service. Such estimate to be fixed by the Railroad Commission of the State of California, or the amount to interest, and determined as provided in Section eighty-two (82) of this Charter; and, provided further, that the final percentage of the net annual revenue to be paid to the City shall not be less than twenty (20) per cent; and provided further that the Council shall have the right to reject any and all bids.

BIDDING FOR THE FRANCHISE

Section 77. Subdivision 3. At the time of opening the sealed bids, any responsible person, firm or corporation may bid for such franchise, permit or privilege not less than one half (½) of one (1) per cent of the net annual revenue for the entire term of the franchise, permit or privilege above the highest sealed bid therefor, and such bids so made may be raised not less than one half (½) of one (1) per cent of said net annual revenue for such entire term, by any other responsible bidder, and such bidding may continue until finally such franchise, permit or privilege shall be struck off, sold and awarded by the Council to the person, firm or corporation offering the highest percentage of the said net annual revenue arising from the use, operation or possession of said franchise, permit or privilege subject to the provisions of Subdivision two of this Section; provided, that if in the judgment of the Council no adequate or responsible bid has been made, the Council may withdraw such franchise, permit or privilege from sale or advertise for new bids.

If the franchise, permit or privilege is for a street or suburban or interurban railroad, which shall extend beyond the limits of the City of Berkeley, then and in that case the percentage of the net annual revenue so to be paid shall be computed or reckoned as follows: The total length of the said railroad within and without the City, shall be compared with the length of said railroad within the City, for which a franchise, permit or privilege is bid, and such fraction of the net revenue for the whole of the said railroad, within and without the City, as the portion of such railroad within the City is of the said whole railroad shall be deemed and considered the net annual revenue upon which the above percentage to be paid into the City Treasury shall be reckoned. No street or suburban or interurban or commercial railroad shall, without permission from the City of Berkeley granted by ordinance so to do, use the tracks of any other street or suburban or interurban or commercial railroad within the City of Berkeley.

That a new section be added to Article twelve of the Charter to be known as Section seventy-seven and one-half, said Section to read as follows:

RESETTLEMENT FRANCHISES

Section 77½. The Council is hereby empowered to provide for a general resettlement of the franchise rights of and to grant a resettlement franchise to any person, firm or corporation actually engaged in operating a public utility or utilities in the City of Berkeley at the time this amendment becomes effective, upon written application therefor and upon the following terms and conditions, and not otherwise:

ADVISORY BOARD.

(4) Whenever such written application, as above provided for, shall have been made, the Mayor thereupon shall appoint an Advisory Board to consist of seven (7) citizens, who shall cooperate with the Council in preparing such re-settlement franchise; and said written application for a re-settlement franchise shall thereupon be referred to said advisory board, which shall make within a reasonable time a written report thereon, to the Council; and without such report said Council shall have no power to pass such re-settlement franchise. The said citizens shall serve without pay, but all reasonable expenses incurred by them in the work of preparing said re-settlement franchise shall be paid by the City upon the presentation of a proper bill, in the same manner as any other proper claim against the City.

TIME PERIOD OF FRANCHISE.

(2) Every such resettlement franchise, permit or privilege shall be granted for an indeterminate period subject always to the right of the City to acquire and possess the property of the grantee or to assign its rights to purchase and possess **to a third person, firm or corporation, as herein provided.**

DIVISION OF ANNUAL NET REVENUE.

(3) Every such re-settlement franchise, permit or privilege shall confer upon the grantee thereof the right to occupy the streets and public places of the City particularly set out in the terms and conditions of said franchise, permit or privilege, subject always to the right of the City to acquire and possess the property of said grantee, or to assign its right to purchase and possess to a third person, firm or corporation, as provided in this Article; provided, however, that said grantee shall pay the City such a percentage of the net revenue actually collected from any and all sources under and by virtue of such franchise, permit or privilege, which percentage shall not be less than fifty five (55) per cent of such annual net revenue, and provided, further, that such annual net revenue shall be determined by deducting from the annual gross revenue all operating and maintenance costs, taxes, insurance, depreciation as fixed by the Board of Control and six (6) per cent interest on the valuation of the property used and vested or determined in the franchise ordinance to be of prospective usefulness in the public service. Such valuation to be fixed by the Railroad Commission of the State of California or its successors in interest, **and determined as provided in Section Eighty-two (82) of this Charter.**

PASSAGE AND APPROVAL OF FRANCHISE.

(4) Every such re-settlement franchise shall be introduced in the Council in the form of an ordinance, at least ten days prior to being passed to print and shall remain before the Council at least twenty (20) days after printing before final passage. After the final passage of said ordinance the same shall be referred and submitted to the vote of the electors of the City at the general or special election next ensuing not less than twenty (20) days after the final passage of such ordinance. But if no general or special election is to be held in the City within a period of not less than twenty (20) days and not more than ninety (90) days after such final passage, the Council shall call a Special Election for the purpose of submitting said ordinance to the electors as aforesaid, said Special Election to be held not less than thirty (30) days and not more than sixty (60) days after such final passage.

No such re-settlement franchise ordinance shall go into effect unless it shall have **been so submitted to the electors of the City and received the approval of a majority** of the electors voting thereon. Section six. Subdivision five of Section ninety-two; Subdivisions thirteen, fourteen, fifteen, twenty and twenty-six of Section five of this Charter, so far as applicable, shall govern elections held under the provisions of this **section.**

PUBLIC HEARINGS BY COUNCIL.

(5) The Council shall hold public hearings on every proposed re-settlement franchise prior to its final passage, and not later than seven days after such final passage shall cause such re-settlement franchise to be printed in convenient pamphlet form for public distribution and shall publish daily thereafter up to the date of such election in the official newspaper of the City a notice to the effect that any person may procure a copy of such re-settlement franchise upon application therefor made in person or by mail to the City Clerk; provided, that all costs of printing, publishing and advertising said franchise shall be borne by the grantee of said franchise.

ADDITIONAL POWERS.

(6) In the passage of a re-settlement franchise, the Council shall have power to impose terms and conditions not inconsistent with this Charter, in addition to the terms and conditions provided for herein, and shall have such other powers hereunder as may be found necessary to the proper preparation, enactment, and the carrying out of the terms of a re-settlement franchise that shall provide, first, service of the highest efficiency to the public, second, sufficient new money to make extensions in

the service of the public utility necessary in the proper development of the City, and **third, the right of the City to convey to a third person, firm or corporation the City's** privileges of purchasing the property of the grantee upon like terms and conditions as the City may so purchase.

AMENDMENTS TO RE-SETTLEMENT FRANCHISES.

(7) Any re-settlement franchise may be amended from time to time by ordinance passed by the Council and approved by the electors of the City at the election hereinafter prescribed for the passage of any re-settlement franchise in the first instance and not otherwise provided, that any such amendment shall not be effective unless accepted in writing by the grantee of such re-settlement franchise and provided, further, that **the Council in the preparation of such amendment may in its discretion act without the appointment of an advisory board, and that no such amendment shall in any respect contravene the provisions of this Section of this Charter.**

JOINT CONTROL.

(8) Every re-settlement franchise shall provide for a Board of Control to consist of two competent and experienced men, one to be selected by the Council and one by the grantee of said franchise, all disagreements between the two to be decided by an arbiter appointed for that purpose on a salary to be determined in such franchise.

SERVICE.

(9) Every re-settlement franchise shall provide for service of the highest efficiency **which shall be maintained during the life of the franchise.**

NEW FRANCHISES AND EXTENSIONS.

(10) Every re-settlement franchise shall provide that any new franchise granted to the holder of such re-settlement franchise, shall be considered as a part of such re-settlement franchise, and shall also provide that the Council may, by ordinance, grant to the grantee of such re-settlement franchise the right to extend the facilities and service of such grantee. All such extensions shall become a part of the aggregate property of such grantee, and shall be subject to all the obligations and duties in favor of the City applicable to the property of the grantee by virtue of such re-settlement franchise. The right to use and operating any such extension shall expire with the original grant of such grantee by which the extensions are made.

CONSOLIDATED OR ANNEXED TERRITORY.

(11) Every re-settlement franchise shall provide that in case of consolidation with or annexation to the City of any territory not now included in said City, any franchise to operate such utility or any part thereof held or claimed by the holder of such re-settlement franchise in or for any portion of such consolidated or annexed territory shall thereupon be surrendered to the City and that the rights and obligations of such re-settlement franchise shall terminate automatically, except as to an additional territory, and that a valuation of the property used and useful, as in the discretion of the City proper to be used in the operation of such utility in the **area so consolidated or annexed and not included in the capital valuation already** fixed in such re-settlement franchise shall be added to the capital account of such **re-settlement franchise grantee at a valuation fixed by the Railroad Commission of** the State of California, or its successors in office, and otherwise determined as provided in Section Eighty-two (82) of this Charter.

PROVISION FOR THE SURRENDER OF EXISTING FRANCHISES.

(12) Every re-settlement franchise shall provide for the surrender by the grantee thereof of any or all of the franchises or rights owned or claimed by such grantee for the occupation of the streets or public places of said City at the time of such re-settlement, and the acceptance in lieu thereof of the rights and privileges granted by such re-settlement franchise, as a franchise for the continued operation of such **utility within the limits of the City or such portion thereof as had heretofore been** operated under the franchise or franchises so surrendered, but not in contravention of any conditions of this Charter.

ASSUMPTION OF BONDED INDEBTEDNESS.

(13) Every re-settlement franchise may provide that, when purchasing the **property of the grantee, the City, if and when permitted by the provisions of the** Constitution of the State of California, may assume the obligations of such grantee for the payment of the bonds then outstanding against said property, not exceeding in aggregate par value the valuation of the property then purchased, determined as in Section Eighty-two (82) of this Charter provided, and in such case the par value of such bonds shall be deducted from the said valuation of the property and the excess, if any, of the valuation of the property over the par value of the bonds so assumed shall be the purchase price to be paid to the grantee by the City for said

property. After such purchase, the bonds so assumed shall no longer be a lien exclusively upon the franchise or property of the utility as such, but may be secured by the general credit of the City or by a lien upon a fixed percentage or amount of the gross earnings of such utility or otherwise, as may be provided in such re-settlement franchise.

That Section Seventy-eight (78) of Article Twelve be amended to read as follows:

LIFE OF FRANCHISE.

Section 78. Every franchise, permit or privilege shall be granted for an indeterminate period, subject always to the right of the City to acquire and possess the property of the grantee and to assign its right to acquire and possess to a third person, firm or corporation as in Section Eighty-two (82) hereof provided.

That Section Eighty-two (82) of Article Twelve be amended to read as follows:

RIGHT OF CITY TO ASSUME OWNERSHIP.

Section 82. Every new franchise, permit or privilege and every re-settlement franchise, shall be granted upon the express condition that the City may, at a valuation fixed and determined, as hereinafter provided, either assume ownership by purchase and take over to itself the property used and useful or in the discretion of the City prospectively useful of the franchise grantee, his or its successors or assigns, or assign its right to acquire and possess said property to a third person, firm or corporation upon giving said grantee six months' written notice of its intention to so purchase and take over said property, which written notice shall be given only when authorized by ordinance. The valuation of such property, used and useful, or in the discretion of the City prospectively useful and owned by the grantee at the time application is made for said new franchise, permit or privilege, or for said re-settlement franchise, shall be fixed by the Railroad Commission of the State of California, or its successor in interest, and shall be set forth in said new franchise, permit or privilege, or in said re-settlement franchise, as the case may be. To this value shall be added the cost of all additions, extensions and betterments made with the approval of the Board of Control, and from this value shall be deducted the value of property sold or abandoned and the depreciation to be determined and fixed by the Board of Control in accordance with the provisions of the franchise and annually charged to the capital value of said property; and the valuation to which said additions have been made and from which such deductions have been made shall be the valuation upon which the six per cent interest referred to in subdivision three (3) of section seventy-seven and one-half (77½), and in subdivision two (2) of section seventy-seven (77) shall be computed, and shall be the valuation at which said property may be acquired by the City, or by the third person, firm or corporation to which such right is assigned by the City.

That Section Eighty-five (85) of Article Twelve of the Charter be amended to read as follows:

STREET SPRINKLING AND PAVING.

Section 85. Every grant of any franchise, permit or privilege, in, over, under or along any streets, highways, or public places in the City for railroad, street railway, suburban or interurban railway purposes, shall be subject to the conditions that the persons, firm or corporation exercising or enjoying the same shall sprinkle, plank or re-plank, pave or repave, macadamize or re-macadamize the entire length of the street, highway, or other public place used by the track or tracks of such railroad or railway, and between the rails, and for two feet on each side thereof, and between the tracks, if there be more than one, and keep the same constantly in repair, flush with the street, and with good crossings; and such street work shall be done with the kind of materials and in such manner as the Council may by ordinance direct, at the same time and as a part of the same operation as the work on the remainder in width of said street, highway or other public place, to the satisfaction of the superintendent of streets; provided, however, that when in the opinion of the Council the space between the rails and tracks of the grantee and two feet on each side thereof or any portion of the same is not required for purposes other than railway traffic, the same need not be paved in like manner as the remainder of the street or public place, but shall be treated as the Council may direct.

That Section Eighty-eight (88) of Article Twelve of the Charter be amended to read as follows:

PAYMENT OF NET RECEIPTS.

Section 88. The stipulated percentage of net receipts provided in this Charter to be paid for the use and enjoyment of any franchise, permit or privilege shall be paid annually at the time of filing the annual report provided for in Section Eighty-seven (87) of this Charter to be filed by persons, firms or corporations holding franchises, permits or privileges. Failure to pay such percentage shall work a forfeiture of the franchise, permit or privilege.

City of Berkeley,
County of Alameda, } ss.
State of California.

This is to certify that we, S. C. Irving, Mayor of the City of Berkeley, and A. G. Briggs, City Clerk of said City, have compared the foregoing proposed and ratified amendments to the Charter of the City of Berkeley with the original proposals, submitting the same to the electors of the said City at a consolidated election held on Tuesday, the seventh day of November, one thousand nine hundred sixteen, and find that the foregoing is a full, true, correct and exact copy thereof, and we further certify that the facts set forth in the preamble preceding said amendments to said Charter are and each of them is true.

In witness whereof, we have hereunto set our hands and caused the same to be authenticated by the seal of said City of Berkeley, this nineteenth day of December, one thousand nine hundred sixteen.

S. C. IRVING,
Mayor of the City of Berkeley.

A. G. BRIGGS,
City Clerk of the City of Berkeley.

WHEREAS, the said proposed amendment is now submitted to the legislature of the State of California for approval or rejection without power of alteration or amendment in accordance with Section eight, Article Eleven of the Constitution of the State of California. Now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, a majority of all the members elected to each house voting therefor and concurring therein; that said amendments to the said Charter herein set forth as presented and ratified by the qualified electors of said City be, and the same is hereby approved as a whole, without amendment or alteration, for and as an amendment to, and as part of the Charter of said City of Berkeley.

Resolution read.

The question being on the adoption of the resolution

The roll was called, and Senate Concurrent Resolution No. 10 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, F. M. Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, Lyon, McDonald, Maddux, Parlett, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—32.

NOES—None.

Senate Concurrent Resolution No. 10 ordered engrossed and transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SACRAMENTO, JANUARY 22, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 11—Relative to revision and amendment of provisions of the Constitution and laws respecting the judiciary—and reports that the same has been correctly engrossed.

ROMINGER, Vice Chairman.

ADJOURNMENT.

At twelve o'clock and fifteen minutes p.m., on motion of Senator Benson, the President declared the Senate adjourned until Tuesday, January 23, 1917, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Tuesday, January 23, 1917.

The Senate met at eleven o'clock a.m.

Lieutenant Governor William D. Stephens, President of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Parkin, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—37.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, January 22, 1917, the further reading was dispensed with, on motion of Senator Crowley.

LEAVES OF ABSENCE.

Senator Chamberlin was, on motion of Senator Rominger, granted leave of absence for this day.

Senator Canepa was, on motion of Senator Scott, granted leave of absence for this day.

SENATOR EDWARD J. TYRRELL IN THE CHAIR.

At eleven o'clock and ten minutes a.m., Senator Edward J. Tyrrell, of the sixteenth district was called to the chair.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SACRAMENTO, January 23, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 4—Relative to a proposal to amend Article XX of the charter of the city of Oakland, dealing with franchises, after due ratification by the qualified electors of said city:

Also: Senate Concurrent Resolution No. 5—Approving thirteen certain amendments to the charter of the city and county of San Francisco, State of California, voted for and ratified by the electors of said city and county of San Francisco, at a general election held therein on the seventh day of November, 1916;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this 23d day of January, 1917, at 10 o'clock a.m.

ROMINGER, Vice Chairman.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SACRAMENTO, January 22, 1917.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 178—An act validating the formation and organization, and determining the boundaries of Drainage Improvement District No. 1

of the county of Merced, State of California, has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

JONES, Chairman.

Also:

SACRAMENTO, January 22, 1917.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 179—An act validating the formation and organization, and determining the boundaries of Drainage Improvement District No. 2 of the county of Merced, State of California, has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

JONES, Chairman.

SECOND READING OF SENATE BILLS (OUT OF ORDER).

On motion of Senator Jones, the second reading of Senate bills reported from committee this day was taken up out of the regular order.

Senate Bill No. 178—An act validating the formation and organization, and determining the boundaries of Drainage Improvement District No. 1 of the county of Merced, State of California.

COMMITTEE AMENDMENTS.

During the second reading of the bill the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page two, line two of the printed bill, strike out the letter "s" in the word "lines".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page two, line eight of the printed bill, strike out the letter "s" in the word "lines".

Amendment adopted.

Bill read second time, ordered to print, engrossment and third reading.

Senate Bill No. 179—An act validating the formation and organization, and determining the boundaries of Drainage Improvement District No. 2 of the county of Merced, State of California.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page two, line eleven of the printed bill, strike out the work "of" last appearing in said line, and insert in lieu thereof the word "to".

Amendment adopted.

Bill read second time, ordered to print, engrossment and third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON FEDERAL RELATIONS.

SACRAMENTO, January 22, 1917.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 4—Relative to amending the act of Congress, approved

February 28, 1891, providing for an exchange of lands between the United States and the State of California—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

RUSH, Chairman.

Senate Joint Resolution No. 4 ordered on file.

Also:

ON RULES.

SACRAMENTO, January 23, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred a resolution by Revision and Printing Committee recommending that Rule No. 70 of the Standing Rules of the Senate be amended to read as follows:

70. All bills amended, either in committee or on the floor of the Senate shall be immediately reprinted; the new matter added by any amendments to be enclosed in heavy brackets and the omission of any matter to be indicated by the insertion of heavy parentheses;

Has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

BREED, Chairman.

CONSIDERATION OF RESOLUTION—(OUT OF ORDER).

Senator Breed asked for, and was granted, unanimous consent to take up the resolution by the Committee on Revision and Printing for consideration out of order.

RESOLUTION.

WHEREAS, Rule No. 70 of the Rules of the Senate provides that amended new matter be set in italic type; and

WHEREAS, Such a system would necessarily double the cost of such changes; therefore be it

Resolved, That the section referred to be amended to read as follows:

70. All bills amended, either in committee or on the floor of the Senate, shall be immediately reprinted; the new matter added by any amendments to be enclosed in heavy brackets and the omission of any matter to be indicated by the insertion of heavy parentheses.

Resolution read.

Senator Breed moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, F. M., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, Nealon, Purkitt, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON MUNICIPAL CORPORATIONS.

SACRAMENTO, January 23, 1917.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 9—Approving two certain amendments to the charter of the city of Santa Rosa, county of Sonoma, State of California, voted for and ratified by a majority of the qualified electors of the said city of Santa Rosa, at the general municipal election held therein on Tuesday, April 4, 1916—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

TYRRELL, Chairman.

Senate Joint Resolution No. 9 ordered on file.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills were introduced:

By Senator Brown: Senate Bill No. 415—An act making an appropriation to pay the claim of the city of Los Angeles against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 416—An act making an appropriation for the payment of certain assessments for sanitary sewers levied upon the property of the State of California known as the Normal School property on Vermont avenue, in the city of Los Angeles, State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 417—An act making an appropriation for the payment of certain assessments for main outfall sewer levied upon the property of the State of California known as the Normal School property, on Vermont avenue, in the city of Los Angeles, State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Chandler: Senate Bill No. 418—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys thereof to carry out the provisions of this act, and repealing Title XV of Part IV of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, by amending sections 2 and 50 thereof.

Bill read first time, and referred to Committee on Public Utilities.

By Senator Ingram: Senate Bill No. 419—An act to define and distinguish state highways and state roads and to designate names for certain state roads.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 420—An act appropriating money for construction work on the Tahoe City-Crystal Bay State road.

Bill read first time, and referred to Committee on Finance.

By Senator Gates: Senate Bill No. 421—An act to repeal Article III of Chapter 3 of Title VII of Part IV of the Civil Code of the State of California, and to enact a new Article III of Chapter 3 of Title VII of Part IV of the Civil Code of the State of California, relating to bills of lading.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 422—An act to amend section 1624 of the Civil Code, and repealing Article II of Chapter 3 of Title IV of division second of the Civil Code, and repealing sections 3308, 3309, 3310, 3311, 3312, 3313, 3314, 3353, 3354, 3355, 1739, and 1740, of the Civil Code, Chapter 2 of Title I of Part IV of division third of the Civil Code, Chapter 3 of Title I of Part IV of division third of the Civil Code, Chapter IV of Title I of Part IV of division third of the Civil Code, and to add Chapters 2, 3, 4, 5, 6 and 7 of Title I of Part IV of division third of said Civil Code in place thereof, relating to the sale of personal property.

Bill read first time, and referred to Committee on Judiciary.

By Senator Gates: Senate Bill No. 423—An act to repeal title 15 of part IV of division 3 of the Civil Code of the State of California, and to add a new title 15 of part IV of division 3 of said code in place thereof, relating to negotiable instruments, and to make the law of

negotiable instruments in the State of California uniform with the law of other states.

Bill read first time, and referred to Committee on Judiciary.

By Senator Crowley: Senate Bill No. 424—An act making an appropriation for the care of the grave of Luis Antonio Arguello, first Governor of California, under Mexican rule, and for the care of the paths and walks, in the cemetery containing said grave, leading to said grave.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 425—An act to regulate the issuance of charters to persons intending to found an institution for the teaching of the healing art or any of its branches in the State of California.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Carr, F. M.: Senate Bill No. 426—An act to add a new section to the Political Code, to be numbered 1828, relating to the powers and duties of the governing boards of school districts in levying taxes for building purposes.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 427—An act in relation to the sale of farm produce on commission, defining commission merchants and farm produce, providing for the filing of applications with the State Market Director for a license to engage in the commission business, providing for the filing of bond, and providing penalties for the violation of the requirements herein contained.

Bill read first time, and referred to Committee on Agriculture.

Also (by request): Senate Bill No. 428—An act to amend an act entitled "An act to prevent the introduction, and provide for the investigation and suppression of contagious or infectious diseases, and appropriating money to be used for such purpose," approved June 7, 1913, by amending sections 2 and 3 thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Ballard: Senate Bill No. 429—An act to provide for the permanent survey of lands, and to establish the boundaries thereof.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Evans: Senate Bill No. 430—An act to provide for the establishment within municipalities of districts or zones within which the use of property, height of improvements and proportional area of the lot which may be lawfully covered by improvements, may be regulated by ordinance.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 431—An act authorizing and empowering municipalities to provide a procedure for the fixing and establishing of set-back lines on private property bordering on the whole or part of any street, avenue or highway, to prohibit the erection of buildings, fences or other structures between such set-back lines and the lines of any such street, avenue or highway, and to condemn any and all property necessary or convenient for that purpose.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Burnett: Senate Bill No. 432—An act to amend sections 1, 2, 3, and 4 of an act entitled "An act to provide for the formation, organization, and classification of new counties, for locating county seats, for the election and appointment of officers and for the adjustment and the fulfillment of the rights and obligations arising between such new counties and other counties," approved March 15, 1907, as amended by an act approved March 8, 1909.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 433—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved June 16, 1913, Statutes of California of 1913, page 1429.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Lyon: Senate Bill No. 434—An act to amend sections 9 and 10 of an act entitled "An act to establish and support a bureau of labor statistics," approved March 3, 1883.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 435—An act to amend the Penal Code by adding a new section thereto, to be numbered 653c, relating to the time of payment of wages by contractors on public work.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 436—An act to amend section 653 of the Penal Code of the State of California, relating to employees on public works.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 437—An act to amend an act entitled "An act prohibiting the issuance as payment for wages of any evidence of indebtedness unless the same is negotiable and payable without discount, and providing that the same must be payable on demand," approved March 1, 1911, and as amended by an act approved June 5, 1915.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 438—An act to prohibit employers from demanding or receiving any money or other consideration from an employee as a condition of employment.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 439—An act to provide for the health, safety and comfort of employees in factories, workshops, mills, mercantile establishments and places of amusement, and to provide for the enforcement thereof.

Bill read first time, and referred to Committee on Labor and Capital.

Also (by request): Senate Bill No. 440—An act requiring all buildings which are required to be equipped with fire escapes to have

attached thereto counterbalanced stairways, counterbalanced ladders, or drop ladders.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rush: Senate Bill No. 441—An act making an appropriation for the purchase of additional lands adjoining agricultural park in the city of Sacramento.

Bill read first time, and referred to Committee on Finance.

By Senator Rominger: Senate Bill No. 442—An act to amend section 604*a*, of the Civil Code relating to religious corporations.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 443—An act to promote the drainage of wet, swamp and overflowed lands, and to promote the public health in the communities in which they lie; providing for the issuance of bonds and levying of assessments on lands benefited, to pay the costs and expenses thereof.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator King: Senate Bill No. 444—An act to amend section 2286 of the Political Code, relating to needy orphans, half-orphans, abandoned children and children of persons committed to county tuberculosis hospitals, etc.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 445—An act to amend section 2289 of the Political Code, relating to needy orphans, half-orphans, abandoned children and children of persons committed to county tuberculosis hospitals, etc.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 446—An act to amend section 2283 of the Political Code, appropriating money for the support and maintenance of needy orphans, half-orphans, abandoned children and children of persons committed to county tuberculosis hospitals.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 447—An act to amend section 3756 of the Political Code, relating to delinquent taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 448—An act to amend section 626*s* of the Penal Code, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Luce: Senate Bill No. 449—An act to appropriate money for the construction and equipment of the California State Reformatory and to carry out the provisions of an act entitled: "An act to establish the California State Reformatory; to provide for the purchase of land therefor; and construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; to make an appropriation therefor," approved April 24, 1911.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 450—An act to amend sections 7 and 8 and to add three new sections to be known as section 8½, section 8*e* and section 8*f* of an act entitled "An act to regulate the sale and use of poisons in

the State of California and providing a penalty for the violation thereof," approved March 6, 1907; approved March 10, 1909; approved April 25, 1911; approved June 11, 1913; approved June 1, 1915.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 451—An act conveying certain tidelands and lands lying under inland navigable waters situate in the bay of San Diego to the city of National City, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof.

Bill read first time, and referred to Committee on Judiciary.

By Senator Kehoe: Senate Bill No. 452—An act providing for the establishment of public rating bureaus and defining their powers and methods of conducting business, providing for inspections into such rating bureaus by the insurance commissioner, providing for review of rates by insurance commissioner, providing against unfair discrimination in rates; providing for chief examiners for rating bureaus and prescribing their duties, providing for filing with insurance commissioner by insurance companies of schedules of rates, providing for inspection of risks rated by rating bureaus, providing for filing with insurance commissioner of short rate tables for cancellation of policies, providing against demoralization of business, providing entire act not to be affected by unconstitutionality of part thereof, providing for penalty for violation of act by insurance companies, providing for penalty for violation of act by agent or other representative, repealing laws in conflict with this act.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 453—An act to amend the Penal Code by adding a new section thereto, to be numbered 426a, relating to embezzlement by agent or broker.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 454—An act prohibiting certain discriminations against certain insurance companies, agents and brokers.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 455—An act to amend section 4244 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fifteenth class.

Bill read first time, and referred to Committee on County Government.

By Senator Inman: Senate Bill No. 456—An act to establish the Yuba and Lake highway; to define its course, to provide for its survey and construction; and to make an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Benson: Senate Bill No. 457—An act to regulate the construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings, and the maintenance, use and occupancy of the premises and land on which dwellings are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 458—An act to amend sections 2322, 2322*a*, 2322*c* and 2322*d* of the Political Code of the State of California and to add new sections 2322*f*, 2322*g*, 2322*h*, 2322*i*, and 2322*j* to the Political Code of the State of California. Said sections relating to orchards, trees, vines or plants of any variety, infected or infested with diseases, scale or other insects of any kind injurious to fruit, fruit trees, vines or other plants or vegetables, or noxious weeds and to the extermination or control of insects, ground squirrels, gopher or other animal pests and plant diseases or noxious weeds, and to the appointment and removal of a county horticultural commissioner in the several counties of the state; prescribing his duties and powers and fixing his compensation and term of office, also providing for a state board of horticultural examiners, prescribing the duties of said board, and providing for examination to be taken by persons desiring to qualify for position as county horticultural commissioner; providing for the dividing of the several counties of the state into districts by the respective county horticultural commissioners, and providing for the appointment of deputy commissioners, local inspectors, and quarantine guardians, prescribing their duties and powers and fixing their compensation.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 459—An act to make an appropriation to pay the salaries of Senators for the forty-second session of the Legislature of the State of California during the sixty-eighth fiscal year.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 460—An act to amend sections 2319, 2319*a*, 2319*b*, 2319*c*, 2319*d*, 2319*i* and 2319*j* of the Political Code of the State of California; to add sections 2319*k* and 2319*l* as new sections to the Political Code of the State of California, relating to the State Commissioner of Horticulture and prescribing the powers, duties and compensation of said State Commissioner of Horticulture and the officers and employees appointed by said commissioner and providing methods, means and penalties for the enforcement of such powers and duties, and providing for the appointment of additional officers, fixing their compensation and prescribing their duties.

Bill read first time, and referred to Committee on Agriculture.

By Senator Slater: Senate Bill No. 461—An act to amend section 5 of an act entitled "An act to provide for the maintenance and support, in certain cases, of indigent, incompetent, and incapacitated persons (other than persons adjudged insane and confined within the state hospitals) becoming a public charge upon the counties or cities and counties within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons," approved March 23, 1901, and to add thereto a new section to be numbered 10.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 462—An act regulating the manner of preparation or manufacture of egg products which are used in the preparation of foods intended for human consumption, and providing penalties for violations of the provisions thereof.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 463—An act to regulate the use of canned eggs, unshelled eggs, dried eggs, egg yolks, frozen eggs, egg powder or egg

albumen in the preparation of food products, and prescribing penalties for violation of the provisions thereof.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 464—An act to regulate the sale of eggs which have been in transit more than thirty-one days, and prescribing penalties for violations thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 465—An act making an appropriation to pay the claim of W. F. Cowan against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Hans: Senate Bill No. 466—An act to amend section 270 of the Penal Code, providing punishment for failing to support a minor child.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 467—An act to amend section 270a of the Penal Code, providing punishment for failing to support a minor child.

Bill read first time, and referred to Committee on Judiciary.

By Senator Breed: Senate Bill No. 468—An act to appoint a commission to be known as the California exhibit and exploitation commission, to have charge and control of an exhibit, or exhibits, of the products of the State of California, outside of the boundaries of the state, for the purpose of advertising the state's resources, and appropriating moneys to procure space, collect, construct, install and maintain such exhibit, or exhibits.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 469—An act to establish a state training high school, in the city of Oakland, to prescribe the functions thereof, to provide for its organization and management, to authorize the high school district where the same is located to appropriate moneys for the partial payment of its expenses and to provide for its housing, and to make a state appropriation therefor.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 470—An act to provide for the formation and establishment of boulevard districts, the construction, acquisition, maintenance, control and use of boulevards; defining the term boulevard; providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such boulevards; providing for a boulevard commission to have charge of the affairs of boulevard districts, and the construction, maintenance and repair of boulevards, within such districts; providing for the election of such commission, their terms of office, and of elections to be held in such districts; and repealing conflicting acts.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Carr, W. J.: Senate Bill No. 471—An act to amend sections 1, 3, 5, 7, 8, 9 and 10 of an act entitled, "An act authorizing levy districts of the state to incur a bonded indebtedness for the purpose of building, constructing or repairing levees of the district; or for excavating and constructing ditches or canals of such district, or for the purpose of acquiring rights of way for any such levees, ditches, or

canals, or for any and all of said purposes," approved March 8, 1911, and adding thereto four new sections designated as sections 8*a*, 8*b*, 8*c*, and 11.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 472—An act to amend section 1277 of the Penal Code, relating to the admission to bail by a magistrate of a person charged with a public offense; and to amend section 1280 of the Penal Code, relating to the justification of bail, and section 1281 of the Penal Code, relating to the discharge of a defendant upon allowance of bail; and to add a new section to the Penal Code, to be numbered section 1282, relating to the qualification of bail in criminal cases, and authorizing the court in certain cases to require a deposit of personal property to be made by such bail; and to add a new section to the Penal Code, to be numbered section 1283, relating to the exoneration of bail and their release from the lien of the bail bond.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 473—An act to amend the Code of Civil Procedure by adding thereto a new section to be numbered 2055, relating to the examination of an adverse party.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 474—An act to amend section 5 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the state bureau of vital statistics; the issuance and registration of burial and disinterment permits and certificates of birth and deaths, the appointment of state and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of state and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Purkitt: Senate Bill No. 475—An act to amend sections 269*a* and 269*b* of the Penal Code, relating to the crime of cohabitation and adultery.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 476—An act to add a new section to the Penal Code of the State of California to be numbered 817*a*, relating to the duties of peace officers.

Bill read first time, and referred to Committee on Judiciary.

LIEUTENANT GOVERNOR STEPHENS IN THE CHAIR.

At eleven o'clock and forty-five minutes a.m., Lieutenant Governor William D. Stephens, President of the Senate, in the chair.

INTRODUCTION AND FIRST READING OF BILLS—(RESUMED).

By Senator Hans: Senate Bill No. 477—An act to amend section 12 of an act entitled "An act to create a police relief, health, and life

RUSH ORDERS TO PRINTER.

On motion of Senator Burnett, the Secretary was directed to issue a rush order for printing Senate Bill No. 433.

Also:

On motion of Senator Benson, the Secretary was directed to issue a rush order for printing Senate Bill No. 457.

Also:

On motion of Senator Jones, the Secretary was directed to issue a rush order for printing Senate Concurrent Resolution No. 14.

CONSIDERATION OF DAILY FILE.

SENATE JOINT RESOLUTION NUMBER FOUR.

Relative to amending the act of congress approved February 28, 1891, providing for an exchange of lands between the United States and the State of California.

WHEREAS, There is now pending in the congress of the United States H. R. 15098, by Scott Ferris, [illegible] two thousand two hundred seventy-five and two thousand two hundred seventy-six of the Revised Statutes of the United States, providing for the selection of lands for educational purposes in lieu of those appropriated, [illegible] act of congress approved February 28, 1891, [illegible] between the United States and the several states, including the State of California; and

WHEREAS, [illegible] the Department of Agriculture [illegible] of the United States [illegible]; and

WHEREAS, The Department of the Interior [illegible] the State of California, [illegible] of said act of congress of February 28, 1891, [illegible]; and

WHEREAS, [illegible] State of California [illegible] and the United States [illegible] H. R. 15098 [illegible]; and

WHEREAS, [illegible] the State of California [illegible] United States, [illegible] the State of California under the authority [illegible] said act of congress approved February 28, 1891, [illegible] State of California [illegible] lands are conveyed to the State of California by the United States, [illegible] State of California will become subject to taxation; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That our senators and representatives in congress [illegible] requested to [illegible] the passage and enactment into law of the said H. R. 15098; and be it further

Resolved, That the secretary of this [illegible] copies of these resolutions forthwith to each of our senators and representatives in congress.

Resolution read.

The question being on the adoption of the resolution.

The roll was called and Senate Joint Resolution No. 4 adopted by the following vote:

AYES—Senators Ballard, Benson, Boyd, Breed, Carr, E. M., Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, [illegible], Irwin, Jones, Johnson, [illegible], Kehoe, King, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Thompson, and Tyrrell—37.

NOES—None.

Senate Joint Resolution No. 4 ordered engrossed and transmitted to the Assembly.

SENATE CONCURRENT RESOLUTION No. 9.

[illegible] and ratified by a majority [illegible]

[illegible] California, contains a population of [illegible] eight hundred seventeen [illegible] adopted under section eight [illegible] California, which charter was duly ratified by a majority of the [illegible] said city at a special election [illegible] r, 1914, and which was duly [illegible] State of California, on the [illegible]

[illegible] Rosa, ratified and approved [illegible] years next prior to the time of the [illegible] 1916, and held in said city, and [illegible] qualified electors of said city [illegible]

[illegible] Rosa did [illegible] passed and approved on the [illegible] amendments at said general [illegible] provisions of section eight of [illegible] ifornia, and by proclamation [illegible] of said city, the said council duly submitted the said two [illegible] r of said city to the qualified [illegible]

[illegible] and published daily in said [illegible] m of the State of California [illegible] ter and ordinance [illegible] ad and held on said April 4, [illegible] tion of the publication of said [illegible] in said ordinance and procla- [illegible] ents to said charter to the [illegible] of said city for their ratification at [illegible] of said city; and

[illegible] the sixth day of April, 1916, following [illegible] in regular session and did [illegible] ired by the charter of said city, did meet [illegible] the said returns did duly [illegible] fully ratified and adopted [illegible] thereon, and that all the [illegible] stitution of the State of [illegible]

[illegible] said general municipal [illegible] city of [illegible] fourth day of [illegible] for [illegible] ejection as a whole [illegible] the State of California, and are [illegible]

AMENDMENT No. [illegible]

[illegible] and authority to [illegible] ing real or personal [illegible] provisions of the constitution and the general laws of the State of California relating to eminent domain are made applicable [illegible] exclusive, are hereby [illegible]

AMENDMENT NO. TWO

Section twenty-two of the charter of said city is hereby amended so as to read as follows:

Section 22. The Mayor shall be a conservator of the peace and shall have supervision over the affairs of the city. He shall take care that all the laws of the State and the ordinances of the city are duly enforced. He shall preside at all meetings of the Council, at which he is present. He shall have a vote only in case of a tie **and his vote shall be recorded the same as that of a Councilman. He shall have the** power to veto any resolution or ordinance of the Council. He shall sign all warrants drawn upon the city treasury, and with the City Clerk execute for the city **all contracts, conveyances and other instruments in writing to which the city is a** party. He shall have the power to administer oaths and take affidavits and certify the same under his hand. The Mayor by and with the consent of the Council shall appoint all officers of the city not elective. From and after the fourth day of April, 1916, the Mayor shall receive as compensation the sum of Seventy-five Dollars per month, payable monthly. The Council shall elect a Mayor pro tem, which election shall be entered upon the minutes by the City Clerk. It shall then be his duties to perform the duties of Mayor whenever the Mayor shall be absent from the City or shall be for any cause unable to perform the duties of Mayor.

STATE OF CALIFORNIA,
County of Sonoma, ss
City of Santa Rosa.

This is to certify that we, Charles E. Lee, mayor of the City of Santa Rosa, and Herbert B. Snyder, city clerk of the city of Santa Rosa, have compared the foregoing proposed and ratified amendments to the charter of the city of Santa Rosa with the original ordinance and proclamation proposing such amendments and submitting the same to the qualified electors of said city of Santa Rosa at a general municipal election called for that purpose, on Tuesday, April 4, 1916, and that the foregoing is a full, true, correct and exact copy of said amendments, and we further certify that the facts set forth in the preamble preceding said amendments to said charter and the matters set forth herein, are and each of them is true.

In witness whereof, we have hereunto set our hands and caused the corporate seal of the city of Santa Rosa to be attached this seventh day of April, one thousand nine hundred sixteen.

CHARLES E. LEE,
Mayor of the City of Santa Rosa.
HERBERT B. SNYDER,
City Clerk of the City of Santa Rosa.

Now, therefore,

Be it resolved by the Senate of the State of California, the Assembly thereof concurring (a majority of all the members elected to each house voting for the adoption of this resolution and concurring herein), that said amendments to the charter of the city of Santa Rosa, as proposed to and adopted and ratified by the electors of said city of Santa Rosa and as hereinbefore fully set forth be and the **same are, and each of them is, hereby approved as a whole, without amendment or** alteration, for and as amendments to and as part of the charter of the city of **Santa Rosa.**

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 9 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Irwin, Irwin, Johnson, Jones, Kehoe, McDonald, Maddux, Noahon, Parkitt, Rigdon, Rominger, Rush, Scott, **Sharkey, Slater, Thompson, and Tyrrell—30.**
NOES—None.

Senate Concurrent Resolution No. 9 ordered engrossed and transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—OUT OF ORDER.

The following report of standing committee was received and read:

ON COUNTY GOVERNMENT.

SACRAMENTO, January 23, 1917.

MR. PRESIDENT, Your Committee on County Government, to which was referred **Senate Bill No. 222—An act to amend section 4248 of the Political Code of the**

State of California, relating to the salaries, fees and expenses of officers in counties of the nineteenth class—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

INMAN, Chairman.

Senate Bill No. 222 ordered on file for second reading.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Breed, the following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1917

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 11—Relative to revision and amendment of provisions of the Constitution and laws respecting the judiciary.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Concurrent Resolution No. 11 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 8—Relative to the providing of adequate and sufficient facilities for moving and transporting the life-saving apparatus and equipment of the life-saving service station on Humboldt Bay to the scene of wrecks.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Joint Resolution No. 8 referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 1—Relative to the loaning of the funds of the postal savings banks directly to public school districts.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Joint Resolution No. 1 ordered to Committee on Federal Relations.

ADJOURNMENT.

At twelve o'clock m., on motion of Senator Breed, the President declared the Senate adjourned until Wednesday, January 24, 1917, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Wednesday, January 24, 1917.

The Senate met at eleven o'clock a.m.

Lieutenant Governor William D. Stephens, President of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—38.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, January 23, 1917, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Tyrrell, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. and Mrs. J. P. Ward of Brightwaters, Long Island, New York.

PETITIONS.

The following petitions were presented and ordered printed in the Journal:

By Senator Purkitt:

KELSEYVILLE, CALIFORNIA, January 18, 1917.

At a regular meeting of Live Oak Grange, No. 311, held January 8, 1917, it was unanimously voted that the said Live Oak Grange, and the [illegible] Grange, support and recommend the passage by the State Legislature, and approval by the Governor of two bills, as follows:

First. An act validating the formation and organization, and determining the boundaries of Lake County Water District, in the county of Lake, State of California.

Our grange feels that the public interest of the people of Lake County and of the State will be served by the establishment of the water district, and we desire the additional safeguard of legislative sanction.

Second. An act to amend the County Water District Act in certain particulars. The proposed amendments are intended to extend the scope of the County Water District Act and to give to the water districts formed under it greater powers. It would also make it possible for surplus revenues from the sale of water or power to be used in making public improvements in the districts.

We think these measures are in the interest of public policy and we urge their support by our representatives in the State Legislature and by others, by all proper means.

LIVE OAK GRANGE, No. 311,
By C. A. BENSON, Secretary.

Also:

By Senator Breed:

SAN FRANCISCO, January 16, 1917.

WHEREAS, The California Building adjoining the Palace of Fine Arts on the Marina has been taken by the State for the San Francisco State Normal School and the Legislature at its special session of 1916 appropriated $200,000 to purchase the necessary land underlying this building; and

WHEREAS, It was generally understood at that session that further appropriations would be necessary to make of this building a school plant in any way comparable with the large appropriations already made by the State for normal schools at Los Angeles, Fresno and many smaller cities; now, therefore, be it

Resolved, That the Civic League of Improvement Clubs and Associations of San Francisco respectfully urges the Legislature to complete its appropriations for this school as early in this session as possible by the passage of Assembly Bills Nos. 31, 50 and 91 as introduced by Assemblyman Marks, so that the school may be moved from its present cramped and absolutely inadequate quarters in time for the opening of the new school year in the California Building next August.

CIVIC LEAGUE OF IMPROVEMENT CLUBS AND ASSOCIATIONS OF SAN FRANCISCO.
GEO. W. GERHARD, Secretary.

Also:

By Senator Breed:

SAN FRANCISCO, January 17, 1917.

To the Honorable Legislature of the State of California:

WHEREAS, The Point Lobos Improvement Club of the Richmond district of San Francisco has advocated the preservation of the California building ever since the

Panama-Pacific International Exposition was started in our city, and do hereby express their approval toward the transforming of the said California building into a normal school; and

WHEREAS, The Legislature at the special session of 1916 passed acts providing for the acquisition and acceptance by the State of the California building as a normal school and appropriated $200,000 out of the proceeds coming to the State from the assets of the exposition; and

WHEREAS, It was understood at that time that such amount being insufficient to complete the acquisition, further action would be taken at a subsequent session to accomplish the true intent of the legislature; and

WHEREAS, Assembly Bills Nos. 31, 50 and 91 have been introduced by Assemblyman Marks at the instance of the trustees of the normal school authorizing the State to accept its share of the assets of the exposition either in lands or in money and providing that the value of the present normal school land and buildings estimated at $150,000 should be appropriated to assist in making permanent the $400,000 value of the California building and that on such appropriation the present normal school property shall be turned over to the Board of Control for sale; be it

Resolved, That the Point Lobos Improvement Club does respectfully urge the Legislature to pass these bills in order to protect the interests of the State, secure the safety of the children and young women attending the normal school, and conserve to a useful purpose a great monument of the Panama-Pacific International Exposition.

THOS. P. ROBINSON, President.
G. EDWARD LYON, Secretary.

Also:
By Senator Breed:

SAN FRANCISCO, January 18, 1917.

To the Honorable Legislature of the State of California:

WHEREAS, The Legislature at the special session of 1916 passed acts providing for the acquisition and acceptance by the State of the California building as a normal school and appropriated $200,000 out of the proceeds coming to the State from the assets of the exposition; and

WHEREAS, It was understood at that time that such amount being insufficient to complete the acquisition, further action would be taken at a subsequent session to accomplish the true intent of the Legislature; and

WHEREAS, Assembly Bills Nos. 31, 50 and 91 have been introduced by Assemblyman Marks at the instance of the trustees of the normal school authorizing the State to accept its share of the assets of the exposition either in lands or in money and providing that the value of the present normal school lands and buildings estimated at $150,000 should be appropriated to assist in making permanent the $400,000 value of the California building and that on such appropriation the present normal school property shall be turned over to the Board of Control for sale; be it

Resolved, That the East of Fillmore Street Improvement Association does respectfully urge the Legislature to pass these bills in order to protect the interests of the State, secure the safety of the children and young women attending the normal school, and conserve to a useful purpose a great monument of the Panama-Pacific International Exposition.

EAST OF FILLMORE STREET IMPROVEMENT ASSOCIATION.
IGNATIUS BECK, President.

Also:
By Senator Breed:

SAN FRANCISCO, January 18, 1917.

To the Honorable Legislature of the State of California:

WHEREAS, The Legislature at the special session of 1916 passed acts providing for the acquisition and acceptance by the State of the California building as a normal school and appropriated $200,000 out of the proceeds coming to the State from the assets of the exposition; and

WHEREAS, It was understood at that time that such amount being insufficient to complete the acquisition, further action would be taken at a subsequent session to accomplish the true intent of the Legislature; and

WHEREAS, Three bills have been introduced by Assemblyman Marks at the instance of the trustees of the normal school authorizing the State to accept its share of the assets of the exposition either in lands or in money and providing that the value of the present normal school lands and buildings estimated at $150,000 should be appropriated to assist in making permanent the $400,000 value of the California building and that on such appropriation the present normal school property shall be turned over to the Board of Control for sale; be it

Resolved, That we urge the Legislature to [illegible] an article to [illegible] the interests of the State and secure the [illegible] of the children and young [illegible] attending the normal school, and to preserve a great [illegible] of the Panama Pacific International Exposition.

PARK PRESIDIO IMPROVEMENT ASSOCIATION,
LOUIS A. COLTON, President.
GEO. R. MOTHERSEAD, Secretary.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills were introduced:

By Senator King: Senate Bill No. 489—An act appropriating money to pay the claim of the county of San Bernardino for additional reimbursement as determined by investigation of the State Tax Commission.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 490—An act to amend section 4048 of the Political Code, regarding the purchase of supplies and advertising by counties, defining the duties and powers of officers relating thereto and establishing a legal square and a legal rate.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 491—An act declaring and establishing a state highway from the city of San Bernardino by way of Arrowhead avenue, Waterman Canyon, the "Cross Drive" and Mill Creek to the city of Redlands.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 492—An act to amend that certain act of the Legislature of the State of California, entitled "An act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," by amending section 9 thereof.

Bill read first time, and referred to Committee on Banking.

By Senator Chandler: Senate Bill No. 493—An act appropriating money to meet additional expense for the support of orphans, half orphans and abandoned children for the sixty-seventh and sixty-eighth fiscal years.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 494—An act appropriating money to meet additional expense of the State Purchasing Department for the sixty-seventh and sixty-eighth fiscal years.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 495—An act appropriating money to meet additional expense of the Los Angeles State Normal School for the sixty-seventh and sixty-eighth fiscal years.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 496—An act appropriating money to meet additional expense of the State Labor Commission for the sixty-seventh and sixty-eighth fiscal years.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 497—An act appropriating money to meet additional expense of the State Corporation Commissioner for the sixty-seventh and sixty-eighth fiscal years.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 498—An act appropriating additional funds for the transportation of prisoners and insane for the sixty-seventh and sixty-eighth fiscal years.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 499—An act appropriating additional money for the Norwalk State Hospital for the sixty-seventh and sixty-eighth fiscal years.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 500—An act appropriating money to meet additional expense of arresting criminals without the State, for the sixty-seventh and sixty-eighth fiscal years.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 501—An act appropriating additional money for the emergency fund of the Board of Control for the sixty-seventh and sixty-eighth fiscal years.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 502—An act appropriating money to pay the claims of various contractors against the State of California in connection with the construction of the Fresno Normal School.

Bill read first time, and referred to Committee on Finance.

By Senator Ingram: Senate Bill No. 503—An act to amend section 4280 of the Political Code, relating to the compensation of officers of counties of the fifty-first class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 504—An act to amend section 737 of the Political Code, relating to the salary of superior judges.

Bill read first time, and referred to Committee on Judiciary.

By Senator Carr, F. M.: Senate Bill No. 505—An act relating to the liability in damages of towns, cities, cities and counties, and counties, for damages for injuries to person or property resulting from defects and dangers in streets, highways, public bridges, public buildings, public work or property, and providing for the payment of judgments recovered for such damages, and repealing acts in conflict herewith.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 506—An act to amend section 1617 of the Political Code, defining the powers and duties of boards of school trustees and city boards of education.

Bill read first time, and referred to Committee on Education.

Also (by request): Senate Bill No. 507—An act to amend section 13 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this state; creating a public school teachers' retirement salary fund and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds."

Bill read first time, and referred to Committee on Education.

By Senator Maddux: Senate Bill No. 508—An act to amend section 737 of the Political Code, relating to the salaries of superior judges.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 509—An act providing for the acquisition and adjustment of rights to the use of underground water, and defining the powers and duties of the State Water Commission in relation thereto.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Rominger: Senate Bill No. 510—An act to promote the drainage of wet, swamp and overflowed lands, whether situated in one county or more than one county, and to promote the public health in the communities in which they lie; providing for the issuance of bonds and levying of assessments on lands benefited to pay the costs and expenses thereof.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 511—An act making an appropriation for the flood control and conservation of the waters of the San Antonio Wash, along the boundary line between Los Angeles and San Bernardino counties.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 512—An act to amend section 5d of an act entitled "An act to promote the drainage of wet, swamp and overflowed lands, and to promote the public health in the communities in which they lie, providing for the issuance of bonds and levying of assessments on lands benefited, to pay the costs and expenses thereof," approved March 21, 1903, as amended.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Lyon: Senate Bill No. 513—An act to amend section 5 of an act entitled "An act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this act," approved May 26, 1913, relating to the findings of the wage board.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Ballard: Senate Bill No. 514—An act to amend section 1720 of the Political Code, and to add a new section to the Political Code, to be numbered section 1750b, relating to the organization and maintenance of junior college courses of study.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 515—An act to amend section 1721 of the Political Code and to add a new section to the Political Code, to be numbered section 1739b, relating to the organization of high school districts and county junior college districts.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 516—An act to amend section 1521 of the Political Code relating to the compensation and expenses of members of the State Board of Education and Assistant Superintendents of Public Instruction.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 517—An act to amend section 601 of the Code of Civil Procedure of the State of California, relating to challenge of jurors.

Bill read first time, and referred to Committee on Judiciary.

SENATOR BENSON IN THE CHAIR.

At eleven o'clock and fifteen minutes a.m., Senator Benson of the Twenty-seventh District, was called to the chair.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—RESUMED.

By Senator Canepa: Senate Bill No. 518—An act to amend the Penal Code by adding thereto a new section, to be numbered 680*a*, relating to compulsion of employees.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 519—An act to amend the Penal Code by adding a new section thereto, to be numbered 626*c*, relating to the hunting or shooting of game or game birds with automatic shotguns or pump guns.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Burnett: Senate Bill No. 520—An act to add a new section to the Penal Code, to be numbered 602*a*, relating to trespassers.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 521—An act prohibiting discrimination in favor of individuals between insurants of the same class and expectation of life in the amount or payment of premiums, or rates charged for policies of insurance, or in the dividends or other benefits payable thereon; also prohibiting the giving or the acceptance of rebates on life insurance policies and providing penalty therefor.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 522—An act providing for the licensing of life insurance agents, limiting the payment of commissions or other compensation for services in procuring new insurance to licensed agents only and providing penalty for the violation of this act.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 523—An act to amend sections 4115 and 4146 of the Political Code of the State of California, relating to the duties of coroners and treasurers and to add a new section to the said code, to be known and designated as section 4146*a*, relating to the disposition of property belonging to certain deceased persons.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 524—An act to amend an act entitled "An act to provide for the organization of the railroad commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act."

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 525—An act to amend an act entitled "An act to provide for the organization of the railroad commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act."

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 526—An act providing for the regulation of the business of using, operating and driving automobiles, auto stages, motor vehicles or motor busses for hire as common carriers on the public highways of the state, prescribing terms, conditions and restrictions of the use of the same, providing for licenses to carry on such business and the regulation thereof, making the violation of any of the provisions of this act a misdemeanor and providing a penalty therefor, and repealing all acts or parts of acts in conflict herewith in so far as the same may be in conflict.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 527—An act transferring one hundred fifty thousand dollars to "the San Francisco State Normal School Exposition Preservation Fund" and appropriating the same for the preservation of the California building on the site of the Panama-Pacific International Exposition.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 528—An act to amend sections 1 and 2 of an act entitled "An act to authorize and empower the board of trustees of the San Francisco State Normal School to sell or exchange and convey the lands and buildings of said school, to acquire by purchase, gift, condemnation or otherwise a new site for said school and to erect thereon buildings suitable and appropriate therefor, or to remodel or reconstruct any building already erected on the site so purchased or acquired, and to purchase therefor necessary and appropriate furniture and equipment; to create a fund into which shall be paid the proceeds of the sale of the present school property and making an appropriation to carry out the purposes of this act," approved January 11, 1916, and to add thereto six new sections to be numbered 8, 9, 10, 11, 12 and 13.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 529—An act to amend sections 1 and 2 of an act entitled "An act to provide for the disposition of any money or other property accruing to or to be received by the State of California as its proportionate share of the returns from the holding of the Panama-Pacific International Exposition," approved January 11, 1916, and to add thereto a new section to be numbered 3.

Bill read first time, and referred to Committee on Finance.

By Senator Chamberlin: Senate Bill No. 530—An act to add a new section to the Penal Code, to be numbered 162*a*, prohibiting corporations and voluntary associations from practicing law and providing penalties for the violation thereof.

Bill read first time, and referred to Committee on Judiciary.

By Senator Evans: Senate Bill No. 531—An act to provide for the indeterminate sentence of persons convicted of certain public offences, for the termination of such sentence and the release of such persons from custody.

Bill read first time, and referred to Committee on Judiciary.

By Senator Gates: Senate Bill No. 532—An act repealing Chapter I and Articles I to VI inclusive of Chapter II, of Title X of Part IV, division third, of the Civil Code of the State of California, and to add a new Chapter I of Title X of Part IV, division third, in place thereof, and to amend Article VII of Chapter II of Title X of Part IV, division third, of the Civil Code of the State of California, by making said Article VII of Chapter II of Title X of Part IV, division third, of the Civil Code of the State of California, relating to partnerships.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 533—An act to add a new section to the Political Code of the State of California, to be numbered 1534 and relating to the holding of conventions of elementary school principals.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 534—An act providing for the resettlement of franchise rights and the granting of a resettlement franchise in counties and municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting acts.

Bill read first time, and referred to Committee on Public Utilities.

By Senator Duncan: Senate Bill No. 535—An act to amend the Penal Code of the State of California by adding thereto a new section to be numbered 1203*a*, relating to the release on probation of persons convicted of crime and serving sentence.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 536—An act to amend section 4277 of the Political Code of the State of California, relating to salaries, fees and compensation of officers of counties of the forty-eighth class.

Bill read first time, and referred to Committee on County Government.

By Senator Sharkey: Senate Bill No. 537—An act to amend section 1771 of the Political Code, relating to the powers of county boards of education to prescribe rules, hold examinations, grant certificates on credentials, issue diplomas of graduation and adopt a seal.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 538—An act to amend section 1543 of the Political Code, relative to the powers and duties of county superintendents of schools.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 539—An act to amend section 1770 of the Political Code, relating to the meetings, powers, work, and compensation of county boards of education.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 540—An act to amend section 1772 of the Political Code, relating to the granting of certificates on examination, the qualifications to take such examinations and the subjects included in them.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 541—An act to amend section 1858 of the Political Code, relating to the number of teachers each school is entitled to and to the apportionment of school funds.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 542—An act to amend section 1847 of the Political Code, relating to estimating the amount of money necessary for maintaining the elementary schools for the next ensuing school year, the minimum amount and the method of determining those amounts.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 543—An act to amend section 1620 of the Political Code, relating to the furnishing of school supplies, supplementary, reference and library books.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 544—An act to amend section 1652 of the Political Code, providing for the expenses incurred by a county superintendent of schools and his deputies while in the discharge of their duties.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 545—An act to amend section 1617 of the Political Code, relating to the powers and duties of school trustees and boards of education.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 546—An act to amend section 1617a of the Political Code, relating to the powers and duties of school trustees and boards of education in matters affecting the school property.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 547—An act to amend section 1617b of the Political Code, relating to the powers and duties of school trustees and boards of education in regard to employment of teachers, principals, superintendents and other school employees.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 548—An act to amend section 1617c of the Political Code, relating to the powers and duties of school trustees and boards of education as to matters directly affecting pupils.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 549—An act to amend section 1617d of the Political Code, relating to the powers and duties of school trustees and boards of education as to district meetings.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 550—An act to add a new section to the Political Code, to be numbered section 1617e, relating to powers and duties of school trustees and boards of education as to contracts.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 551—An act to add to the Political Code a new section to be numbered 1617f, relating to the duties of school trustees and boards of education to provide flags of the United States.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 552—An act to add to the Political Code a new section to be numbered 1617g, relating to the powers of school trustees and boards of education as to the employment of home teachers.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 553—An act to add to the Political Code a new section to be numbered 1617*b*, relating to the duties of school trustees and boards of education as to the establishment of kindergartens.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 554—An act to add to the Political Code a new section to be numbered 1617*c*, relating to the powers of school trustees and boards of education as to intermediate schools.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 555—An act to provide for the formation, government, operation and dissolution of forest fire districts, in any part of the State of California, to prevent and extinguish forest, brush and grass fires therein, and protect persons and property from injury, loss or damage resulting from any such fire; and to provide for the assessment, levy, collection and disbursement of taxes and revenues therein, and the contribution or payment of public funds therefor.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 556—An act to provide for experiment and research work in the drying, canning and preservation of fruits, the handling, preparation and manufacture of fruit products and by-products.

Bill read first time, and referred to Committee on Agriculture.

By Senator Benson: Senate Bill No. 557—An act to authorize the Board of Trustees of the San Jose State Normal School to exchange certain land belonging to said school for other land belonging to the San Jose High School District.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 558—An act to amend sections 1 and 2 of an act entitled "An act to prevent the supply of water dangerous to health for domestic purposes and to provide for the installation of sanitary water systems," approved June 13, 1913, so as to prevent the supply of water impure, unwholesome, unpotable or polluted for domestic purposes and to compel the furnishing of pure, wholesome and potable water supplies for domestic purposes.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 559—An act to amend sections 2 and 3 of an act entitled "An act for the preservation of the public health of the people of the State of California and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907, amended April 1, 1911, June 13, 1913, so as to prevent the maintenance of sewer farms or the making of any addition or modification in sewage works, plant, place or manner of disposal without a permit from the State Board of Health and to prevent the creation of nuisance by said works or disposal.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Brown: Senate Bill No. 560—An act to repeal section 598 of the Civil Code, relating to selling, mortgaging, aliening, encumbering or granting real property, by corporations organized not for profit.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 561—An act to repeal section 1313 of the Civil Code relating to bequests and devises for charitable uses.

Bill read first time, and referred to Committee on Judiciary.

By Senator Shearer: Senate Bill No. 562—An act to amend section 4258 of the Political Code, relating to salaries and fees of officers and to the fees to be allowed trial and grand jurors of counties of the twenty-ninth class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 563—An act to amend section 30 of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897.

Bill read first time, and referred to Committee on Irrigation.

By Senator Slater: Senate Bill No. 564—An act making an appropriation to pay the claim of Petaluma and Santa Rosa Railway Company, a corporation, against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 565—An act providing for enclosing printed cards in packages containing food products, the ingredients of which are in part composed of either canned eggs, unshelled eggs, dried eggs, egg yolks, frozen eggs, egg powder or egg albumen, and prescribing penalties for violation of the provisions thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Jones: Senate Bill No. 566—An act to amend section 4233 of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 567—An act to appropriate money for the construction of trails, fire trails and telephone lines to and into California Redwood Park, and for the removal of dead and fallen timber in said park.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 568—An act to appropriate money for lighting the grounds of the Agnews State Hospital.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 569—An act to appropriate money for the purchase of land for the Agnews State Hospital.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 570—An act appropriating money for the construction and furnishing of a nurses' home for men at the Agnews State Hospital.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 571—An act appropriating money for the construction of a convalescent cottage for men at the Agnews State Hospital and for furnishing the same.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 572—An act to appropriate money for the construction and furnishing of a staff house for physicians at the Agnews State Hospital.

Bill read first time, and referred to Committee on Finance.

By Senator Luce: Senate Bill No. 573—An act to amend the Penal Code of the State of California by adding thereto a new section to be numbered 337*b*, relating to the publication, distribution, selling or giving away of tips or other information concerning horse races, or betting upon horse races.

Bill read first time, and referred to Committee on Public Morals.

Also: Senate Bill No. 574—An act to amend section 79 of "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 575—An act to amend section 34 of "An act to provide for work upon streets, lanes, alleys, courts, places and sidewalks and for the construction of sewers within municipalities," approved March 18, 1885.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 576—An act to amend section 11 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913.

Bill read first time, and referred to Committee on Civil Service.

Also: Senate Bill No. 577—An act to amend section 633 of the Penal Code of the State of California, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 578—An act to amend section 626*j* of the Penal Code of the State of California.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 579—An act to amend section 626*i* of the Penal Code, relating to the protection of deer.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 580—An act appropriating money for the use of the Scripps Institution for Biological Research of the University of California, for the purpose of marine research work.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 581—An act to appropriate money for paving in front of the San Diego State Normal school.

Bill read first time, and referred to Committee on Finance.

By Senator Breed: Senate Bill No. 582—An act to amend section 678 of the Political Code, relating to notice to State Board of Control and State Treasurer of bond sales by city, county and district authorities.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 583—An act to amend an act entitled "An act to provide for the payment of retirement salaries to the public school teachers of this State, creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, by amending section 15 thereof.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 584—An act creating a state land settlement board and defining its powers and duties and appropriating the sum of two hundred sixty thousand dollars in aid of its operations.

Bill read first time, and referred to Committee on Finance.

By Senator Kehoe: Senate Bill No. 585—An act to amend section 1741 of the Political Code, relating to the powers and duties of high school boards.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 586—An act making an appropriation for the extension of the Trinity-Humboldt state road from its westerly end, in a westerly direction, to the town of Bridgeville, in Humboldt county.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 587—An act to add a new section to the Political Code to be numbered 2983, relating to the office of attorney for the State Board of Health, and repealing all acts inconsistent therewith.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator McDonald: Senate Bill No. 588—An act to amend section 628 of the Penal Code, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Maddux: Senate Bill No. 589—An act to amend section 290a of the Civil Code, relating to corporations authorized to act as executor, administrator, guardian, assignee, receiver, depositary, or trustee or to engage in the business of banking.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 590—An act to amend section 19c of an act entitled "An act to be known as the juvenile court law, and concerning persons under the age of twenty-one years, and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the

establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the juvenile court law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith."

Bill read first time, and referred to Committee on Judiciary.

By Senator Carr, W. J.: Senate Bill No. 591—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, by amending sections 47 and 70 thereof.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 592—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, by amending section 43 thereof.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 593—An act to amend an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to create a motor vehicle department and to provide for the organization and conduct thereof; to provide for carrying out the

objects of this act, and to make appropriation therefor; and to repeal all acts or parts of acts in conflict with this act," approved May 10, 1915, by amending section 34.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 594—An act to amend section 8 of an act entitled "An act to provide for the formation of levee districts in the various counties of this State and to provide for the erection of levees, dikes and other works for the purpose of protecting the lands within such districts from overflow and to levy assessments to erect and construct and maintain such levees, dikes and other works and to pay the necessary costs and expenses of maintaining said districts," approved March 20, 1905, and amended by an act approved March 16, 1907.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 595—An act to add to the Civil Code of the State of California a new section to be numbered 594, relating to the incorporation of associations mentioned in Title XII of Part IV of division first of said code and making further provisions respecting articles of incorporation of corporations formed from such associations.

Bill read first time, and referred to Committee on Judiciary.

By Senator Brown: Senate Bill No. 596—An act to add a new section to the Code of Civil Procedure to be numbered 1490, relating to notice to creditors of decedents.

Bill read first time, and referred to Committee on Judiciary.

By Senator Ballard: Senate Bill No. 597—An act to amend section 1617 of the Political Code, relating to the powers and duties of boards of school trustees and city boards of education.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 598—An act to amend section 1741 of the Political Code, relating to the powers and duties of high school boards.

Bill read first time, and referred to Committee on Education.

By Senator Luce: Senate Bill No. 599—An act to provide for the organization and supervision of courses in physical training in the elementary, secondary and normal schools of the State, and appropriating ten thousand dollars therefor.

Bill read first time, and referred to Committee on Education.

LIEUTENANT GOVERNOR STEPHENS IN THE CHAIR.

At eleven o'clock and forty minutes a.m., Lieutenant Governor William D. Stephens, President of the Senate, in the chair.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(RESUMED).

By Senator Flaherty: Senate Bill No. 600—An act to amend section 274 of the Code of Civil Procedure, relating to the compensation of official phonographic reporters of the superior court of the State of California.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 601—An act to amend section 4300*a* of the Political Code, relating to fees to be charged by a county clerk.

Bill read first time, and referred to Committee on Judiciary.

By Senator Scott: Senate Bill No. 602—An act to provide for the erection of a memorial monument of Abraham Lincoln, appoint a commission therefor and provide an appropriation to carry this act into effect.

Bill read first time and referred to Committee on Finance.

Also: Senate Bill No. 603—An act entitled an act to provide for the creation of a "State commission of investigators of traffic in alcoholic liquors," to consist of seven members, to be appointed by the Governor, to investigate matters tending to show whether alcoholic liquors are inherently bad as beverages for human beings and the aspects of industry in the State of California, whether the moderate use of alcoholic liquors as beverages for human beings does in fact induce, develop and augment poverty, pauperism, immorality, mental or physical deterioration, disease, degeneracy, crime, industrial accidents, bad citizenship, civic disorder, or other evil consequences, and to what extent the laws operative in the State of California are adequate and efficient so far as their provisions are concerned to properly control the traffic in alcoholic beverages and to report the information gathered to the Governor; specifying the powers granted to the commission and its members and making an appropriation to cover the cost of its operations.

Bill read first time and referred to Committee on Public Morals.

Also: Senate Bill No. 604—An act to provide for the partial completion and partial equipment of the armory for the National Guard at San Francisco, and making an appropriation therefor.

Bill read first time, and referred to Committee on Military Affairs.

By Senator Nealon: Senate Bill No. 605—An act to amend section 361 of the Civil Code of the State of California, relating to changing the number of directors of corporation.

Bill read first time, and referred to Committee on Corporations.

By Senator Rigdon: Senate Bill No. 606—An act making an appropriation to pay the claim of San Luis Obispo County against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 607—An act making an appropriation to provide for the survey, location and estimate of cost of a State highway from Carmel in Monterey County, to San Simeon in San Luis Obispo County, and a certain lateral State highway from a point most feasible thereon to Jolon in Monterey County.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 608—An act to amend sections 2 and 3 of an act entitled "An act to prevent the introduction, and provide for the investigation and suppression of contagious or infectious diseases, and appropriating money to be used for such purpose," approved June 7, 1913.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 609—An act to add a new section to the Penal Code, to be numbered 626f, relating to prohibiting the baiting of wild game, or the killing of baited wild game, and prescribing a penalty therefor.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 610—An act declaring ground squirrels and other rodents destructive to crops or other property to be a public nuisance, providing for the abatement thereof, providing that the expense incurred by reason of such abatement shall be a lien on the property; and providing for the foreclosure of such lien.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Canepa: Senate Bill No. 611—An act to amend section 1861 of the Civil Code, relating to the lien of hotel, inn, boarding house, lodging house and apartment house keepers.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 612—An act to amend section 537 of the Penal Code, relating to fraudulent practices upon keepers of hotels, inns, restaurants, boarding houses, lodging houses or apartment houses.

Bill read first time, and referred to Committee on Judiciary.

The following resolutions were offered:

By Senator Rominger: Senate Constitutional Amendment No. 17—A resolution to propose to the people of the State of California an amendment to section 9, of Article IX of the Constitution of said State, relative to the University of California.

Constitutional amendment ordered to print, and referred to Committee on Constitutional Amendments.

By Senator Canepa: Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to the Constitution by adding a new section thereto, to be numbered 14½ of Article I thereof, providing that the value, use, or earning capacity of certain property assessed and taxed shall not be destroyed or impaired by operation of any law without just compensation.

Constitutional amendment ordered to print, and referred to Committee on Constitutional Amendments.

By Senator Scott: Senate Joint Resolution No. 5—Memorializing the Senate and House of Representatives of the United States to authorize the franking of reports of births, deaths and communicable diseases to the proper officer and all printed matter of an educational character issued by the state board of health to the people of the state.

Joint resolution ordered to print, and referred to Committee on Federal Relations.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SACRAMENTO, January 24, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 10—Relative to amendments to the charter of the city of Berkeley, after due ratification by the qualified electors of said city at a city election properly held;

Also: Senate Joint Resolution No. 4—Relative to amending the act of congress, approved February 28, 1891, providing for an exchange of lands between the United States and the State of California;

And reports that the same have been correctly engrossed.

CANEPA, Chairman.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered.

By Committee on Contingent Expenses:

RESOLUTION BY COMMITTEE ON CONTINGENT EXPENSES.

Resolved, That there is hereby appropriated out of the contingent fund of the Senate two hundred dollars, or so much thereof as may be needed, for the purpose of purchasing boxes, packing, marking and expressing all papers and documents belonging to Senators to their places of residence. Immediately after the adjournment for the constitutional recess, the Sergeant-at-Arms of the Senate shall cause this work to be done and shall file with the Controller of the state vouchers covering the different items of expense, whereupon the Controller shall draw his warrant or warrants in favor of the Sergeant-at-Arms of the Senate for the amount necessarily expended, and the Treasurer is directed to pay the same.

NEALON, Chairman.

Resolution read.

Senator Nealon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, E. M., Carr, W. J., Chamberlin, Crowley, Evans, Flaherty, Hans, Ingram, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Shearer, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read, out of the regular order:

ON REVENUE AND TAXATION.

SACRAMENTO, January 23, 1917.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Joint Resolution No. 3—Relative to the establishment of definite lines of division between federal and state income and inheritance taxes, and the calling of a congress of the states to consider conflicting jurisdictions of the federal and state governments—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it be adopted as amended.

BENSON, Chairman.

CONSIDERATION OF JOINT RESOLUTION—(OUT OF ORDER).

Senator Breed asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 3 for consideration out of order, for the purpose of amendment.

During the reading of the resolution, the following committee amendments were offered:

SENATE COMMITTEE AMENDMENTS, SENATE JOINT RESOLUTION NUMBER THREE.

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out the words "income and inheritance."

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all after the title and insert in lieu thereof the following:

WHEREAS, In the exercise of its taxing power the federal government is embracing the sources of revenue heretofore not availed of by that government; and

WHEREAS, This encroachment is felt particularly in the case of income and inheritance taxes, both of which forms of taxes are in danger of being dried up as sources of state revenue; and

WHEREAS, There exists a line which separates the taxable units that equitably and logically may be left solely to state taxation from the units logically belonging to the broader federal jurisdiction; and

WHEREAS, The establishment of some reasonable line of division giving to the states sole taxing authority below such line, and to the federal government sole

taxing authority above such line, would cut much of the tender growing between of conflict of jurisdiction between states, would relieve the tension between federal and state governments, would result in great economy in the keeping and collection of taxes, and would relieve the resulting dissatisfaction on the part of the taxpayer resulting from irritating and expensive duplication of assessments and reports and double taxation, now therefore be it

Resolved, by the Senate and Assembly of the State of California, jointly, That we respectfully urge upon the Congress of the United States and the legislatures of the several states the need of holding a congress of the states to consider the subject of federal and state sources of revenue, with the object of adopting and urging upon the Congress of the United States a definite policy in the apportionment of state and federal revenue, and we urge the legislatures of the other states to provide for attendance of representatives at such congress; and be it further

Resolved, That the President of the United States be invited to appoint a representative and that both houses of the Congress of the United States be invited to appoint representatives to attend such conference; and be it further

Resolved, That the Governor of the State of California be hereby requested to urge the governors of other states to be instructed thereunto as above and to propose that the time and place of such national meeting; and that the Governor of California be authorized to appoint delegates to represent the State of California at such conference; and be it further

Resolved, That a copy of these resolutions be forthwith transmitted by the Secretary of the Senate to the President of the Senate of the United States and to the Speaker of the House of Representatives of the United States and to each member of Congress from the State of California, and a copy to the President of the Senate and to the Speaker of the House of Representatives of each of the state legislatures in session at this time.

Amendment adopted.

Resolution ordered to print and engrossment.

RUSH ORDERS TO PRINTER.

On motion of Senator Benson, the Secretary was directed to issue a rush order for printing Senate Joint Resolution No. 3.

On motion of Senator Chandler, the Secretary was directed to issue a rush order for printing Senate Bills Nos. 493, 494, 495, 496, 497, 498, 499, 500 and 501.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following resolution was offered by Senator Breed:

Senate Concurrent Resolution No. 15—Relative to visiting state institutions.

CONSIDERATION OF CONCURRENT RESOLUTION (OUT OF ORDER).

Senator Breed asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 15 for consideration without reference to committee.

SENATE CONCURRENT RESOLUTION No. 15.

Relative to visiting state institutions.

Resolved, by the Senate, the Assembly concurring, That the chairmen of the finance and hospitals and asylums committees of the Senate and assembly be hereby appointed, in conjunction with the chairmen of the ways and means and chairmen of the hospitals and asylums committees of the Assembly, to inspect and investigate state institutions and enterprises during the coming general recess, and to prepare bills and report upon the financial needs of such institutions, and that they be allowed their actual traveling expenses while so engaged, the same to be payable out of the contingent expense funds of the Senate and Assembly.

Resolution read.

The question being on the adoption of the resolution,

The roll was called, and Senate Concurrent Resolution No. 15 adopted by the following vote:

AYES—Senators Benson, Breed, Burnett, Caspa, Carr, F. M., Crowley, Evans, Flaherty, Gates, Hans, Ingram, Johnson, McDonald, Maddux, Nealon, Rigdon, Scott, Sharkey, Slater, Thompson, and Tyrrell—21.

NOES—Senators Ballard, Breed, Carr, W. J., Chamberlin, Crowder, Duncan, Irwin, Jones, Kehoe, King, Lane, Parkin, Rennegar, Rush, Shearer, and Stuckenbruck—16.

POINT OF ORDER.

Senator Tyrrell raised the point of order, that during the calling of the roll, debate was out of order.

DECISION ON POINT OF ORDER.

The President announced his decision and declared the point of order well taken.

Senate Concurrent Resolution No. 15 ordered to print and engrossment and transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following report of standing committee was received and read out of the regular order:

ON MILITARY AFFAIRS.

SACRAMENTO, January 24, 1917.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Senate Bill No. 149—An act providing for the [illegible] and care of cemetery trustees and associations of the graves of honorably discharged soldiers of the United States of America or of the Confederate States of America, or of the veterans of the Civil War or of the Spanish American War, and providing the manner of payment therefor—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

SCOTT, Chairman.

Senate Bill No. 149 ordered on file for second reading.

SECOND READING OF BILLS.

Senate Bill No. 222—An act to amend section 4248 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the nineteenth class.

Bill read second time, ordered engrossed and on file for third reading.

APPOINTMENTS BY THE PRESIDENT.

Pursuant to the provisions of Senate Concurrent Resolution No. 11, the President of the Senate appointed the following as members of a committee on revision and amendment of provisions of the Constitution and laws respecting the judiciary: Senators Kehoe, Carr, W. J., Ballard, Burnett, Jones, and Stuckenbruck.

REQUEST FOR REPORT FROM ENGROSSMENT OUT OF ORDER.

Senator Maddux asked for, and was granted unanimous consent to have Senate Bills Nos. 178 and 179 reported from engrossment out of their regular order.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SACRAMENTO, January 24, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 7—Approving certain amendments to the charter of the city of Eureka, a municipal corporation, in the county of Humboldt, State

of California, voted for and ratified by the qualified [illegible] at a special municipal election held therein on the [illegible] day of November, A. D. 1916.

Also: Senate Concurrent Resolution No. 8—Authorizing the change of the county of Alameda, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the [illegible] day of January, 1917.

And reports that the same have been carefully considered, and approved the same to the Governor on this twenty-fourth day of January, 1917, at 11 o'clock [illegible].

CANEPA, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills respectfully reports: Senate Bill No. 178—An act validating the formation and organization, and determining the boundaries of Drainage Improvement District No. 1 of the county of **Merced, State of California;**

Also: Senate Bill No. 179—An act validating the formation and organization, and **determining the boundaries of Drainage Improvement District No. 2 of the county of Merced, State of California;**

And reports that the same have been carefully engrossed.

CANEPA, Chairman.

THIRD READING OF BILLS—[illegible] OUT OF ORDER.

Senator Maddox asked for, and was granted, unanimous consent to take up Senate Bills Nos. 178 and 179, for third reading out of order.

Senate Bill No. 178—An act validating the formation and organization, and determining the boundaries of Drainage Improvement District No. 1 of the county of Merced, State of California.

Bill read third time.

Section 3, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency feature of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Lane, Lyon, Maddox, Nelson, Parker, Rigdon, Rosborough, Rush, Shirley, Shearer, Stern, Sundstrunck, Thompson, and Tyrrell—38.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 178 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Chamberlin, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Lane, Lyon, McDonald, Maddox, Nelson, Rigdon, Rush, Shirley, Shearer, Stern, Sundstrunck, Thompson, and Tyrrell—30.

NOES—None.

Senate Bill No. 179—An act validating the formation and organization, and determining the boundaries of Drainage Improvement District No. 2 of the county of Merced, State of California.

Bill read third time.

Section 3, setting forth the urgency clause, read.

The question being "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin,

Johnson, Jones, Kehoe, Luce, Lyon, Maddux, Purkitt, Rigdon, Rush, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 179 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, Luce, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rush, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

ADDRESS TO THE SENATE.

The President introduced Honorable Warren R. Porter of Berkeley, former President of the Senate, who addressed the Senate.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON MUNICIPAL CORPORATIONS.

SACRAMENTO, January 24, 1917.

MR. PRESIDENT—Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 12—Approving the charter of the city of Santa Barbara, State of California, voted for and ratified by the qualified electors of said city of Santa Barbara at a special municipal election held therein for that purpose on the 21st day of September, 1915—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

TYRRELL, Chairman.

CONSIDERATION OF CONCURRENT RESOLUTION—(OUT OF ORDER).

Senator Thompson asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 12 for consideration out of order.

SENATE CONCURRENT RESOLUTION NO. 12.

Approving the charter of the city of Santa Barbara, State of California, voted for and ratified by the qualified electors of said city of Santa Barbara at a special municipal election held therein for that purpose on the twenty-first day of September, 1915.

WHEREAS, The city of Santa Barbara, a municipal corporation of the county of Santa Barbara, State of California, now is and was at all times herein referred to, a city containing a population of more than three thousand five hundred inhabitants; and

WHEREAS, At a special municipal election held in said city on the eighth day of January, one thousand nine hundred fifteen, under and in accordance with law and the provisions of section eight of article eleven of the constitution of the State of California, a board of fifteen freeholders, duly qualified, was elected in and by said city by the qualified electors thereof to prepare and propose a charter for the government of said city; and

WHEREAS, Said board of freeholders did, within one hundred eighty days after the result of said election was declared, an extension of time having been granted to said board of freeholders by the legislative body of said city, prepare and propose a charter for the government of said city of Santa Barbara; and

WHEREAS, Said charter was signed by a majority of said board of freeholders and filed in the office of the clerk of the legislative body of said city of Santa Barbara in the office of said clerk; and

WHEREAS, The legislative body of said city did, within fifteen days after such filing, cause such charter to be published once in the "Morning Press," a paper of general circulation in said city; and

WHEREAS, Copies of said charter were printed in convenient pamphlet form and, until the date fixed for the election upon said charter, [illegible] in the "Morning Press," a paper of general circulation [illegible] in said city, [illegible] that such copies might be had upon application therefor; and

WHEREAS, Said proposed charter was submitted to the qualified electors of said city at a special election held not less than sixty days from the commencement of the publication of such charter, as required by section eight of article eleven of the constitution of the State of California, to wit, on the twenty-first day of September, one thousand nine hundred fifteen; and

WHEREAS, At said last mentioned special election a majority of the qualified voters voting thereon at such special election did vote in favor of such proposed charter and duly ratified said charter as proposed and as a whole; and

WHEREAS, Said charter [illegible] for its approval and ratification as a whole, without [illegible] amendment in accordance with section eight of article eleven of the constitution of the State of California; and

WHEREAS, Said charter was [illegible]

Proposed charter for the City of Santa Barbara, California, to be submitted to the electors at a special election, Tuesday, September 24, 1918.

CHARTER FOR THE CITY OF SANTA BARBARA, CALIFORNIA.

POWERS

SECTION 1. The City of Santa Barbara, as its limits may now exist, or hereafter shall be established, shall continue to be a body politic and corporate with perpetual succession, and as such shall possess and may exercise all municipal powers not inconsistent with the Constitution of California.

BOUNDARIES

SEC. 2. Its territory shall be that contained within its present boundaries, to wit: Beginning at a point from which the point of intersection of the southwesterly line of Robbins Street with ordinary high water line of the Pacific Ocean bears N. 42 degrees E. 7.80 chains and running thence N. 54 degrees W. 26.80 chains to the [illegible] of the so called Mesa road; thence N. 48 degrees 30 minutes W. parallel to the southwesterly line of Robbins Street to its intersection with the northwesterly line (prolonged) of Neal's Addition to the City of Santa Barbara; thence southwesterly along the northwesterly line (prolonged) of said Neal's Addition to the east bank of Mission Creek; thence northwesterly along the west bank of Mission Creek to its intersection with the westerly line (prolonged) of the Mission lands; thence south along the said west line (prolonged) of the said Mission lands to its intersection with the northeasterly line of Constance Avenue; thence southeasterly along the northeasterly line of said Constance Avenue to its intersection with the northwesterly line of Second Avenue (prolonged) of the Mission Addition to the City of Santa Barbara; thence along the said northwesterly line (prolonged) of said Second Avenue in a northeasterly direction to its intersection with the southwesterly line of the road leading to the Santa Barbara Mission; thence along the southwesterly line of said road in a northwesterly direction, to its intersection with a line [illegible] parallel to and distant fifty feet in a southwesterly direction from the front of the main entrance to the Santa Barbara Mission; thence along said line parallel to said Mission in a northeasterly direction to its intersection with the southwesterly line of the road leading to Mission Canyon; thence along the southwesterly line of said road, in a northwesterly direction, to its intersection with the line between the lands of the Santa Barbara Mission and Caroline Hazard; thence along said line, between the lands of said Mission and Hazard, west of its intersection with the west line of land of said Hazard; thence along the west line of land of said Hazard, in a southwesterly direction to the northerly line of Mission Creek; thence along the northerly line of said Mission Creek, in an easterly direction to the east side of the stone bridge on the so-called Mission Canyon Road; thence southerly across said Mission Creek, to the northwesterly line of so-called Mountain Drive; thence northeasterly along the northwesterly line of said Mountain Drive to its intersection with the south line of the N. W. ¼ of the N. E. ¼ of Section 10, Township 4 North, Range 27 West, San Bernardino Base and Meridian; thence east along the south line of N. W. ¼ of N. E. ¼ and N. E. ¼ of N. E. ¼ of Section 10, Township 4 North, Range 27 West, San Bernardino Base and Meridian to the west line of the Sherman and Leland Tract; thence south along the west line of said Sherman and Leland Tract to the south line of Section 11, Township 4 North, Range 27 West, San Bernardino Base and Meridian; thence east along the south line of said Section 11, to the Pueblo Line of Santa Barbara; thence along said Pueblo Line to the S. W. corner of Pueblo

Lot No. 78; thence east along the south line of Pueblo Lots 78, 82, 90 and 91 to the S. E. corner of Lot 91; thence south along the east line of Lots 92, 93, 94 and 95 to the south line of the so-called Coast Highway; thence along the south line of said Coast Highway and of the extension of the East Boulevard to the west line of Santa Barbara Cemetery; thence south along said west line of Santa Barbara Cemetery, and the same line prolonged, to its intersection with a line parallel to and one-half mile outside of the shore line of the Santa Barbara Channel; thence following said line one-half mile outside of and parallel to said shore line in a westerly and southwesterly direction to its intersection with a southeasterly prolongation of the boundary line first above described, and along said prolongation N. 52 degrees W. one-half mile to the point of beginning.

CITY COUNCIL.

POWERS OF CITY.

SEC. 3. All the powers of the City except as otherwise provided by this charter, are hereby vested in a Council of five members.

TERMS OF OFFICE.

SEC. 4. Members of the Council shall be elected for terms of four years each, except that the two members chosen by the lowest votes at the first election shall serve for terms of two years each.

FIRST ELECTION.

SEC. 5. The Council in office during the year 1917 shall provide for an election to be held on the first Tuesday in October of that year, at which their successors under this charter shall be chosen, and shall canvass the returns and declare the result; provided that if the Legislature shall approve this charter before the calling of the general City election to occur in December, 1915, such election shall be held under the provisions of this charter; and if necessary to allow for the due operation of the provisions of this charter in sections 15 and 19, the calling of such election shall be deferred for a period not exceeding thirty days, and the incumbents of all City offices shall continue to serve until their successors shall qualify and assume office.

PROVIDED FURTHER, That if the election be so deferred, the Council then elected shall assume office and hold their first meeting thirty days after their election, and their terms shall expire as if they had begun on the first Monday of January, 1916. Thereafter an election shall be held on the first Tuesday in December of every second year, at which members of the Council shall be chosen to succeed those whose terms are about to expire by limitation or by resignation, or whose offices may have become vacant.

POWERS OF THE COUNCIL.

SEC. 6. Except as otherwise provided, by this Charter or by the Constitution of the State, the Council may, by ordinance, prescribe the manner in which any power of the City shall be exercised.

COMPENSATION.

SEC. 7. Members of the Council shall receive a fee of Five Dollars for each meeting actually attended, not exceeding three meetings in one month.

PENALTY FOR ABSENCE.

SEC. 8. A Councilman who is absent from three consecutive regular meetings shall forfeit his seat, unless excused by the Council on account of absence from the City or illness. The reasons for such absence shall be entered upon the journal.

ORGANIZATION.

SEC. 9. At its first meeting, the council shall elect from its own membership, a presiding officer to be known as the Mayor. The Mayor shall serve for a term of two years.

DUTIES OF MAYOR.

SEC. 10. The Mayor shall preside at all meetings of the Council, and shall perform such other duties as are generally required of a presiding officer. He shall have a voice and vote in all its proceedings, but shall have no veto power. He

shall be recognized as the official head of the City and shall have such other duties as may be conferred upon him by the Council, not inconsistent with the provisions of this Charter.

If the Mayor be temporarily absent from the City or [illegible] the Council shall elect one of its members to perform the duties of the Mayor during such temporary absence or disability.

TIME OF MEETING

SEC. 11. The Council shall meet in the Council Room at the City Hall at 2:30 p.m., on the first Monday in January following their election, and shall organize as herein required. Thereafter the Council shall meet at such times as may be prescribed by ordinance or resolution, except that it shall meet regularly twice each month.

SPECIAL MEETINGS

SEC. 12. Special meetings may be called by the Mayor for any purpose, or by the Manager, but notice of every such meeting must be served, or personally left at the residence of each member and upon the Manager, or left at his residence or place of business of each, not less than six hours before any special meeting.

Such notice must contain the subject or subjects to be discussed or acted upon at such special meeting.

PUBLICITY OF MEETINGS

SEC. 13. All meetings of the Council and all committees thereof shall be open to the public, and no citizen shall be denied the right personally, or through counsel, to present grievances, or offer suggestions for the betterment of municipal affairs.

QUORUM

SEC. 14. A majority of the membership of the Council shall be necessary for the transaction of business, but a smaller number may adjourn or compel the attendance of absent members.

ELECTION OF COUNCILMEN

NOMINATIONS

SEC. 15. The name of any qualified elector of the City may be placed upon the official ballot at a general or special election by the filing with the City Clerk of a petition, accompanied by a fee of $10, and signed by not less than one per cent nor more than two per cent of the number of electors registered at the last preceding municipal election.

The petition shall be in substantially the following form:

"We, the undersigned, electors of Santa Barbara, hereby present _____, whose residence is _____ Santa Barbara, for the office of Councilman, to be voted for at the election to be held in the City on _____, and we individually certify that we signed no other petition for this and have not signed petitions for any more candidates than the number of councilmen to be elected at said election."

The signatures to a nomination petition need not all be appended to one paper, but to each separate paper there shall be attached an affidavit of the circulator thereof, stating that each signature was made in his presence, and is genuine. Every name shall be signed in ink or indelible pencil, and shall be followed by the precinct, street and number of the signer's residence.

All nominating papers comprising a petition shall be assembled and filed with the Clerk, as one instrument, at least thirty days prior to the date of holding the election.

Any person whose name has been submitted for candidate may have the same withdrawn by written notice to the Clerk not less than twenty days before the date of election.

BALLOTS.

SEC. 16. All ballots shall be printed by the City and shall be without party mark or designation. The names of all candidates shall be arranged in alphabetical order under the title "For Council," and the ballots shall be so printed that each elector may designate the candidates of his first choice, the candidates of his second choice and such "other candidates" as he has not designated as first or second choice.

[illegible]

[illegible]

[illegible]

than double the number of vacancies yet to be filled, only such double number in the order of highest number of first choices received shall be required in subsequent counts. In case of a tie, the candidate having the greater number of first choices shall be declared elected.

CALLING THE ELECTION.

SEC. 19. The Council shall by ordinance order the holding of elections. Said ordinance shall specify the objects, time, and places within the City for holding such elections, and the names of the inspectors, judges of election, and clerks for each precinct into which the City shall be divided, to conduct the holding of and making returns of such elections, provided that the number of election officers at each precinct shall not exceed six in number, of whom at least three shall be present at all times during the election. Said ordinance shall be published one week in a local paper of general circulation during the two weeks next before the time appointed for holding the election.

FILING THE RETURNS.

SEC. 20. The returns from each election precinct shall be filed with the Clerk, and no person shall be permitted access to them until canvassed by the Council. After having been canvassed they shall be sealed up by the Clerk for six months and no person shall have access to them, except on order of a court of competent jurisdiction.

CANVASSING THE RETURNS.

SEC. 21. On the first Monday after any election, and at the usual hour and place of meeting, the Council shall meet and canvass the returns and declare the result.

NOTIFYING THE SUCCESSFUL CANDIDATES.

SEC. 22. After the result of an election is declared, the Clerk, under his hand and official seal, shall issue a certificate [illegible] mail upon the person elected.

VACANCIES.

SEC. 23. Vacancies in the Council shall be filled by appointment [illegible] by the remaining Councilmen, for the period intervening between the occurrence of the vacancy and the first Monday in January following the next regular election.

If the term of office so filled does not then expire and the incumbent serves a full term, an additional Councilman shall be chosen at said regular election, and, of those Councilmen chosen at such election, the one having the highest vote shall succeed such appointee and serve the unexpired term.

In the event of more than one vacancy to be so filled by election, the same provision shall apply.

PROVISIONS OF STATE LAW TO APPLY.

SEC. 24. The provisions of the laws of the State of California pertaining to the qualifications of electors, the manner of voting, the duties of election officers, and all other particulars in respect to the management of elections, so far as the same may be applicable, shall govern all municipal elections, except as otherwise provided in this Charter.

LEGISLATIVE PROCEDURE.

HOW INTRODUCED.

SEC. 25. Every proposed ordinance or resolution shall be introduced in written or printed form, and shall contain only one subject which shall be clearly stated in the title, except that general appropriation ordinances may contain the various subjects for which moneys are to be appropriated.

ENACTING CLAUSE.

SEC. 26. The enacting clause of every ordinance passed by the Council shall be: "Be it ordained by the Council of the City of Santa Barbara, California." The enacting clause of every ordinance submitted to popular election by initiative petition shall be: "Be it ordained by the people of the City of Santa Barbara, California."

READING OF PROPOSED ORDINANCES.

SEC. 27. Every ordinance, except those of emergency, before its adoption, must be read at three regular meetings, unless the third reading shall have been dispensed with by unanimous vote of the Council; and no ordinance or resolution, or section of either, shall be revised or amended, unless the new ordinance or resolution contain the entire ordinance or resolution as revised or amended, and the original ordinance, or resolution, shall be repealed.

ADOPTING ORDINANCE.

SEC. 28. An affirmative vote of at least three members of the Council shall be necessary to adopt any ordinance or resolution, the vote upon all ordinances and resolutions shall be taken by "yeas" and "nays" and entered upon the journal.

ORDINANCES TO TAKE EFFECT.

SEC. 29. All ordinances and resolutions except when otherwise required by the general laws of the State or the provisions of this Charter with regard to street improvements, and except emergency and initiative measures, and ordinances and resolutions relating to elections, bond issues, and the annual tax levy, shall be in effect from and after thirty (30) days from the date of their passage.

FILING AND PUBLICATION.

SEC. 30. Every ordinance or resolution upon its final passage, shall be recorded and topically indexed in a book kept for that purpose; shall be authenticated by the signatures of the Mayor and Clerk; and within ten days after its adoption, shall be published once in a local newspaper of general circulation, and before the beginning of each fiscal year, the Council shall establish a just rate for such publication and for any other advertising required for the Council or for any officer of the City, by this Charter, by ordinance, or by law, during the ensuing year.

EMERGENCY MEASURES.

DEFINED.

SEC. 31. An emergency measure is an ordinance for the immediate preservation of the public peace, health or safety, or for appropriating money for some special need, and which contains a declaration of, and the facts constituting, its urgency, and is passed by four affirmative votes in the Council.

TO TAKE EFFECT.

SEC. 32. Such an ordinance shall take effect at the time indicated therein.

EXECUTIVE OFFICERS AND BOARD.

TITLES AND APPOINTMENT.

SEC. 33. In addition to the Council there shall be the following executive officers and boards:

(a) Those appointed by the Council:

Manager, Clerk, Treasurer, Auditor, Assessor, Tax Collector, Police Judge, Board of Water Commissioners, Board of Park Commissioners, Library Trustees, Board of Education.

(b) Those appointed by the Manager:

Purchasing Agent, Engineer, Superintendent of Streets, Superintendent of Water Distribution, Chief of Police, Chief of Fire Department, Board of Health, and Inspector of Buildings.

(c) Appointed by the Manager with approval of Council:

Attorney.

TERMS OF SERVICE.

SEC. 34. All appointive officers and members of boards whose terms of service are not specified, shall serve at the pleasure of the appointing power.

POWER OF COUNCIL AS TO ITS APPOINTEES.

SEC. 35. The Council shall have power, by ordinance:

(a) To create any new appointive office;

(b) To assign the duties of two or more offices to one person, or to authorize the Manager to do so:

(c) To divide the duties of any office between two or more officers;

(d) To appoint or authorize the appointment of deputies or assistants in any office;

(e) To discontinue any appointment; provided that the offices specified in this Charter shall not be discontinued, except as herein otherwise provided or by amendment of this Charter.

CITY AND COUNTY OFFICIALS COMBINED.

SEC. 36. The Council may provide by ordinance, on such terms and conditions as it may impose, for the assignment of the duties of any official of the City in whole or in part, to the corresponding official of the County, and in such case the City office may be discontinued or suspended or any remaining duties may be combined with those of any other office.

CITY MANAGER

APPOINTMENT

SEC. 37. The Council shall appoint by a vote of not less than four of its members, a Manager who shall be the administrative head of the municipal government. He shall hold office at the pleasure of the Council. He need not be a resident of the City of Santa Barbara or the State of California at the time of his appointment.

Before making a final selection the Council shall advertise for a Manager in at least one local newspaper of general circulation and in not less than three periodicals of general circulation devoted to civic and trade interests.

SUBSTITUTE.

SEC. 38. During any vacancy in the office of Manager, or during his absence or disability, the Council may designate some properly qualified person to perform the duties of the Manager.

DUTIES OF THE MANAGER

SEC. 39. The Manager shall see that all the laws and ordinances of the City are enforced.

Unless excused by the Council, he shall attend all or by proxy, take part in its deliberations, and recommend measures for its consideration, and exercise the right to vote.

He shall keep the Council fully advised of the business and financial conditions of the City and of its future needs; and at the first meeting in each month, he shall present a written report of the same together with general recommendations required; he shall also present at a regular meeting not less than three months before the beginning of the fiscal year, a budget of the estimated needs of all departments for the coming year.

He shall make all appointments of the heads of departments, and shall have control and supervision over them, except as otherwise provided in this Charter; and upon recommendation of the heads of the departments, shall appoint all other officers.

He shall fix the salaries of all his appointees, subject to the approval of the Council, and they shall serve at his pleasure.

He shall see that all terms and conditions in favor of the City or its inhabitants, imposed by any contract or franchise, are faithfully kept and performed.

CITY CLERK.

DUTIES.

SEC. 40. The Clerk shall serve as Secretary to the Council; and keep accurate records of the proceedings of each meeting; and shall keep a record of all ordinances and resolutions passed by the Council.

CITY AUDITOR.

DUTIES.

SEC. 41. All warrants for the payment of money in the City must be issued by the Auditor. All bills against the City must be presented to the heads of departments, and, except Park and Library bills recommended by the Manager, before presentation to the Auditor.

He shall keep an account of all moneys due to and all receipts and disbursements by, the municipality; of all its assets and liabilities; and of all appropriations made by the Council.

He shall furnish the Manager, prior to the first regular meeting of the Council in each month, a report containing in detail, the receipts and disbursements of the City on all accounts, the expenditures made and the obligations incurred during the preceding calendar month, and a balance sheet showing the financial condition of the City, of the several funds, and the total unexpended balance to the credit of each department.

He shall employ a system of bookkeeping which shall show the user costs, and permit of a balancing of accounts each day, and at that end, he may prescribe the form of daily reports to be rendered to his department, and the method of keeping accounts by all other departments.

ANNUAL AUDITS.

SEC. 42. All books and accounts of the City shall be audited annually by a certified public accountant to be chosen by the Council.

CITY ATTORNEY

QUALIFICATIONS.

SEC. 43. The Attorney shall be a lawyer admitted to practice in all courts of California, and shall be chosen preferably from the members of the local bar.

DUTIES.

SEC. 44. The Attorney shall prosecute in behalf of the people, all criminal cases arising upon violations of this Charter and of the City ordinances, and shall attend to all suits, matters, and things in which the City may be legally interested; provided, the Council shall have control of all litigation and legal matters in which the City may be interested, and may employ other attorneys to take the entire charge thereof, or to assist the City Attorney therein, or to advise the Council upon any legal matter.

The Attorney shall be the legal advisor of all city officers, and shall give his advice or opinion in writing whenever requested by any city officer on city business. He shall approve the form of all bonds, contracts, or other instruments in writing in which the City is concerned; he shall either draft or approve the draft of all proposed ordinances for the City, except those proposed by initiative.

PURCHASING AGENT.

DUTIES.

SEC. 45. Subject to regulation by the Council, the purchasing agent shall purchase all supplies for the City, except for the schools, the library and the Park Board, and he shall purchase for these departments upon requisition by them; and shall conduct all sales of property to be sold as having become unfit or unnecessary for the City's use, and shall turn over to the Treasurer all moneys received therefor, the same to be accredited to the proper departments through the auditor's office.

When the expenditure required for the purchase of any supplies exceeds one hundred dollars ($100), bids shall be asked in a manner to be determined by the Council, and the contract awarded to the lowest responsible bidder; provided that the Council may reject any or all bids and order the purchasing agent to buy in the open market at a price less than the lowest bid received from a responsible bidder, and provided that if no bids are received the Council may order the Purchasing Agent to buy in the open market.

He shall see to the delivery of supplies to each department, and take and file receipts therefor.

MANAGER TO ACT.

SEC. 46. Until the Council shall provide otherwise by ordinance the Manager shall act as purchasing agent.

CITY TREASURER

SEC. 47. The Treasurer shall be the custodian of all moneys of the municipality, and shall keep and preserve the same in such place or places as may be determined by the Council. He shall pay out money only on warrants issued by the Auditor.

BOARD OF WATER COMMISSIONERS.

MEMBERSHIP.

SEC. 48. The Board of Water Commissioners shall consist of three members, each to serve for three years, except that at the first appointment under this Charter, one shall be appointed for the term of one year, one, for two years, and one, for three years; and thereafter one shall be appointed each year.

MAY BE DISCONTINUED.

SEC. 49. After the completion of a water supply system outside the City limits, the Council may discontinue the commission.

DUTIES.

SEC. 50. The Board of Water Commissioners shall have supervision of the completion of provisions for securing to the City an adequate water supply, but such supervision shall not extend to the distribution of water supply within the City limits, which shall be in charge of the Superintendent of Water Distribution.

BOARD OF PARK COMMISSIONERS.

MEMBERSHIP.

SEC. 51. The Board of Park Commissioners shall consist of five members, each to serve for five years, except that at the first appointment under this Charter, one shall be appointed for one year; one, for two years; one, for three years; one, for four years; and one, for five years, and thereafter one shall be appointed each year.

DUTIES.

SEC. 52. They shall have full charge of the care and maintenance of the public parks and plazas, and of the planting and care of trees along the City streets.

LIBRARY TRUSTEES.

MEMBERSHIP.

SEC. 53. The Board of Library Trustees shall consist of five members, each to serve for five years, except that at the first appointment under this Charter one shall be appointed for one year; one, for two years; one, for three years; one, for four years; and one, for five years; and thereafter one shall be appointed each year.

SEC. 54. Under their government and management the "Santa Barbara Free Public Library" shall be maintained in accordance with the laws of the State governing free public libraries and reading rooms.

BOARD OF EDUCATION.

MEMBERSHIP.

SEC. 55. The Board of Education shall consist of five members to be appointed for terms of five years each, except that at the first appointment under this Charter one shall be appointed for one year; one, for two years; one, for three years; one, for four years; and one, for five years; and thereafter one shall be appointed each year.

They shall serve without pay, except that an allowance may be granted to a member chosen as secretary of the Board.

DUTIES.

SEC. 56. The Board of Education shall have the entire control and management of the public schools in the City in accordance with the Constitution and general laws of the State, and is hereby vested with all the powers and charged with all the duties of such control and management.

BOARD OF HEALTH.

MEMBERSHIP.

SEC. 57. The Board of Health shall consist of five members: the City Health Officer, a physician, the City Attorney, and two persons trained in sanitary or sanitary service.

DUTIES.

SEC. 58. The Board of Health shall exercise general supervision over the health and cleanliness of the City, and shall take all necessary measures for the preservation and promotion thereof. It shall enforce all laws, ordinances and regulations relative to the preservation and promotion of the public health, the prevention and restriction of disease, the prevention and suppression of unsanitary conditions, and the sanitary inspection and supervision of the production, manufacture, storage and sale of food stuffs; and shall cause a complete and accurate system of vital statistics to be kept.

The Health Officer shall have had several training in public health; shall be the chairman and chief executive of the Board; shall devote his entire time to the duties of the office; and shall have police powers.

The physician member shall serve as City Physician. He shall attend the city poor, furnish such professional advice and information as may be required by the Board, or the Health Officer, and perform such other duties as may be from time to time required of him.

FIRE DEPARTMENT.

SEC. 59. The Fire Department shall consist of a Chief and such number of officers and members as the Council, with the advice of the Manager, shall from time to time determine and fix.

Subject to the supervision of the Manager and such rules and regulations as the Council may prescribe, the Chief shall have entire control of the department.

He shall be charged with the special duty of superintending the extinguishing of fires and of taking measures to guard and protect all property imperiled thereby.

He shall have power to suspend, for cause, any member of the department, but when such power is exercised, he shall report the cause, in writing, to the Manager, who may discipline or remove the offending member.

CHIEF OF POLICE.

DUTIES.

SEC. 60. Subject to the general supervision of the Manager, the Chief of Police shall have command of and control over the police force.

He shall enforce all laws and ordinances for the peace and safety of the City, and shall see that all orders and processes of the Council and Police Court for these purposes are properly executed, and he shall see that the public peace and safety of the City are maintained.

He shall have power to suspend, for cause, any member of the police force, but when such power is exercised, he shall report the cause in writing to the Manager, who may remove or discipline the offending member.

He shall devote his entire time to the discharge of his official duties, and shall not be absent from the City except under urgent need or in the performance of his official duties unless granted a written excuse by the Manager.

His office shall be kept open at all hours of day and night, and either he or a subordinate shall be in constant attendance.

POLICE COURT.

SEC. 61. The judicial power of the City shall be vested in a Police Court which shall be presided over by a Police Judge, who shall be a resident, practicing attorney.

JURISDICTION.

SEC. 62. The Police Court shall have jurisdiction, concurrently with the justices' courts and courts of inferior jurisdiction, of all criminal actions and proceedings arising within the City limits, and which might be tried in such justices' courts or court of inferior jurisdiction, and shall have exclusive jurisdiction of all actions for the recovery of any fine, penalty or forfeiture prescribed for the breach of any City ordinance, and all actions founded upon any obligation or liability created by any ordinance, and of all prosecutions for any violations of any ordinances. In all actions for the recovery of any fine, penalty, or forfeiture prescribed for the breach of any ordinance of the City, where the fine, penalty or forfeiture imposed by the ordinance is less than three hundred dollars ($300) the trial must be before this Court.

RULES OF PRACTICE.

SEC. 63. Except as in this section otherwise provided, the rules of practice and mode of proceedings in the Court shall be the same as are, or may be, prescribed by law for justices' courts or courts of inferior jurisdiction in like cases, and appeals may be taken to the Superior Court of the county in which the City is situated, from all judgments of the Court in like manner and with like effect as in cases of appeals from justices' courts or courts of inferior jurisdiction.

MAY NOT SERVE.

SEC. 64. In all cases where he is a party, or in which he is interested, or when he is related to either party in consanguinity or affinity within the third degree, or is otherwise disqualified, or in case of sickness or inability to act, the Police Judge may call in a justice of the peace or judge residing in the City to act in his place and stead; or if all those so residing are likewise disqualified, then he may call in any such justice or judge residing in the County in which the City is situated.

FINES.

SEC. 65. All fines, penalties and forfeitures collected, shall be the property of the City and shall be deposited daily with the City Treasurer for the use of the City.

SUPPLIES AND COURT ROOM.

SEC. 66. The City shall furnish all dockets, books, and supplies necessary for the business of the Police Court, and a court room for the holding thereof. A complete record of all cases shall be entered in the docket of the Court.

CITY ENGINEER—SUPERINTENDENT OF STREETS.

OFFICES COMBINED.

SEC. 67. The offices of City Engineer and Superintendent of Streets shall be combined in one person.

DUTIES OF ENGINEER.

SEC. 68. As Engineer, he shall make all surveys, inspections and estimates required by the Council or Manager, and shall be custodian of, and responsible for, all City property connected with his department. Of such property he shall keep a complete inventory, and permit none of it to be withdrawn for private use. In said property shall be included all maps, plans, field-notes, memoranda and other professional work made by him or under his control as City Engineer. His services shall be available for individuals, companies, or corporations within the City for establishing City lines and grades, the fees and charges for such services to be established by the Council.

DEPARTMENT OF BUILDING

MEMBERSHIP.

SEC. 69. The Department of Building shall consist of three members to be known as:

The Inspector of Buildings,

The Inspector of Plumbing, and

The Inspector of Electrical Wiring, each of whom shall have police power in the performance of his duties.

DUTIES.

SEC. 70. Subject to the direction of the Manager, the Inspector of Buildings shall be the head of the department, and shall be responsible for the enforcement of all building laws and ordinances of the City.

The Inspector of Buildings shall have charge of the issuing of building permits and shall see that no permit is issued unless the building plans show conformity to the building ordinances of the City.

The Inspector of Plumbing shall have as his special duty, the inspection of the installation of water, gas, and sewer pipes within property lines, and shall enforce the ordinances regulating the same.

The Inspector of Electrical Wiring shall inspect the wiring of all buildings, and no electrical wires shall be covered until his certificate of approval has been attached.

SPECIAL PROVISIONS REGARDING OFFICIALS

REPORTS.

SEC. 71. Each of the executive officers and boards of the City shall annually, on such date as may be fixed by the Council, render to the Manager a full report of the transactions of his department for the year, and shall furnish to the Manager at any time, such information relating to his department as the Manager may require.

On the basis of these reports, the Manager shall present annually a general report of the City's condition in all lines of its activities.

PUBLICITY.

SEC. 72. All books and records of all officers and departments of the City shall be open to the inspection of any citizen at any time during business hours, and citizens shall have the right to copy such records in whole or in part.

SPECIAL POWERS.

SEC. 73. The Council, Manager, Assessor, Clerk and Auditor shall have power to administer oaths whenever necessary in carrying out their official duties.

SALARIES AND BONDS.

SEC. 74. The Council shall, by ordinance, determine the duties and fix the salaries or rates of compensation of all its appointees.

The Council may require any officer or employee to give a bond for the faithful performance of his duty in such an amount as it may determine, and it may provide that the premium thereof shall be paid by the City.

PROHIBITIONS.

SEC. 75. Any salaried official of the City who shall accept or retain any other salaried public office, except as provided in this Charter, shall be deemed thereby to have vacated his office under the City government.

No officer or employee of the City shall be directly or indirectly interested in any contract, work or business, the consideration, price or profits of which are payable in whole or in part from the City Treasury or School Funds and are determined, or in any way directly affected by any official act of said officer or employee; or in the sale of any article, the price of purchase of which by or for the City, or the public schools thereof, depends directly or indirectly upon the official act of such officer or employee.

No officer or employee of the City shall be financially interested, directly or indirectly, in the granting of any city franchise, right or privilege.

No officer or employee of the City shall be a surety on any bond given to the City, or to any person for the benefit of the City, nor give or promise to give to any person any portion of his compensation or any money, or thing of value, or any position, in consideration of having been or being nominated, appointed, voted for, or elected to any office or employment under the City.

No officer of the City shall accept any donation or gratuity in money or in anything of value, either directly or indirectly, from any subordinate employee, or from any candidate or applicant for any position under him.

Any person violating the provisions of this section shall forfeit his office or employment under the City, and be forever disqualified from holding any position in the service of the City.

Any officer or employee of the City violating the provisions of this section, shall forfeit his office or employment; and all contracts made, or rights, franchise or privileges granted in violation of this section shall be void.

NEPOTISM FORBIDDEN.

SEC. 76. Neither the Council nor any officer with appointive power, shall appoint to a lucrative position under the City government, any person who is a relative by blood or marriage within the third degree.

RESIDENCE OF OFFICIALS.

SEC. 77. All officers, deputies, clerks and assistants of the City and the departments thereof, except such as may be employed for special purposes, must be citizens of the United States, and during their term of office or employment, must reside in the City.

APPROPRIATIONS.

THE ESTIMATE.

SEC. 78. The fiscal year of the city shall begin on the first day of July. On or before the first day of May of each year, the Manager shall submit to the Council an estimate of the revenues and expenditures of the City departments for the ensuing year. This estimate shall be compiled from detailed information obtained from the several departments on blanks to be furnished by the City Manager. The classification of the estimate of expenditures shall be as nearly uniform as possible for all departments, and shall give in parallel the following information:

A detailed estimate of the expenses of each department;

Expenditures for corresponding items for the last and for the current fiscal years, including adjustments due to transfers between appropriations plus an estimate of expenditures necessary to complete the current fiscal year;

Such information as may be required by the Council or as the Manager may deem advisable to submit;

The recommendation of the Manager as to the amounts to be appropriated with reasons therefor in such detail as the Council may direct.

Sufficient copies of such estimate shall be prepared and submitted, that there may be copies on file in the office of the Clerk for inspection by the public.

APPROPRIATION ORDINANCE.

SEC. 79. Upon receipt of such estimate, the Council shall prepare and publish a tentative appropriation ordinance, shall fix a time and place for holding a public hearing upon the same, not less than ten days after such publication, and shall give public notice of such hearing, but shall not pass the final appropriation ordinance earlier than ten days after such public hearing.

TRANSFER OF FUNDS.

SEC. 80. At the time of fixing the tax levy, the Council shall, by ordinance, establish a general fund and the various funds as provided for by the budget, and no transfer of any money shall be made from any other than the general fund to another until the end of the fiscal year, at which time, after all demands have been paid out of the various funds, the Auditor shall transfer any remaining balance to the general fund; and the Council may then authorize a transfer from the general fund to any other in which there is an overdraft created by an actual emergency in the department, but under no other conditions may such transfer be made.

TAX RATE.

SEC. 81. The total tax rate for any one year shall not exceed one per cent of the assessed valuation, unless a special tax be authorized by a two-thirds majority of all votes cast at an election held after at least thirty days' notice in the published call for the election; and the proceeds of any such special tax shall be used for no other purpose than that specified in said call; provided, however, that in addition to said one per cent there shall be included in every annual levy, a sufficient amount to cover all liabilities of the City for principal and interest of all bonds or judgments due and unpaid, or to become due during the ensuing fiscal year and not otherwise provided for; and provided also, that in addition to the above items, the Council may include a levy, not to exceed five hundredths of one per cent in any one year, for the purpose of creating and maintaining a Revolving Fund, which shall be used to cover principal and interest of deferred or defaulted payments or assessments; all such assessments, when collected and all interest thereon, to be repaid to said fund.

ASSESSMENT OF TAXES

APPRAISEMENT

SEC. 82. In preparation for the first assessment of taxes after this Charter takes effect, and at intervals of five years thereafter, the Council shall, at or before its first meeting in February, provide for a [illegible] appraisal by a competent expert, of all real property in the City, provided, that if such appraisal shall have been made before this Charter takes effect, [illegible] shall be required only at intervals of five years after such previous appraisal. This appraisal shall be made as if at 12 m. on the first Monday in March and shall be used by the Assessor as the basis for the assessment for that year, and he shall revise his valuation in each intervening year.

Whenever such expert appraisal is to be made, the Council may, with the consent of the Board of Supervisors, provide by resolution for a joint appraisal by the use of the City and County, in which case the assessor shall reimburse the portion by the City of not more than one-half of the total expense of such joint appraisal.

COLLECTION OF UNSECURED PERSONAL PROPERTY TAXES

SEC. 83. All taxes due from persons not possessed of real or personal property, shall be collected by the Assessor at the time of making the assessment, and he shall report such collections to the Auditor and deposit the proceeds with the Treasurer. Such taxes shall be reckoned according to the rate set for the preceding year, and shall be subject to correction after the rate for the current year has been fixed by the Council, when the Auditor shall add and the Treasurer shall collect, or the Auditor shall deduct and authorize the Treasurer to refund accordingly, if the current rate may be higher or lower than that of the preceding year, such amount as may be necessary to make the assessment in each case agree with the current rate.

PUBLICATION OF TAX ROLL

SEC. 84. The Assessor shall enter all his valuations of real and personal property upon an annual tax roll, which shall be published at least [illegible] days before the meeting of the Board of Equalization for discussion of all such assessments, and notice that such publication exists or shall be given in the manner provided for other advertising, at least one week in advance.

EQUALIZATION

SEC. 85. On the first Monday in July in each year and daily thereafter until and including the following Saturday, or for such further time as shall seem [illegible] necessary, the Council shall meet as a Board of Equalization for the hearing and adjudication of all complaints regarding the delinquent valuation of assessable of assessed property, or the omission of property which should be assessed, and notice of the time and place of such meetings shall be published with notice of publication of the tax roll, and upon such roll when published. At such meeting the Council shall publicly order, and the Assessor shall enter upon the tax roll all such corrections as may be adjudged equitable and in case of any additional assessment, the Assessor shall immediately send written notice of the same to the person assessed.

THE TAX RATE FIXED.

SEC. 86. After approval by the Board of Equalization, the tax roll, signed or certified by the Clerk, and shall be subject to no further alteration. It shall then be delivered to the Auditor, who shall, within ten days thereafter, and certify to the Council the total valuation of real estate improvements and personal property, and the Council, in view of this and the estimates of income and expenses submitted by the Manager, shall, at its first regular meeting in August, proceed to fix the rate of taxation for the coming year, and to apportion the estimated proceeds thereof to the several purposes indicated in the budget.

EXTENSIONS.

SEC. 87. The Auditor shall at once proceed to extend upon the tax roll, the tax due upon each item, according to the rate fixed by the Council. Said tax shall be divided into two installments which shall be determined by dividing the total of each individual's tax upon real estate and improvements into two parts as nearly equal as may be, and adding to the first part his total on personality. The first installment shall be due on the first day of October of the current year, and shall become delinquent and subject to a penalty of fifteen per cent if not paid on or before the last Monday of November following; and the second installment shall be due on the first Monday in March, and shall become delinquent and subject to a penalty of five per cent, if not paid on or before the last Monday in April following, and a lien in favor of the City in the amount due, together with penalties attached, shall lie automatically against the real property assessed to the delinquent owner, until all taxes are due from him are paid.

COLLECTION.

SEC. 88. After completion of the tax roll, the Auditor shall deliver the roll to the Collector, who shall prepare a bill of taxes due from each taxpayer owning real property, on which shall be shown the valuation of each parcel of such owner's property, whether real estate, improvements, or personalty, the rate of assessment, the total amount due on each parcel, the amount of each installment, with the dates when due and when delinquent, and the penalties for delinquency; and not later than the first day of October he shall mail to each taxpayer, or to his authorized agent, whose address is known to him, a duplicate of said bill, and shall receive and receipt for all taxes and penalties paid until the second installment becomes delinquent, and shall then return the tax roll to the Auditor. The Tax Collector shall note upon the tax roll all collections as made, shall make a daily report to the Auditor of the amount collected, and make daily deposit of the same with the Treasurer. The Collector may accept separate payment of the tax due upon any one or more parcels of real estate with improvements upon each, or upon the personal property of any owner, and give a receipt for the same, but he shall not divide the assessment upon any single parcel, nor separate from any parcel of real estate the improvements attaching thereto, and no such partial payment shall avoid a lien in favor of the City upon all of the property assessed to any owner, in case of delinquency, unless the real property remaining unreleased in the name of said owner shall be at least equal in assessed value to all taxes remaining due and unpaid from said owner.

STATE LAWS TO GOVERN.

SEC. 89. Except as specified herein the collection of taxes and the enforcement of the same by sale of property shall be in accordance with the laws of the State of California governing similar procedure in the case of county taxes, substituting therein the word "city" for "county" and the titles of corresponding city officers for those of the county.

PUBLIC IMPROVEMENT.

METHODS OF PROCEDURE.

SEC. 90. Proceedings for all public improvements which are to be paid for by assessment upon private property shall be according to the general laws of the State; provided that the Council may adopt in lieu of the provisions of the general law applicable to such proceedings, any or all of the provisions hereinafter set forth, to-wit:

(a) Sufficient notice of any intended improvement shall be deemed to be given by publication, service and posting in the manner required by law, of a description in general terms of the work proposed, with notice that complete plans and specifications are on file at the office of the City Engineer and open to public inspection.

(b) The Council may announce that the Manager is authorized to enter into direct contract with the accepted bidder and to pledge the credit of the City for the payment of the amount agreed upon under the terms of the contract, in which event the contractor shall be entitled to such rights and remedies as in other cases of direct contract between himself and the City and the City shall acquire the same rights in the collection of assessments, attachment of liens and sale of property as would otherwise attach to the contractor under the general laws, and the collection of such assessments shall be made by the Tax Collector in the manner provided for the collection of taxes; and in case of default by owners of property or the issue of bonds for deferred payments, the amount of such defaulted or deferred payments shall be certified to the Auditor, who shall thereupon draw a warrant for said amount, and charge the same to the Revolving Fund provided for in Section 81, or if that fund be insufficient, the deficit shall be paid from any available fund in the treasury—all such amounts to be returned to the respective funds from which they have been drawn, immediately upon the collection of such assessments.

(c) If the estimated cost of any such improvement is not more than $500.00, the Council may authorize the Manager to have the work done with or without advertising for bids, reserving the right to reject any or all bids, and authorize the Manager to have the work done under his own direction; and the expense of such public improvement shall be charged to the lots, lands and property benefited and assessed thereto in any manner prescribed by law; and the collection of such assessments shall be made by the Tax Collector in the mode provided for the collection of taxes.

(d) The City may enter into contract with the owner or licensee of any patent, process or appliance for the use thereof.

ADVISORY COMMISSION FOR ASSESSMENT.

SEC. 91. When a district is to be established for assessment to pay for any public improvement, the Manager, Engineer, Auditor and Assessor shall be a commission to recommend to the Council the boundaries of such district and the distribution of assessments therein, and the Council shall have authority, after giving opportunity for protest, to distribute said assessments as in their judgment may be according to the benefits to properties assessed.

PUBLIC WORK NOT PAID FOR BY ASSESSMENT

PROCEDURE.

SEC. 92. In all public work where the estimated cost of the work is in excess of five hundred dollars, the Manager shall advertise for sealed bids in such manner as the Council shall direct and the contract shall be awarded to the lowest responsible bidder, provided that the Council shall have authority to reject any or all bids; and if all bids are rejected, the Council may proceed to have work done under the Manager to have the work done in the best and most economical way.

SPECIAL TAXES AND BONDS

SUBMISSION TO VOTERS.

SEC. 93. Whenever the Council shall determine that the public interest demands an expenditure for municipal purposes which can not be provided for out of the ordinary revenues of the City, it may submit to the qualified voters at a regular or special election, a proposition to provide for such expenditure, either by the levy of a special tax or by the issue of bonds; but no such special tax shall be levied, nor any such bonds issued unless authorized by the affirmative votes of two-thirds of the electors voting at such election; provided that no bonds shall be issued to meet current expenses.

LIMIT OF INDEBTEDNESS.

SEC. 94. The bonded debt of the City shall at no time exceed a total of ten per cent of the assessed valuation of all property subject to City taxation, and of this ten per cent not more than one-half, or five per cent of the assessed valuation shall at any time be outstanding for purposes other than those specified in Section 95; provided, however, that bonds to a total amount not exceeding five per cent of such valuation may be set apart and excluded from said limit of one per cent whenever any public utility or utilities for which they may have been issued shall produce a net income above all charges for operation and depreciation sufficient to pay the principal and interest of the bonds so set apart and excluded as they become due.

BONDS TO BE SERIAL.

SEC. 95. All bonds shall be payable serially, an equal portion of such bonds being made payable in each year until the entire amount shall have been paid; provided, that in the case of bonds issued for any public utility which is operated without loss and completed to produce an income sufficient to redeem said bonds with the interest thereon, the beginning of serial payment of the principal of said bonds may be deferred for a period not exceeding two years from the date of issue.

PRELIMINARY ESTIMATE.

SEC. 96. Before any bonds shall be proposed as required by Section 93, the Council shall require from the Manager an estimate of the total amount to be expended for each and every purpose for which an issue is proposed, the amount which will be needed in each year, if the expenditure is expected to continue more than one year; the probable life of the improvement or property for which the expenditure is to be made; the probable time which will elapse before an income, if any, may be expected to accrue from it, and the probable expense for operation, maintenance and depreciation during and after said time, and no bonds shall be issued for a term of payment longer than such estimated life, nor shall the manager exceed in any one year exceed by more than ten per cent the estimated expenditure for that year for the purpose for which the bonds are issued.

TERMS OF ISSUE.

SEC. 97. The Manager shall also report to the Council, after investigation, the condition of the market for bonds, with advice as to the most favorable time for offering a proposed issue, the rate of interest which the bonds should bear, and the lowest price at which they should be sold, if in his opinion the conditions make it advisable to fix such a limit.

PUBLIC HEARING.

SEC. 98. Upon receipt of the Manager's estimate and report, the Council shall appoint and publicly announce a time and place when and where said estimate and report will be read and the amount, rate of interest, term of payment, and conditions of sale of the proposed bonds will be publicly considered and determined, with opportunity for public hearing; provided, that such public session may be adjourned from time to time as may be necessary or advisable.

FRANCHISES.

How Granted.

SEC. 99. The Council may, by ordinance, grant permission or renew a previous grant of permission to any individual, company, or corporation, to construct and operate a public utility in the streets and public places of the City. The ordinance granting any such franchise or renewal shall be subject to petition and referendum.

Restrictions.

SEC. 100. No franchise shall be considered an emergency measure; no exclusive or perpetual franchise or renewal shall be granted; no franchise shall be renewed before one year prior to its expiration; and no grant or renewal shall be for a term of more than fifty years. Any grant afterwards made for an addition to the privileges or for an extension of the system covered by an existing franchise, shall terminate no later than the original grant.

Right of Purchase.

SEC. 101. All such grants and renewals shall reserve to the City the right to purchase all the property of the utility used in or useful for the operation of the utility at a time and at a price either fixed in the ordinance or determined in the manner provided by such ordinance, which price shall in no event include any allowance for good will, the value of the franchise, or any other intangible element of value. Nothing in such ordinance shall prevent the City from acquiring such property by condemnation proceeding or in any other lawful manner, and these rights shall be in addition to those reserved in such ordinance. Upon the acquisition of such property by purchase, condemnation or otherwise all grants shall at once terminate.

Rights of Regulation.

SEC. 102. The Council shall not by any grant or franchise alienate or limit the City's control over the use of its streets or public places, or over the occupation of them by any fixtures, temporary or permanent, which may be allowed over, upon or under them, but shall have the right, whether expressly reserved or not, to prescribe the manner of such use, or the form, material and position of such fixtures, or to order their reconstruction, transfer or removal if the public health, comfort, welfare, convenience or safety so demands.

Transfer of Franchise.

SEC. 103. No grant or renewal may be transferred to any other individual, firm, or corporation except by consent of the Council.

POWERS RESERVED TO THE PEOPLE.

SEC. 104. The people reserve to themselves the power to adopt or reject ordinances at the polls, independent of the Council.

THE INITIATIVE.

Procedure.

SEC. 105. The electors may exercise their power of adopting ordinances through the following procedure: A petition to the Council containing a proposed ordinance, signed by not fewer than one hundred electors and asking for its adoption by the Council, or, failing that, its submission to the people, shall be filed with the City Clerk.

The Clerk shall present the petition to the Council at the next regular meeting. If the Council shall fail to adopt the ordinance within forty days thereafter, the petition shall remain on file in the Clerk's office for a further period of thirty days, during which time it may be signed in person by qualified electors of the City.

Each signer of the petition shall sign his name in ink or indelible pencil, and shall place thereafter his place of residence by voting precinct, and by street and number.

Certification.

SEC. 106. At the expiration of said period of thirty days, the Clerk shall examine the petition and within ten days, ascertain and certify thereupon, the number of signatures of qualified voters thereto, and shall present the petition so certified to the Council at its next regular meeting. If the Clerk's certification shall show the number of signatures to be as many as ten per cent and less than twenty per cent of the number of voters registered at the last regular municipal election, the Council shall forthwith adopt the ordinance without change, or order the same to be submitted at the next regular municipal election.

CALLING THE ELECTION.

SEC. 107. If the Clerk's certification shall show the number of signatures to be not less than twenty per cent of the number of votes registered at the last preceding municipal election, the Council shall thereupon [illegible] the ordinance without change or order its submission at an election to be held not less than ninety nor more than forty days from the date of the second presentation to the Council, which election shall be held at the same time as any regular or special municipal election to be held within such period; but if no such regular or special election is to be held within such period, the Council shall call a special election to be held within the time aforesaid.

FORM OF BALLOT.

SEC. 108. The ballot used when voting on the proposed ordinance shall set forth the title of the ordinance in full, with its general subject, and shall contain the words "For the Ordinance." Opposite such proposition, or in [illegible] the words "Yes" and "No" shall be printed in separate lines with voting squares in which the voter may stamp his cross. If a majority of those voting on such proposed ordinance shall vote in favor thereof, such ordinance shall be adopted and shall take effect at such time as shall be specified in the ordinance itself.

SEVERAL ORDINANCES MAY BE SUBMITTED.

SEC. 109. Any number of proposed ordinances may be submitted at the same election, and if the provisions of two or more ordinances conflict, the one having the highest affirmative vote shall prevail.

ADOPTED AND DEFEATED ORDINANCES.

SEC. 110. An ordinance adopted or defeated at the polls may not be submitted to the electors again within a period of one year.

An ordinance adopted or amended at the polls may be repealed or amended only by vote of the electors.

THE REFERENDUM.

PETITION.

SEC. 111. If within thirty days after the adoption of an ordinance by the Council, there shall be presented to the Council a petition which shall have been signed by signatures in the Clerk's office at the expiration of [illegible] days after such adoption by qualified electors equal to or in excess of ten per cent of the number of votes registered at the last regular municipal election, [illegible] such ordinance be repealed, or submitted to a vote of the electors, said ordinance shall thereupon be suspended from going into effect.

CALLING ELECTION.

SEC. 112. The Council shall thereupon reconsider such ordinance, and if it be not entirely repealed, shall submit the same to a vote of the electors at the next regular or special municipal election, if such shall occur not less than ninety nor more than ninety days from the date of the presentation of the petition to the Council.

If no such election is to occur, then the Council shall submit such ordinance at a special election to be held not less than twenty nor more than ninety days from said date of presentation.

FILING OF PETITION.

SEC. 113. The filing, verifying, and certifying of referendum petitions, and the form of ballot shall be substantially the same as are required for initiative and ordinances thus referred shall not go into effect unless approved by a majority of those voting thereon.

NOT SUBJECT TO REFERENDUM.

SEC. 114. Ordinances making or authorizing contracts for improvements, the expenses whereof are to be defrayed by special local assessments, or where the cost involved is less than $1000 shall not be subject to referendum.

RECALL.

SEC. 115. Any member of the Council may be removed from office through the following procedure:

PETITION.

SEC. 116. At the written request of fifty (50) electors of the City, the Clerk shall immediately put on file in his office, a petition demanding that the question of removing such Council member be submitted to the electors.

The petition shall remain on file in the Clerk's office, easy of access, for the period of thirty days, during which time it may be signed, in person, by any qualified elector of the City.

Each signer of said petition shall sign his name in ink or indelible pencil, and shall place thereafter his place of residence by voting precinct and by street and number.

CERTIFYING PETITION.

SEC. 117. At the expiration of said thirty days, the Clerk shall examine said petition, and shall, within ten days as aforesaid, and certify upon said petition, whether or not the signatures of qualified voters thereto amount to ten per cent of the registered voters of the City, and present the same to the Council at its next regular meeting.

If the Clerk's certificate shall show the number of signatures to be fewer than the required ten per cent, the Council shall make public announcement thereof and no further recall proceedings shall be undertaken against the Councilman within a period of six months.

If the Clerk's certificate shall show the number of legal signatures to be as many as ten per cent, the Council shall order the Clerk to serve notice thereof upon the member of the Council sought to be removed.

CALLING THE ELECTION.

SEC. 118. If the member does not resign within five days after such notice, the Council shall order and fix a date for holding a recall election, which shall be held not less than twenty days nor more than forty days from the submission of the petition to the Council; provided, that if any other municipal election is to be held within such period, the recall election shall be held at the same time.

BALLOTS.

SEC. 119. The ballots at such recall election shall conform to the following requirements:

With respect to each person whose removal is sought the question shall be submitted, "Shall (name of person) be removed from the office of Councilman?"

Immediately to the right of this question shall be placed, one under the other, the words "Yes" and "No," and opposite each of these words a square in which the elector, by making a cross mark (×), may indicate his will.

Each side to present arguments on the advantages of the recall and on the Councilman against whom recall is sought, each to be given by not more than 200 words.

WHEN RECALLED.

SEC. 120. Should a majority of the votes cast at a recall election be against the recall of the Councilman named on the ballot, he shall continue in office. If a majority of the votes cast on the question of the recall of a particular Councilman at a recall election be for the recall of such Councilman, he shall, regardless of any technical defect in the recall petition, be deemed removed from office, and the vacancy thus created shall be filled as provided in Section 23.

PRESERVATION OF PETITIONS.

SEC. 121. All petitions for Nominations, Initiative, Referendum, and Recall, shall be kept on file in the Clerk's office for two years from the date of their submission to the Council.

MISCELLANEOUS PROVISIONS.

COLLECTION OF MONEYS.

SEC. 122. All City officials and employees empowered to collect moneys for fees, permits, licenses, inspection services, or other municipal charges, shall collect the same promptly at the time they become due, turn them into the City treasury daily, and report the same to the Auditor. All such moneys, and all fines or pecuniary penalties or compensations which may accrue to the City, and all funds which may remain in the possession of the City unclaimed after a period of one year from the date when due and payable, shall be credited to the General Fund of the City and shall be applicable to any purpose to which the Council may appropriate them, and the Council shall appropriate from this fund whatever sum may be necessary to pay valid claims of more than one year's standing.

CONTRACTS.

SEC. 123. No contract for furnishing supplies or services for the City shall be made for a period of more than one year.

SUITS AGAINST THE CITY.

SEC. 124. No suit shall be brought upon any claim for moneys or damages against the City until the demand for the same has been presented to the Council and rejected in whole or in part. If rejected in part, suit may be brought to recover the whole.

REGULATIONS SUBJECT TO COUNCIL'S APPROVAL

SEC. 125. All rules and regulations of the Boards of Poor and Water Commissioners, and Boards of Health and Library Trustees shall be subject to approval by the Council, and when so approved shall have the force and effect of ordinances and the Manager shall be similarly responsible for their execution.

ABATEMENT OF THE UNSIGHTLY

SEC. 126. (a) The Council shall have the power to require owners of any property within the City to remove grass, weeds, rubbish or other accumulations from the sidewalks, parkings, streets and alleys in front thereof, or along adjoining and adjacent abuts, and upon their default to cause such work to be done and the cost thereof to be made a lien and charge upon any such real property, and to make provisions for the enforcement of such lien by the sale of such property or otherwise.

(b) The Council shall have power to require or compel the removal from property, lands or lots of all weeds, rubbish or any other nuisance which may endanger or injure the public health, safety or welfare and to make the cost thereof a lien and charge upon such property, lots or lands, and to make provisions for the enforcement of such lien by the sale of such property, lots or lands or otherwise.

EXISTING ORDINANCES CONTINUED

SEC. 127. All City ordinances, resolutions or regulations in force at the time this Charter takes effect, and not inconsistent with this Charter, shall remain continued in force until the same shall be duly repealed or modified.

PRESENT CONTRACTS CONTINUED

SEC. 128. All rights, actions, proceedings, commissions and contracts of the City, or any of its departments or officers, pending or unexecuted when this Charter goes into effect, and not inconsistent therewith, shall be enforced, continued and completed, in all respects, as though begun or executed hereunder.

CHARTER TO TAKE EFFECT

SEC. 129. For the purpose of nominating and electing members of the Council and all purposes connected therewith this Charter shall take effect from the date of its approval by the Legislature. For the purpose of establishing departments, divisions and officers, and distributing the functions hereof, and for all other purposes it shall take effect on the first Monday in January following the first election or the first election to be held as hereinafter provided in Section 5 thereof, at which time the first Council shall assume office.

OFFICERS TO HOLD OVER

SEC. 130. All members of the City administration in office at the time that this Charter goes into effect and all members of Council committees appointed shall continue in office until their successors are qualified.

SAVING CLAUSE

SEC. 131. Nothing in this Charter shall be construed as limiting the power of the Council to enact any ordinance or resolution relating to municipal affairs not in conflict with the Constitution of the State or with the express provisions of this Charter; and if any section or part of a section of this Charter proves to be invalid or unconstitutional, the same shall not be held to invalidate or impair the validity, force or effect of any other section, or part of a section of this Charter, except it clearly appears that such other section or part of a section is wholly or necessarily dependent for its operation upon the section or part of a section so held unconstitutional or invalid.

Be it known, that the City of Santa Barbara, in the State of California, containing a population of more than three thousand five hundred inhabitants, as ascertained and established by the last preceding census taken under the direction of the Congress of the United States, did on the 8th day of January, A. D. 1915, at a special election held under and in accordance with the provisions of Section 8 of Article XI of the Constitution of the State of California, elect the undersigned, a board of fifteen freeholders, to prepare and propose a charter for said city; and we, the members of said board, in pursuance of said provision of the constitution and within a period of one hundred and eighty days after the result of said election was declared by the City Council of said City of Santa Barbara, have prepared and do propose the foregoing, as and for the Charter of the said City of Santa Barbara.

In witness whereof, we have hereunto set our hands this first day of July, A. D., 1915.

THEODORE S. HAWLEY,
President.

J. B. CUNNANE,
C. A. EDWARDS,
EDWARD A. GILBERT,
JOHN B. HENCK,
RUSSELL L. JANNEY,
Z. A. LEAR,
H. G. CHASE,
CHARLES McDERMOTT,
WILLIAM WYLES,
ALFRED JENSEN,
HENRY F. MAGUIRE,
CHAS. S. TOMLINSON,
S. W. ROBERTSON,
Secretary.

MAYOR'S CERTIFICATE.

STATE OF CALIFORNIA,
COUNTY OF SANTA BARBARA, } ss.
CITY OF SANTA BARBARA.

I, WILLIS M. SLOSSON, Mayor of the city of Santa Barbara, in the county of Santa Barbara, and State of California, do hereby certify, that the Board of Freeholders whose names appear signed to the foregoing proposed charter were on the 8th day of January, 1915, at a special municipal election held for that purpose, in said city, on the said day, duly elected as the qualified electors of said city to prepare and propose a charter for such city, that each of said freeholders had been a qualified elector of said city for more than five years next preceding, and a freeholder at the time of said election; that the foregoing is a duplicate copy of said charter prepared by said freeholders and filed in the office of the City Clerk of the Legislative body of said city within one hundred and eighty days after said election, extension of time having been granted to said board of freeholders by said legislative body; that said legislative body did within fifteen days after such filing, cause such charter to be published once in the "The Morning Press", a newspaper of general circulation printed, published and circulated in said city, and on said copies of such charter to be printed in convenient pamphlet form, and until the day fixed for the election upon such charter, advertised in one of the papers of general circulation published in said city, to wit, the "The Morning Press", a notice that such copies might be had upon application therefor to the Clerk of said city at the City Hall; that proposed charter was submitted to the electors of such city on the 21st day of September, 1915, before such filing, and designated on such charter, at a special election held not less than sixty days from the completion of the publication of such charter as required by Section 8, of Article II, of the Constitution of the State of California, and was ratified by a majority of the qualified voters voting thereon at such election.

In witness whereof I have hereunto set my hand and caused the corporate seal of said city to be affixed this 28 day of December, 1916.

[SEAL]

WILLIS M. SLOSSON,
Mayor of said city.

Attest:

A. CHRISTINE HALL, NEE A. CHRISTINE HOLMBERG,
Clerk of said city.

By C. EVERETT LOVEJOY, Deputy.

AND WHEREAS, said proposed charter has been duly presented and submitted to the legislature of the State of California for approval or rejection without power of alteration or amendment, in accordance with section eight of article eleven of the constitution of the State of California; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, a majority of all the members elected to each house voting for the adoption of this resolution and concurring therein, that said charter of the city of Santa Barbara as presented to, adopted and ratified by the qualified electors of said city be, and the same is, hereby approved as a whole as and for the charter of the said city of Santa Barbara.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 12 adopted by the following vote:

AYES—Senators Ballard, Breed, Bennett, Caminetti, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson,

Jones, Kehoe, King, Lane, Lyon, Nealon, Perkins, Rigdon, Rush, Shurtleff, Sisson, Slater, Stockenbruck, Thompson, and Tyrrell—34.

NOES—None.

Senate Concurrent Resolution No. 12 ordered engrossed and transmitted to the Assembly.

ADJOURNMENT.

At twelve o'clock m., on motion of Senator Breed, the President declared the Senate adjourned until Thursday, January 25, 1917, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Thursday, January 25, 1917.

The Senate met at eleven o'clock a.m.

Lieutenant Governor William D. Stephens, President of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Chamberlin, Cogswell, Gates, E. M., Gates, W. J., Chandler, Crowley, Duncan, Evans, Finkelpearl, Gerlach, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Lane, McDonald, Mitchell, Nealon, Perkins, Rigdon, Rominger, Rush, Scott, Shurtleff, Sisson, Slater, Stockenbruck, Thompson, and Tyrrell—37.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, January 24, 1917, the further reading was dispensed with, on motion of Senator Crowley.

LEAVES OF ABSENCE.

Senator Chamberlin was, on motion of Senator King, granted leave of absence for this day.

Senator Lyon was, on motion of Senator Gates, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Duncan, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. Harry R. Davids of Chico, Deputy District Attorney of Butte County.

Also on request of Senator Breed, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. Richard Morris Lyman of Oakland.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON FINANCE.

SACRAMENTO, January 25, 1917.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 493—An act appropriating money to meet additional expense for the support of orphans, half orphans and abandoned children for the sixty-seventh and sixty-eighth fiscal years;

Also: Senate Bill No. 494: An act appropriating money to meet additional expense of the State Purchasing Department for the sixty-seventh and sixty-eighth fiscal years;

Also: Senate Bill No. 495—An act appropriating money to meet additional expense of the Los Angeles State Normal School for the sixty-seventh and sixty-eighth fiscal years;

Also: Senate Bill No. 496—An act appropriating money to meet additional expense of the State Labor Commissioner for the sixty-seventh and sixty-eighth fiscal years;

Also: Senate Bill No. 497—An act appropriating money to meet additional expense of the State Corporation Commissioner for the sixty-seventh and sixty-eighth fiscal years;

Also: Senate Bill No. 498—An act appropriating additional funds for the transportation of prisoners and insane for the sixty-seventh and sixty-eighth fiscal years;

Also: Senate Bill No. 499—An act appropriating additional money for the Norwalk State Hospital for the sixty-seventh and sixty-eighth fiscal years;

Also Senate Bill No. 500—An act appropriating money to meet additional expense of arresting criminals without the state, for the sixty-seventh and sixty-eighth fiscal years;

Also: Senate Bill No. 501—An act appropriating additional money for the emergency fund of the Board of Control for the sixty-seventh and sixty-eighth fiscal years;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

CHANDLER, Chairman.

CASE OF URGENCY.

The following resolution was offered:

By Senator Chandler:

Resolved, That Senate Bills Nos. 493, 494, 495, 496, 497, 498, 499, 500, 501 present cases of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provisions of that section requiring that each bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the second and third times, and passed upon their passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Jones, Kehoe, King, McDonald, Madden, Nordon, Parkett, Riordan, Roberts, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—33.

NOES—None.

Whereupon the President declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering at this time Senate Bills Nos. 493, 494, 495, 496, 497, 498, 499, 500 and 501.

Senate Bill No. 493—An act appropriating money to meet additional expense for the support of orphans, half orphans and abandoned children for the sixty-seventh and sixty-eighth fiscal years.

Bill read second time, considered engrossed and ordered on third reading file.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 493 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, Luce, McDonald, Maddux, Nourse, Rigdon, Rominger, Rush, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 494. An act appropriating money to meet additional expense of the State Purchasing Department for the sixty-seventh and sixty-eighth fiscal years.

Bill read second time, considered engrossed and ordered on third reading file.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 494 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Jones, Kehoe, Luce, McDonald, Maddux, Nourse, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—[illegible]

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 495. An act appropriating money to meet additional expense of the Los Angeles State Normal School for the sixty-seventh and sixty-eighth fiscal years.

Bill read second time, considered engrossed and ordered on third reading file.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 495 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nourse, Parkes, Rigdon, Rominger, Rush, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 496. An act appropriating money to meet additional expense of the State Labor Commission for the sixty-seventh and sixty-eighth fiscal years.

Bill read second time, considered engrossed and ordered on third reading file.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 496 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nourse, Parkes, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 497—An act appropriating money to meet additional expense of the State Corporation Commissioner for the sixty-seventh and sixty-eighth fiscal years.

Bill read second time, considered engrossed and ordered on third-reading file.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 497 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, McDonald, Nealon, Rigdon, Reminger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 498—An act appropriating additional funds for the transportation of prisoners and insane for the sixty-seventh and sixty-eighth fiscal years.

Bill read second time, considered engrossed and ordered on third-reading file.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 498 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, McDonald, Nealon, Rigdon, Reminger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 499—An act appropriating additional money for the Norwalk State Hospital for the sixty-seventh and sixty-eighth fiscal years.

Bill read second time, considered engrossed and ordered on third-reading file.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 499 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Chandler, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Nealon, Purkitt, Rigdon, Rush, Scott, Sharkey, Slater, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 500—An act appropriating money to meet additional expense of arresting criminals without the State, for the sixty-seventh and sixty-eighth fiscal years.

Bill read second time, considered engrossed and ordered on third-reading file.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 500 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Flaherty, Ingram, Irwin, Irwin, Johnson, Jones, Kehoe, King, Lee, Nealon, Perkins, Rankin, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Thompson, and Tyrrell—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 501—An act appropriating additional money for the emergency fund of the Board of Control for the sixty-seventh and sixty-eighth fiscal years.

Bill read second time, considered engrossed and ordered on third reading file.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 501 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Flaherty, Gerlach, Ingram, Irwin, Irwin, Johnson, Jones, Kehoe, King, Lee, Nealon, Perkins, Rankin, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Thompson, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, January 25, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 9—Approving two specific amendments to the charter of the city of Santa Rosa, county of Sonoma, State of California, voted for and ratified by a majority of the qualified electors of the said city of Santa Rosa, at the general municipal election held therein on Tuesday, April 4, 1916.

Also: Senate Joint Resolution No. 3—Relative to the establishment of definite lines of division between Federal and State taxes and the calling of a Congress of the States to consider conflicting jurisdictions of the Federal and State Governments. And report that the same have been correctly engrossed.

CANEPA, Chairman.

Senate Concurrent Resolution No. 9 ordered transmitted to the Assembly.

Senate Joint Resolution No. 3 ordered on file.

CONSIDERATION OF JOINT RESOLUTION—(OUT OF ORDER).

Senator Benson asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 3 for consideration out of order, for the purpose of amendment.

Senator Benson moved to amend Senate Joint Resolution No. 3 as follows:

On page 1, of the printed bill, strike out all of lines four, five, six and seven.

Amendment adopted.

Resolution ordered to print and re-engrossment.

RUSH ORDER TO PRINTER.

On motion of Senator Benson, the Secretary was directed to issue a rush order for printing Senate Joint Resolution No. 3.

EXPLANATION OF VOTE ON SENATE JOINT RESOLUTION NUMBER THREE.

Senators Duncan, Purkitt, Shearer, Irwin, Maddux and Stuckenbruck asked for, and were granted, unanimous consent to have the following explanation of their votes on Senate Joint Resolution No. 3 printed in the Journal:

EXPLANATION OF VOTE.

We, the undersigned members, casting our votes against Senate Joint Resolution No. 3, give as the reason for our votes the following:

We deny that there is any encroachment by the federal government upon the revenues of the State.

We deny that there is existing a line which separates taxable units that may equitably or logically be left solely to the state taxation from the units logically belonging to the broader federal jurisdiction.

We submit that the fairer, more logical and equitable forms will be that each source of taxation be left entirely either to the state, or to the nation, without attempting to draw any lines which may prove confusing, conflicting or unsatisfactory.

We deny that there is, at the present time any duplication or accounts or reports, and in this connection we call attention to the fact that there is at present no state income tax, nor is there any federal inheritance tax, and with this state of fact in existence it is impossible to conceive of how any duplication can take place.

In this connection, we call attention to the fact that the demand upon the federal government for a larger income to carry out measures looking to our national safety and advancement is growing daily.

The sources of internal revenue which have heretofore yielded to the federal government large sums of money annually have been very much diminished, and may possibly be still further decreased.

The sources of income available to the federal government, are of necessity derived from internal revenue and from the tariff.

If the several states attempt to limit and harass the federal government in the plans for collection of internal revenue, it will of necessity mean that the funds necessary for federal government must be raised through the tariff.

We feel that instead of the State seeking to limit the federal government in its sources of income, that the reverse should be the case, and that the states should leave the federal government free to raise its revenue in such a manner as it may see fit, and that the sources of state revenue should be made secondary to the federal legislation, looking to the income necessary to carry out our larger national life.

We deplore any attempt or agitation at this time which may be calculated to or easily result in hampering or delaying the plans in contemplation by the federal government.

W. E. DUNCAN Jr.
CLAUDE F. PURKITT.
WM. B. SHEARER.
J. L. C. IRWIN.
L. J. MADDUX.
J. W. STUCKENBRUCK.

Also:

EXPLANATION OF VOTE.

Our reason for voting affirmatively upon Senate Joint Resolution No. 3, relative to revenue and taxation, adopted this day, when on a prior day we had objected with other senators to certain wording of the resolution, was because in our opinion the objection had been removed by amendment.

JAMES C. NEALON.
HERBERT W. SLATER.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following report of standing committee was received and read:

ON FEDERAL RELATIONS.

SACRAMENTO, January 24, 1917.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 1—Relative to the loaning of the funds of the postal savings banks directly to public school districts;

Also, Assembly Joint Resolution No. 8. Relative to the providing of adequate and sufficient facilities for moving and transporting the life-saving apparatus and equipment of the life-saving service station on Humboldt Bay to the scene of wrecks. Has had the same under consideration, and respectfully reports the same back and recommends that they be adopted.

RUSH, Chairman.

CONSIDERATION OF RESOLUTION—(OUT OF ORDER).

Senator Kehoe asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 8 for consideration out of order.

ASSEMBLY JOINT RESOLUTION NUMBER EIGHT.

Relative to the providing of adequate and sufficient facilities for moving and transporting the life-saving apparatus and equipment of the life-saving service station on Humboldt Bay to the scene of wrecks.

WHEREAS, The life-saving and service station on Humboldt Bay is among the most important on the Pacific Coast; and

WHEREAS, The facilities for moving and transporting the life-saving apparatus and equipment of said station to the scene of wrecks is wholly inadequate and insufficient, as was demonstrated in recent wrecks on the Humboldt Bar of the schooner H. S. and cruiser Milwaukee of the United States navy; now, therefore, be it

Resolved by the Assembly and Senate jointly, That the Secretary of the Treasury of the United States be requested to take immediate steps to provide adequate and sufficient facilities for moving and transporting the life-saving apparatus and equipment of the life-saving service station on Humboldt Bay to the scene of wrecks; and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby instructed to forward a copy of these resolutions to the Secretary of the Treasury of the United States.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 8 adopted by the following vote:

AYES—Senators Benson, Breed, Brown, Burnett, Canepa, Carr, W. J. Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Lane, McDonald, Nealon, Parker, Rennison, Rush, Scott, Shanley, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—29.

NOES—None.

Assembly Joint Resolution No. 8 ordered transmitted to the Assembly.

CONSIDERATION OF JOINT RESOLUTION—(OUT OF ORDER).

Senator Rush asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 1 for consideration out of order.

ASSEMBLY JOINT RESOLUTION NO. 1.

Relative to the loaning of the funds of the postal savings banks directly to public school districts.

WHEREAS, The federal government has in its postal savings department more than one hundred millions of dollars, which money is being loaned to banks and banking institutions at two and one-half per cent interest, bonds of school districts being acceptable as security for such loans; now, therefore, be it

Resolved by the Assembly and Senate jointly, That our senators and representatives in congress be requested to use all honorable efforts to secure the passage of laws whereby a portion of the funds of the postal savings bank may be loaned directly to the public school districts.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 1 adopted by the following vote:

AYES—Senators Benson, Breed, Brown, Burnett, Canepa, Carr, W. J. Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King,

Luce, McDonald, Nealon, Purkitt, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Assembly Joint Resolution No. 1 ordered transmitted to the Assembly.

SENATOR CROWLEY IN THE CHAIR.

At twelve o'clock m., Senator Crowley of the Twenty-second District was called to the chair.

CONSIDERATION OF RESOLUTION—OUT OF ORDER.

Senator Benson asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 3 for consideration out of order.

SENATE JOINT RESOLUTION NO. 3,

Relative to the establishment of definite lines of division between federal and state taxes, and the calling of a congress of the states to consider conflicting jurisdictions of the federal and state governments.

WHEREAS, In the exercise of its taxing power the federal government is embracing the sources of revenue heretofore not availed of by that government; and

WHEREAS, This encroachment is felt particularly in the case of income and inheritance taxes, both of which forms of taxes are in danger of being dried up as sources of state revenue; and

WHEREAS, There exists a line which separates the taxable units that equitably and logically may be left solely to state taxation from the units logically belonging to the broader federal jurisdiction; and

WHEREAS, The establishment of some reasonable line of division giving to states sole taxing authority below such line, and to federal government sole taxing authority above such line, would cure much of the trouble existing because of conflict of jurisdiction between states; would relieve the tension between federal and state governments; would result in great economy in the levying and collection of taxes, and would relieve the growing dissatisfaction on the part of the taxpayer resulting from irritating and expensive duplication of accounts and reports and double taxation; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That we respectfully urge upon the congress of the United States and the legislatures of the several states the need of holding a congress of the states to consider the subject of federal and state sources of revenue, with the object of adopting and urging upon the congress of the United States a definite policy in the segregation of state and federal revenue; and we urge the legislatures of the other states to provide for attendance of representatives at such congress; and be it further

Resolved, That the President of the United States be invited to appoint a representative and that both houses of the congress of the United States be invited to appoint representatives to attend such conference; and be it further

Resolved, That the governor of the State of California is hereby requested to urge the governors of other states to recommend favorable action and to arrange for the time and place of such national meeting; and that the governor of California be authorized to appoint delegates to represent the State of California at such conference; and be it further

Resolved, That a copy of these resolutions be forthwith transmitted by the secreary of the senate to the president of the senate of the United States and to the speaker of the house of representatives of the United States; a copy hereof to each member of congress from the State of California, and a copy to the president of the senate and to the speaker of the house of representatives of each of the state legislatures in session at this time.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 3 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Thompson, and Tyrrell—31.

NOES—Senators Duncan, Irwin, Maddux, Purkitt, Shearer, and Stuckenbruck—6.

Senate Joint Resolution No. 3 ordered engrossed and transmitted to the Assembly.

LIEUTENANT GOVERNOR STEPHENS IN THE CHAIR

At twelve o'clock and five minutes p.m., Lieutenant Governor Stephens, President of the Senate, in the chair.

REPORT OF STANDING COMMITTEE

The following report of standing committee was received and read:

ON MUNICIPAL CORPORATIONS

SACRAMENTO, JANUARY 25, 1917.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 14—Approving three certain amendments to the charter of the city of Palo Alto, county of Santa Clara, State of California, voted for and ratified by the qualified electors of the said city of Palo Alto at a special municipal election held thereon for that purpose on the 27th day of November, 1916—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

TYRRELL, Chairman.

CONSIDERATION OF RESOLUTIONS—OUT OF ORDER.

Senator Jones asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 14 for consideration out of order.

SENATE CONCURRENT RESOLUTION No. 14.

Approving three certain amendments to the charter of the city of Palo Alto, county of Santa Clara, State of California, voted for and ratified by the qualified electors of the said city of Palo Alto at a special municipal election held thereon for that purpose on the twenty-seventh day of November, 1916.

WHEREAS, The City of Palo Alto in the county of Santa Clara, State of California, contains a population of more than twenty-five thousand inhabitants, and has been, ever since the year 1909, and is now, governed and [illegible] under a freeholders' charter, adopted under and by virtue of section [illegible] of article [illegible] of the constitution of the State of California, which charter was duly ratified by a majority of the qualified electors of said City, at a special election held for that purpose on the 21st day of January, A. D., 1909, and approved by the legislature of the State of California on the 20th day of February, 1909 (Statutes of 1909, page 417); and

WHEREAS, The City Council of the said City of Palo Alto did by ordinance duly adopted by said City Council and approved by the mayor of said City, on the ninth day of October, 1916, and pursuant to section eight of article eleven of the constitution of the State of California, duly propose to the qualified electors of said City of Palo Alto, certain amendments to the Charter of said City of Palo Alto, to be submitted to the said qualified electors at a special municipal election to be held in said City on the twenty-seventh day of November, 1916, said amendments being seven in number; and

WHEREAS, Said proposed amendments were, and each of them was, published in a daily newspaper printed and published in said City of Palo Alto and having a general circulation therein, to wit: The Daily Palo Alto Times, said publication being on the seventeenth day of November, 1916; and

WHEREAS, Copies of said amendments were printed in convenient pamphlet form and a notice that such copies may be had upon application therefor at the office of the city clerk of said city, was published each and every day from and after the publication of said amendments until the date fixed for the election upon said amendments in said daily newspaper of general circulation; and

WHEREAS, The City Council of said City did, by said ordinance, duly adopted by said City Council and approved by the mayor of said City, order the holding of a special municipal election in said City of Palo Alto on the twenty-seventh day of November, 1916, said day being not less than forty days and not more than sixty days after the completion of the advertising of said charter amendments in the official paper, to wit: The Daily Palo Alto Times, a daily newspaper of general circulation, published and circulated in said city, and did provide in said ordinance for the submission of the proposed charter amendments, Nos. seventeen to twenty-three, inclusive, to the qualified electors of said city for their ratification at said election;

WHEREAS, Said election was duly called and held on said twenty-seventh day of November, 1916, and at said election a majority of the qualified electors voting thereon voted in favor of the ratification of and did ratify three of the proposed amendments to said charter; and

WHEREAS, The City Council of the said City of Palo Alto in accordance with the law in such cases made and provided, did meet on Wednesday, the twenty-eighth day

of November, 1916, at each usual place and place of meeting and duly canvass the returns of said election as certified by the election boards, and duly found, determined and declared that a majority of the qualified electors of said City voting thereon had voted for and ratified none of said proposed amendments to the charter of said City of Palo Alto, to wit:

Charter Amendment number Eleven;
Charter Amendment number Twenty;
Charter Amendment number Twenty-three;

That said charter amendments so numbered are herein renumbered and to be known and designated as

Charter Amendment number Seventeen;
Charter Amendment number Eighteen;
Charter Amendment number Nineteen;

AND WHEREAS, The said three proposed amendments to the charter so ratified by the majority of the qualified electors of said City voting at said election, are in words and figures, to wit:

CHARTER AMENDMENT NUMBER SEVENTEEN.

Article 9 of the charter of the City of Palo Alto shall be amended by adding thereto a new section to be known as section 15, and to read as follows:

SEC. 15. Whenever the City of Palo Alto declares to be any of the general laws or street laws of the state, said laws shall be made applicable with full force and effect as they stand at the time that it is declared by resolution or ordinance that these laws are to be used by the city.

CHARTER AMENDMENT NUMBER EIGHTEEN.

Article 9 of the charter of the City of Palo Alto shall be amended by adding thereto a new section to be known as section 17, and to read as follows:

SEC. 17. In the case of the absence or disability of the mayor, a mayor pro tem may be appointed by the Council who shall have full powers of the mayor.

CHARTER AMENDMENT NUMBER NINETEEN.

That part of section 4 of article IV of the charter of the City of Palo Alto relating to the deposit of public moneys in banks shall be amended to read as follows:

The treasurer may deposit all or such portion of the public moneys as may be determined by the Council in any bank within the State of California authorized by law to receive deposits of public money, said deposits to be made in accordance with the provisions of the constitution and the statutes of the State in force at the time the deposit is made; and

WHEREAS, The said proposed amendments to the charter of the City of Palo Alto so ratified are now submitted to the legislature of the State of California, for approval or rejection without power of alteration or amendment, in accordance with section eight of article eleven of the State of California.

State of California
County of Santa Clara } ss.
City of Palo Alto

This is to certify that we, C. P. COOLEY, mayor of the City of Palo Alto, and Frank Kasson, clerk of the City of Palo Alto, have compared the foregoing proposed and ratified amendments to the charter of the City of Palo Alto with the original ordinance proposing such amendments and submitting the same to the qualified electors of said city at a special municipal election, called for that purpose, on Monday, the twenty-seventh day of November, 1916, and find that the foregoing is a full, true, correct and exact copy thereof and of each of them, and we further certify that the facts set forth in the preamble preceding such amendments to said charter are and each of them is true.

That as to all of said amendments this certificate shall be taken as a full and complete certification as to the regularity of all proceedings had and done in connection therewith.

In Witness Whereof, We have hereunto set our hands and caused the corporate seal of the City of Palo Alto to be attached, this ninth day of January, 1917.

C. P. COOLEY, Mayor.

FRANK KASSON,
City Clerk of the City of Palo Alto.

AND WHEREAS, The said three amendments so ratified as hereinbefore set forth have been duly presented, and submitted to the legislature of the State of California, for approval or rejection without power of alteration or amendment, in accordance with said section eight of article eleven of the constitution of the State of California; now therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring [illegible] majority of all members elected at each house voting for the passage of this resolution, and concurring thereon), that the said home rule charter in the said Charter of the City of Palo Alto heretofore [illegible] as proposed and submitted to, and adopted and ratified by the qualified electors of said City, [illegible] hereby approved as a whole lot, and as amendments to the said Charter of said City of Palo Alto.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 14 adopted by the following vote:

AYES—Senators Ballard, Benson, Boyd, Brown, Burnett, Chapin, Cox, E. M. Carr, W. J. Chandler, Crowley, Dennett, Dunnigan, Gerow, Hans, Hughes, Jacobsen, Jones, Kehoe, Lee, McDonald, Morris, Nutter, Rigdon, Rominger, Rose, Sims, Sharkey, Slater, Thomson and Tyrrell—30.

NOES—None.

Senate Concurrent Resolution No. 14 ordered engrossed and transmitted to the Assembly.

POINT OF ORDER.

Senator Tyrrell raised the point of order that during the calling of the roll, debate was out of order.

DECISION ON POINT OF ORDER.

The President announced his decision and declared the point of order well taken.

POINT OF ORDER.

Senator McDonald raised the point of order that Senate Concurrent Resolution No. 14, under consideration had not been placed in his file.

DECISION ON POINT OF ORDER.

The President announced his decision and declared the point of order not well taken.

RESOLUTIONS—[OUT OF ORDER].

The following resolutions were offered by the Committee on Contingent Expenses:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Senate [illegible] and 54/100 dollars ($307.54) in favor of Charles F. Burnes, Sergeant, to pay the amounts as itemized below and the State Treasurer is hereby directed to pay the same:

W. F. Purnell, 6 gavels and blocks	$9 00
6 pairs book supports	1 50
4 Rockwell reminders	3 00
1 postal scale	2 40
1 numbering machine, $5.00 less 25%	3 75
1 sheet gummed numbers	10
1,200 5 x 3 cards	2 40
4 dictionaries, $14.00 less 10%	12 60
1 No. 42 section with lock	18 50
1 No. 12 top	4 50
1 No. 2 base	8 50
100 No. 42 guides	4 50
6 perforators	1 50
1 No. 406 mahogany section with lock	50 00
1 pair No. 400 ends	18 25

1 No. 410 legs	4 50
1500-3406 T¾ folders	30 00
120 No. 406 P. B. guides, numbered	8 40
50 No. 406 P. B. guides, numbered	3 50
12 No. 406 metal tab P. B. guides	1 80
The Woods Creighton Co., 2 electric heaters, $7.50 less 10%	13 50
2 electric heaters, $7.50 less 10%, 5%	12 84
W. C. Dolan, 1 electric heater	7 50
American Cash Store, 2 cases Domino matches, $3.50	7 00
Sleeper Stamp Co., 15 Sergeant-at-Arms badges	15 00
5 Page badges	3 75
3 Gatekeeper badges	3 00
2 dies on Kossuth stamp	4 00
1 facsimile stamp	2 00
H. S. Crocker Co., 2 mahogany bamboo baskets	1 80
2 dictionaries, $10.00 less 10%	9 00
W. H. Funk & Co., painting committee names on doors	31 35
Lettering 42 tin boxes, 20c	8 40
Total	$307 54

Resolution read.

Senator Nealon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

Also:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Senate in favor of the various firms or persons for the amount set opposite their names, as per itemized statement herein, and the State Treasurer is hereby directed to pay the same.

Pacific Tel. & Tel. Co., Brooks to Oakland, 40c; Brooks to Oakland, 50c	$0.90
Bancroft-Whitney Co., 6 copies Deerings Cal. Code Citation Manual, $21; 40 copies Treadwells Anno. Cal. Const., 1 vol., $140; 40 sets Deerings Cal. Codes, 5 vols., $600	761 00

Resolution read.

Senator Nealon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Canepa, Carr, F. M., Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—29.

NOES—None.

Also:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Senate in the sum of six hundred seventy-three dollars and eighty-three cents ($673.83) in favor of the State Purchasing Department, to pay the cost of stationery and supplies drawn from the supply department by the Senate as per itemized bills attached.

Resolution read.

Senator Nealon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rigdon, Scott, Sharkey, Stuckenbruck, Thompson, and Tyrrell—29.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills were introduced:

By Senator Scott: Senate Bill No. 613—An act to amend section 4088 of the Political Code of the State of California, providing for the issuance of bonds for certain purposes, and proceedings thereon.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 614—An act to amend section 589 of the Political Code, relating to the salary of the Insurance Commissioner and his deputies.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 615—An act to add a new section to the Code of Civil Procedure, to be numbered 1166½, relating to actions for obtaining possession of real property, to the manner in which tenants may be ejected and providing the form of complaint, the form of the amount of the undertaking and the form of the writ of ejectment, and the manner of executing and serving the writ.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 616—An act to amend section 1167 of the Code of Civil Procedure, relating to service of summons in unlawful detainer.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 617—An act to amend section 591 of the Political Code, relating to the maintenance of the office of the Insurance Commissioner.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 618—An act to amend an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1913, by amending section 3, 6, 7, 8 and 9, and adding a new section thereto to be numbered and designated section 17.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 619—An act to provide against the picking and sorting or use of rags and other material without first cleansing and sterilizing the same, and to provide a penalty for a violation thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 620—An act to amend section 1 of an act entitled "An act to provide for the registration of factories, workshops, mills and other manufacturing establishments," approved June 2, 1913.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 621—An act to amend section 634 of the Political Code, relating to the registration of life insurance policies, by increasing the fee for such registration from twenty-five cents to one dollar.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 622—An act for the protection of the public at grade crossings of railroads and streets or highways by prescribing warning signs in certain cases and requiring vehicles upon such streets or highways to come to a full stop under certain circumstances and making violation hereof a misdemeanor.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 623—An act to amend section 95 of the Penal Code of the State of California, relating to improper attempts to influence judges, justices, jurors, referees, etc.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 624—An act to add a new section to the Code of Civil Procedure of the State of California to be known as section 592*a*, relating to the fees and expenses of jurors.

Bill read first time, and referred to Committee on Judiciary.

PRESIDENT PRO TEMPORE IN THE CHAIR

At twelve o'clock and twenty minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Also: Senate Bill No. 625—An act to amend section 274 of the Code of Civil Procedure of the State of California relating to official reporters.

Bill read first time, and referred to Committee on Judiciary.

By Senator Brown: Senate Bill No. 626—An act relating to combinations in restraint of trade, defining unlawful practices, providing penalties for violations thereof, providing for a trade commission, making an appropriation therefor, and repealing conflicting acts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 627—An act amending an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities therein; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition and construction of such improvements," approved April 20, 1915, by amending the title of said act and by amending section 1 of said act.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 628—An act creating the office of state superintendent of the registration of land titles, providing for the appointment of officers to enforce and carry into effect the provisions of this act including a state superintendent of the registration of land titles and his deputy and the employment of attorneys, defining the powers and duties of such officers and making an appropriation to carry this act into effect.

Bill read first time, and referred to Committee on Judiciary.

By Senator Burnett: Senate Bill No. 629—An act to amend an act approved May 1, 1911 (Stats. 1911, p. 1342) providing for the organization and management of mutual fire insurance corporations and associations and defining same, and regulating the transaction of the business of mutual fire insurance in the State of California.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 630—An act adding a new section to the Civil Code, to be numbered section 2767, relating to the disposition by the beneficiary of his interest under a policy of life insurance.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 631—An act to amend section six hundred five of the Political Code, relating to fees and charges for filing papers and documents with the Insurance Commissioner.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 632—An act to amend section 606 of the Political Code, relating to collections and assessments to be collected from licensed carriers under certain conditions.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 633—An act to amend section 602*a* of the Political Code, relating to liability reserves of insurance companies.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 634—An act to amend section 672 of the Political Code, relating to the insolvency of insurance companies.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 635—An act to amend Political Code, section 596*a*, relating to legal advice upon certain action by the Insurance Commissioner.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 636—An act to add a new section to the Political Code to be known as section 591*b*, relating to deputies, clerks and employees in the office of the Insurance Commissioner.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 637—An act to amend section 594 of the Political Code, relating to insurance.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 638—An act to amend section 453*c* of the Civil Code of the State of California, relating to insurance on the assessment plan.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 639—An act to add to and amend section 597 of the Political Code, relating to the supervision and examination of insurance companies by the Insurance Commissioner.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 640—An act to amend section 2 of an act entitled "An act relating to hotels, defining the same, providing regulations in connection therewith, providing for the sanitation of the rooms of such hotels, providing for the sanitary method and manner of keeping, handling and using bed clothes or bed covering in such hotels, repealing all acts or parts of acts in conflict with this act, providing for its enforcement by the State Board of Health, and providing a penalty for the violation of any of its provisions," approved April 26, 1915.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 641—An act to amend section 320 of the Penal Code of the State of California, relating to punishment for contriving, preparing, setting up, proposing and drawing any lottery.

Bill read first time, and referred to Committee on Public Morals.

Also: Senate Bill No. 642—An act to amend section 330 of the Penal Code prohibiting gaming and providing penalty therefor.

Bill read first time, and referred to Committee on Public Morals.

Also: Senate Bill No. 643—An act to provide for the appointment of a ship subsidy commission.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 644—An act to add a new section to the Code of Civil Procedure to be numbered section 1190*a*, relating to liens of mechanics and others.

Bill read first time, and referred to Committee on Judiciary.

By Senator Johnson: Senate Bill No. 645—An act to amend an act entitled "An act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain acts a felony and repealing an act entitled 'An act creating a commissioner of public works, defining his duties and powers and fixing his compensation,' approved February 9, 1900, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897; also repealing an act entitled 'An act providing for the appointment of an auditing board to the commissioner of public works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this act,' approved March 17, 1897, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to provide for the appointment, duties and compensation of a debris commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such commissioner,' approved March 24, 1893, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this act,' approved April 1, 1897, and all acts or parts of acts amendatory thereof," approved March 11, 1907, and all acts or parts of acts amendatory thereof, by amending sections 1, 9, 10, 13, 16 and 17 thereof, relating to the officers and employees of the department of engineering, their powers, duties and salaries, and by repealing section 1½ thereof.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 646—An act to amend section 718 of the Political Code, relating to employees of the superintendent of the capitol building and grounds.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 647—An act to provide for the joint construction of bridges and highways by two or more counties.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 648—An act expressing assent of the State of California to the provisions of the act of Congress approved July 11, 1916, entitled "An act to provide that the United States shall aid the states in the construction of rural post roads, and for other purposes."

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 649—An act to amend an act entitled "An act providing for the care, management and protection of state highways and penalties for violation of the act," approved May 20, 1915, by adding two new sections thereto to be numbered *7a* and *7b*.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Stuckenbruck: Senate Bill No. 650—An act empowering and authorizing the Board of Fish and Game Commissioners to insure the employees of the Fish and Game Commission with the Industrial Accident Commission while in the discharge of their duties.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 651—An act to repeal an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913.

Bill read first time, and referred to Committee on Civil Service.

By Senator Flaherty: Senate Bill No. 652—An act to amend section 15 of an act entitled "An act to promote the general welfare of the people of this State as affected by accident causing the injury or death of employees in the course of their employment, by creating a liability on the part of employers to compensate such employees and their dependents for such accidental injury or death irrespective of the fault of either party, and providing the means and methods of enforcing such liability; and creating a 'State Compensation Insurance Fund' to insure employers against such liability and providing for its administration and regulating such insurance by other insurance carriers; and requiring safety in all employments and places of employment in this State and providing the means and methods of enforcing such safety; and requiring reports of industrial accidents; and providing penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; and creating an industrial accident commission, providing for its organization, defining its powers and

duties and providing for a review of its orders, decisions and awards; and appropriating moneys to carry out the provisions of this act; and repealing all acts and parts of acts inconsistent with the provisions of this act," approved May 26, 1913, as amended.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 653—An act to provide for semimonthly pay days of laborers in the employ of the State, or of any county or city.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 654—An act to amend section 2552 of the Political Code, relating to the salaries of the Board of State Harbor Commissioners and assistants, said amendment relating to the salary of the president of the board and his duties, and the fund out of which the said salaries and the compensation of employees of the board shall be payable.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Hans: Senate Bill No. 655—An act to amend section 348 of the Code of Civil Procedure of the State of California, relating to the limitation of time within which to bring actions where money is deposited in a bank.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 656—An act to amend section 570 of the Code of Civil Procedure of the State of California, relating to the disposition of unclaimed funds in the hands of the receiver.

Bill read first time, and referred to Committee on Banking.

By Senator Maddox: Senate Bill No. 657—An act to amend section 4254 of the Political Code, relating to compensation of officers in counties of the twenty-fifth class, and creating the office of county librarian and providing for the appointment and salary thereof.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 658—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending sections 1, 2, 15, 16, 30, 32, 56 and 61*b*.

Bill read first time, and referred to Committee on Irrigation.

By Senator Scott: Senate Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the constitution of said state, by adding a new article thereto, to be numbered twenty-four, establishing a state athletic commission and regulating boxing and sparring in the state.

Constitutional amendment ordered to print, and referred to Committee on Constitutional Amendments.

Also: Senate Joint Resolution No. 6—Relative to the construction and maintenance of a military highway along the Pacific Coast from the Canadian border to the Mexican border.

Joint resolution ordered to print, and referred to Committee on Federal Relations.

RECESS.

At twelve o'clock and thirty minutes p.m., on motion of Senator Benson, the President pro tempore declared the Senate at recess until two o'clock and thirty minutes p.m.

RECONVENED.

At two o'clock and thirty minutes p.m., the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

MESSAGE FROM THE GOVERNOR.

On motion of Senator Tyrrell the following message from the Governor was read and ordered printed in the Journal:

EXECUTIVE DEPARTMENT.

OFFICE OF THE GOVERNOR.

To the Senate of the State of California:

Pursuant to the provisions of section 7 of the State Highway Act, approved March 22, 1909, I transmit herewith a copy of the final report of the State Controller and State Treasurer of their proceedings under said act for the period between

January 1, 1913, and December 31, 1913;
January 1, 1914, and December 31, 1914;
January 1, 1915, and December 31, 1915.

Respectfully submitted,

HIRAM W. JOHNSON,
Governor.

Sacramento, California, January 24, 1917.

REPORT OF PROCEEDINGS UNDER THE STATE HIGHWAYS ACT.

To His Excellency, HIRAM W. JOHNSON,

Governor of California:

SIR: In accordance with the provisions of section 7, Chapter 383, Statutes of 1909, we beg to submit a report of the proceedings under the said statutes for the year beginning January 1, 1913, and ending December 31, 1913.

Dated, Sacramento, California.

FRIEND WM. RICHARDSON, State Treasurer.
JOHN S. CHAMBERS, State Controller.

STATE HIGHWAY FUND. RECEIPTS. 1913.

Date	Items	Amount	Total
1/ 1/1913	Amount brought forward December 31		$1,731,239 97
1/22/1913	Bonds sold Sacramento Valley Bank & Trust Company	$47,000 00	
1/30/1913	Bonds sold Mrs. Frances A. Sumner	2,000 00	
1/30/1913	Bonds sold Hibernian Savings & Loan Society	200,000 00	
1/30/1913	Bonds sold Consuelo Supremo Da U. P. E. C.	4,000 00	
2/ 1/1913	Bonds sold Security Trust and Savings Bank	250,000 00	
2/ 1/1913	Bonds sold First National Bank of Los Angeles	150,000 00	
2/14/1913	Bonds sold N. W. Halsey & Company	16,000 00	
3/ 7/1913	Bonds sold Bank of Italy	50,000 00	
3/10/1913	Bonds sold Mrs. Frances R. Sumner	3,000 00	
3/11/1913	Bonds sold German Savings & Loan Society	50,000 00	
3/11/1913	Bonds sold Associated Banks, Humboldt County	100,000 00	
3/11/1913	Premium on above bonds	10 00	
3/13/1913	Bonds sold Hibernian Savings & Loan Society	100,000 00	
3/13/1913	Bonds sold California National Bank	10,000 00	
3/18/1913	Bonds sold Capital National Bank	7,000 00	
3/20/1913	Bonds sold California National Bank	22,000 00	
3/20/1913	Bonds sold Capital National Bank	1,000 00	
3/28/1913	Bonds sold Wells-Fargo Nevada National Bank	30,000 00	
4/14/1913	Bonds sold State of California	27,000 00	
4/15/1913	Department of Engineering	508 00	
4/17/1913	Bonds sold Bank of Ukiah	20,000 00	
4/18/1913	Bonds sold Bank of Gilroy	14,000 00	
4/21/1913	Bonds sold Bank of Campbell	7,000 00	
4/22/1913	Bonds sold Sacramento Valley Bank & Trust Company	7,000 00	
4/22/1913	Bonds sold Bank of Sunnyvale	7,000 00	
4/23/1913	Bonds sold Bank of Morgan Hill	3,000 00	
4/23/1913	Bonds sold Bank of Hopland	10,000 00	
4/23/1913	Bonds sold Bank of Los Gatos	11,000 00	
4/24/1913	Bonds sold California National Bank	15,000 00	
4/24/1913	Bonds sold California National Bank	27,000 00	
4/24/1913	Bonds sold Associated Banks of Orange County	200,000 00	
4/24/1913	Premium on above bonds	10 00	
4/24/1913	Bonds sold Mayfield Bank & Trust	2,000 00	
4/25/1913	Department of Engineering	22 50	
4/25/1913	Bonds sold to Peoples' Bank of Santa Cruz	75,000 00	
4/26/1913	Bonds sold National Bank of D. O. Mills & Company	2,000 00	
4/26/1913	Bonds sold Associated Banks of Los Angeles	270,000 00	
4/28/1913	Bonds sold First National Bank of San Jose	50,000 00	
4/30/1913	Bonds sold State Bank of Dunsmuir	5,000 00	
5/ 3/1913	Bonds sold First National Bank of Gilroy	2,000 00	
5/ 5/1913	Bonds sold A. Mierson Banking Company	15,000 00	
5/ 9/1913	Bonds sold Bank of San Jose	38,000 00	
5/13/1913	Bonds sold First National Bank of San Diego	80,000 00	
5/13/1913	Bonds sold First National Bank of Salinas	15,000 00	
5/13/1913	Bonds sold First National Bank of San Diego	77,000 00	
5/23/1913	Department of Engineering	75 00	
5/27/1913	Bonds sold First National Bank of Rialto	13,000 00	

STATE HIGHWAY FUND—RECEIPTS—1913—Continued.

Date	Items	Amount	Total
6/16/1913	Bonds sold California National Bank	$25,000 00	
6/16/1913	Bonds sold Garden City Bank & Trust Company	10,000 00	
6/16/1913	Bonds Sold First National Bank of Hollister	10,000 00	
6/16/1913	Bonds sold Bank of Hollister	15,000 00	
6/16/1913	Bonds sold Salinas City Bank	15,000 00	
6/17/1913	Department of Engineering	142 50	
6/18/1913	Bonds sold Mission Bank, Santa Clara	4,000 00	
6/19/1913	Bonds sold Monterey County Bank	15,000 00	
6/27/1913	Bonds sold Central National Bank of Oakland	100,000 00	
7/1/1913	Bonds sold San Jose Safe Deposit Bank	50,000 00	
7/2/1913	Department of Engineering	187 50	
8/5/1913	Department of Engineering	98 05	
9/6/1913	State Highway Commission	7 00	
10/1/1913	Bonds sold State of California	10,000 00	
10/15/1913	Bonds sold Commercial Bank of Santa Barbara	25,000 00	
10/17/1913	State Highway Commission	388 00	
10/18/1913	Bonds sold First National Bank of Paso Robles	3,000 00	
10/18/1913	Bonds sold Union National Bank, San Luis Obispo	11,000 00	
10/18/1913	Bonds sold Commercial Bank of San Luis Obispo	36,000 00	
10/18/1913	Bonds sold Commercial Bank of Santa Barbara	50,000 00	
10/20/1913	Bonds sold Commercial Bank of Santa Barbara	35,000 00	
10/24/1913	Bonds sold Commercial Bank of Santa Barbara	15,000 00	
10/28/1913	Bonds sold Jamestown National Bank	7,000 00	
10/28/1913	Bonds sold First Bank of Jamestown	7,000 00	
11/1/1913	Bonds sold State of California	20,000 00	
11/6/1913	Bonds sold Mendocino County	15,000 00	
11/7/1913	Bonds sold San Luis Obispo County	100,000 00	
11/10/1913	El Dorado County	350 00	
11/10/1913	Bonds sold Colony Holdings Company	100,000 00	
11/18/1913	Bonds sold Fresno County	150,000 00	
11/20/1913	Bonds sold Siskiyou County	50,000 00	
11/20/1913	Bonds sold Central Bank, Santa Barbara	6,000 00	
11/20/1913	Bonds sold First Bank of Jamestown	11,000 00	
11/25/1913	Bonds sold Title Insurance and Trust	25,000 00	
12/1/1913	Bonds sold First National Bank of Santa Barbara	10,000 00	
12/2/1913	Bonds sold Alameda County	200,000 00	
12/4/1913	Bonds sold Contra Costa County	110,000 00	
12/17/1913	Department of Engineering	4 27	
12/22/1913	Bonds sold Contra Costa County	190,000 00	
			$3,495,803 42
			$5,227,043 39

STATE HIGHWAY FUND. DISBURSEMENTS. 1913.

Date	Items	Amount	Total
1/ 1/1913	Amount brought forward December 31, 1912		$571,305 53
1/ 2/1913	Department of Engineering	$138 33	
1/ 6/1913	Department of Engineering	1,596 51	
1/ 9/1913	Department of Engineering	688 61	
1/13/1913	Department of Engineering	8,144 21	
1/21/1913	Department of Engineering	8,549 01	
1/24/1913	Department of Engineering	6,980 97	
1/29/1913	Department of Engineering	62,770 32	
2/ 3/1913	Department of Engineering	30,627 81	
2/ 6/1913	Department of Engineering	29,416 36	
2/13/1913	Department of Engineering	150 37	
2/21/1913	Department of Engineering	7,500 24	
2/25/1913	Department of Engineering	1,143 28	
2/27/1913	Department of Engineering	24,876 12	
3/ 4/1913	Department of Engineering	10,504 84	
3/10/1913	Department of Engineering	30,169 39	
3/17/1913	Department of Engineering	31,201 48	
3/22/1913	Department of Engineering	3,622 66	
3/25/1913	Department of Engineering	49,903 60	
3/27/1913	Department of Engineering	43,183 50	
4/ 2/1913	Department of Engineering	5,038 59	
4/ 3/1913	Department of Engineering	20,752 40	
4/ 9/1913	Department of Engineering	2,371 26	
4/11/1913	Department of Engineering	1,575 24	
4/21/1913	Department of Engineering	19,897 47	
4/25/1913	Department of Engineering	5,297 61	
4/29/1913	Department of Engineering	22,504 66	
5/ 1/1913	Department of Engineering	31,823 29	
5/ 6/1913	Department of Engineering	11,166 78	
5/13/1913	Department of Engineering	7,144 35	
5/16/1913	Department of Engineering	7,175 44	
5/23/1913	Department of Engineering	24,119 84	
5/24/1913	Department of Engineering	24,425 75	
5/26/1913	Department of Engineering	9,329 77	
5/28/1913	Department of Engineering	38,777 89	
5/29/1913	Department of Engineering	35,280 84	
5/31/1913	Department of Engineering	5,122 26	
6/ 2/1913	Department of Engineering	25,956 09	
6/ 5/1913	Department of Engineering	580 89	
6/ 6/1913	Department of Engineering	2,067 28	
6/16/1913	Department of Engineering	7,362 06	
6/21/1913	Department of Engineering	11,389 70	
6/26/1913	Department of Engineering	2,364 79	
6/30/1913	Department of Engineering	36,867 45	
7/ 3/1913	Department of Engineering	14,127 05	
7/ 7/1913	Department of Engineering	11,316 35	
7/ 8/1913	Department of Engineering	82,395 30	
7/11/1913	Department of Engineering	745 08	
7/17/1913	Department of Engineering	7,219 47	
7/18/1913	Department of Engineering	7,707 76	
7/23/1913	Department of Engineering	2,776 35	
7/28/1913	Department of Engineering	4,205 52	
7/30/1913	Department of Engineering	18,170 52	
7/31/1913	Department of Engineering	15,505 99	
8/ 1/1913	Department of Engineering	25,932 47	
8/ 2/1913	Department of Engineering	14,369 41	
8/ 5/1913	Department of Engineering	3,577 37	
8/ 6/1913	Department of Engineering	38,666 76	
8/ 6/1913	Department of Engineering	1,512 97	
8/ 9/1913	Department of Engineering	10,817 35	
8/22/1913	Department of Engineering	32,346 22	
9/ 2/1913	Department of Engineering	52,811 42	
9/ 5/1913	Department of Engineering	8,727 74	
9/ 8/1913	Department of Engineering	60,724 33	
9/17/1913	Department of Engineering	2,596 25	
9/19/1913	Department of Engineering	12,462 95	

STATE HIGHWAY FUND—DISBURSEMENTS—1913.

Date	Items	Amount	Total
9/22/1913	Department of Engineering	$34,960 15	$571,205 53
9/30/1913	Department of Engineering	48,475 18	
10/3/1913	Department of Engineering	93,204 07	
10/7/1913	Department of Engineering	710 12	
10/9/1913	Department of Engineering	5,107 90	
10/15/1913	Department of Engineering	3,088 29	
10/16/1913	Department of Engineering	72,151 70	
10/18/1913	Department of Engineering	9,446 69	
10/24/1913	Department of Engineering	7,146 36	
10/27/1913	Department of Engineering	13,300 17	
10/28/1913	Department of Engineering	28,549 29	
10/30/1913	Department of Engineering	9,223 46	
11/1/1913	Department of Engineering	37,462 54	
11/3/1913	Department of Engineering	108,369 05	
11/10/1913	Department of Engineering	12,429 52	
11/17/1913	Department of Engineering	4,338 23	
11/22/1913	Department of Engineering	19,546 72	
11/26/1913	Department of Engineering	27,132 04	
12/1/1913	Department of Engineering	63,432 52	
12/9/1913	Department of Engineering	33,116 59	
12/16/1913	Department of Engineering	23,085 01	
12/20/1913	Department of Engineering	4,954 21	
12/20/1913	Department of Engineering	1,786 35	
12/22/1913	Department of Engineering	32,894 70	
12/24/1913	Department of Engineering	20,030 24	
12/28/1913	Department of Engineering	1,975 29	
12/30/1913	Department of Engineering	17,439 09	
			$2,934,340 54
			$2,505,646 05
To balance in Fund			2,521,367 34
			$5,027,013 39

STATE HIGHWAY INTEREST AND SINKING FUND. RECEIPTS 1913.

Date	Items	Accrued interest returned	Transfer	Total
1 1 1913	Amounts brought forward December 31, 1912	$12,865 60	$57,954 91	$70,820 00
1 22 1913	Interest received from sale of bonds	99 22		
1 30 1913	Interest received from sale of bonds	12 89		
1 30 1913	Interest received from sale of bonds	6 00		
1 30 1913	Interest received from sale of bonds	600 00		
2 3 1913	Interest received from sale of bonds	1,288 88		
2 15 1913	Interest received from sale of bonds	72 89		
3 1 1913	Interest received from sale of bonds	355 56		
3 10 1913	Interest received from sale of bonds	22 [illegible]		
3 12 1913	Interest received from sale of bonds	477 78		
3 12 1913	Interest received from sale of bonds	755 56		
3 17 1913	Interest received from sale of bonds	7[illegible] 56		
3 18 1913	Interest received from sale of bonds	77 77		
3 18 1913	Interest received from sale of bonds	58 [illegible]		
3 20 1913	Interest received from sale of bonds	188 23		
3 20 1913	Interest received from sale of bonds	8 56		
3 29 1913	Interest received from sale of bonds	28[illegible]		
4 14 1913	Interest received from sale of bonds	267 [illegible]		
4 18 1913	Interest received from sale of bonds	231 11		
4 18 1913	Interest received from sale of bonds	163 33		
4 21 1913	Interest received from sale of bonds	8[illegible] 00		
4 22 1913	Interest received from sale of bonds	84 78		
4 22 1913	Interest received from sale of bonds	84 78		
4 [illegible] 1913	Interest received from sale of bonds	[illegible]		
4 24 1913	Interest received from sale of bonds	2,738 00		
4 25 1913	Interest received from sale of bonds	[illegible]		
4 25 1913	Interest received from sale of bonds	[illegible]		
4 29 1913	Interest received from sale of bonds	[illegible]		
4 29 1913	Interest received from sale of bonds	[illegible]		
4 29 1913	Interest received from sale of bonds	[illegible] 11		
5 1 1913	Interest received from sale of bonds	[illegible]		
5 3 1913	Interest received from sale of bonds	26 [illegible]		
5 5 1913	Interest received from sale of bonds	[illegible]		
5 9 1913	Interest received from sale of bonds	[illegible]		
5 13 1913	Interest received from sale of bonds	2,484 44		
5 27 1913	Interest received from sale of bonds	2,8[illegible] 00		
6 16 1913	Interest received from sale of bonds	181 11		
6 16 1913	Interest received from sale of bonds	452 78		
6 17 1913	Interest received from sale of bonds	452 78		
6 18 1913	Interest received from sale of bonds	271 67		
6 18 1913	Interest received from sale of bonds	73 33		
6 19 1913	Interest received from sale of bonds	75 67		
6 27 1913	Interest received from sale of bonds	1,933 33		
6 28 1913	Transfer from General Fund		$57,857 67	
7 1 1913	Transfer from General Fund		11 11	
7 1 1913	Interest received from sale of bonds	988 89		
10 9 1913	Interest received from sale of bonds	[illegible] 11		
10 15 1913	Interest received from sale of bonds	283 33		
10 18 1913	Interest received from sale of bonds	58[illegible] 33		
10 20 1913	Interest received from sale of bonds	416 11		
10 20 1913	Interest received from sale of bonds	583 32		
10 24 1913	Interest received from sale of bonds	185 00		
10 28 1913	Interest received from sale of bonds	178 88		
11 6 1913	Interest received from sale of bonds	262 22		
11 6 1913	Interest received from sale of bonds	205 00		
11 8 1913	Interest received from sale of bonds	1,377 78		
11 11 1913	Interest received from sale of bonds	1,411 11		
11 18 1913	Interest received from sale of bonds	2,[illegible] 00		
11 20 1913	Interest received from sale of bonds	852 45		
11 24 1913	Interest received from sale of bonds	167 44		
11 26 1913	Interest received from sale of bonds	394 60		
12 1 1913	Interest received from sale of bonds	164 44		
12 2 1913	Interest received from sale of bonds	3,311 12		
12 4 1913	Interest received from sale of bonds	1,815 56		
12 22 1913	Interest received from sale of bonds	3,567 78		$98,610 58
		$53,411 89	$95,818 69	$149,230 58

STATE HIGHWAY INTEREST AND SINKING FUND—DISBURSEMENTS—1913

Date	Items	Interest paid	Total
1-1-1913	Amount brought forward December 31, 1912		[illegible]
1-20-1913	By payment of semiannual interest	[illegible]	
7-1-1913	By payment of semiannual interest	[illegible]	
7-3-1913	By payment of semiannual interest	[illegible]	[illegible]
		[illegible]	[illegible]
12-31-1913	Balance of interest in fund		[illegible]
			[illegible]

REPORT OF PROCEEDINGS UNDER THE STATE HIGHWAYS ACT.

To His Excellency, HIRAM W. JOHNSON,

Governor of California.

SIR: In accordance with the provisions of section 7, Chapter 383, Statutes of 1909, we beg to submit a report of the proceedings under the said statutes for the year beginning January 1, 1914 and ending December 31, 1914.

Dated, Sacramento, California.

FRIEND WM. RICHARDSON, State Treasurer.
JOHN S. CHAMBERS, State Controller.

STATE HIGHWAY FUND. RECEIPTS. 1914.

Date	Items	Amount	Total
1. 1. 1914	Amount brought forward December 31, 1913		$5,227,043 39
1/ 3/1914	—Bonds sold State of California	$75,000 00	
1. 7. 1914	Bonds sold Kern County	200,000 00	
1/ 7/1914	—Bonds sold San Bernardino Co. Svs. Bk.	15,000 00	
2/ 5/1914	—Bonds sold Imperial County	50,000 00	
2. 9. 1914	Department of Engineering	37 59	
2/11/1914	—Bonds sold State of California	10,000 00	
2. 13. 1914	Bonds sold Sacramento Clearing House	450,000 00	
2/20/1914	—Bonds sold Merced County	120,000 00	
2/21/1914	—Bonds sold Citizens Savings Bank of Riverside	75,000 00	
3/ 2/1914	—Bonds sold State of California	5,000 00	
3/ 2/1914	—Bonds sold Colusa County	125,000 00	
3. 3. 1914	Bonds sold Shasta County	117,000 00	
3/ 4/1914	—Bonds sold Marin County	150,000 00	
3/ 5/1914	—Bonds sold to Glenn County	218,000 00	
3/ 6/1914	—Bonds sold San Diego County	115,000 00	
3. 13. 1914	—Bonds sold Imperial County	50,000 00	
3. 30. 1914	Bonds sold Kern County	60,000 00	
3/30/1914	—Bonds sold Solano County	150,000 00	
3/30/1914	—Bonds sold Siskiyou County	50,000 00	
3. 31. 1914	Bonds sold to Capital National Bank	83,000 00	
3. 31. 1914	Bonds sold to San Benito County	100,000 00	
3. 31. 1914	Bonds sold to Humboldt County	150,000 00	
3. 31. 1914	Bonds sold Hibernia Svgs. & Loan Soc	150,000 00	
4/ 1/1914	—Bonds sold Capital National Bank	175,000 00	
4/ 2/1914	—Bonds sold Capital National Bank	150,000 00	
4/ 3/1914	—Bonds sold Capital National Bank	117,000 00	
4/ 6/1914	—Bonds sold Capital National Bank	215,000 00	
4/ 9/1914	—Bonds sold to Alameda County	200,000 00	
4. 16. 1914	Bonds sold Sonoma County	200,000 00	
4/17/1914	—Bonds sold Tuolumne County	40,000 00	
4. 17. 1914	Bonds sold Orange County	200,000 00	
4/20/1914	—Bonds sold Santa Barbara County	400,000 00	
4. 23. 1914	Bonds sold Sonoma County	20,000 00	
5/ 3/1914	—Bonds sold Kern County	150,000 00	
5/23/1914	—Department of Engineering	43 56	
5. 25. 1914	Bonds sold Yolo County	50,000 00	
5/26/1914	—Bonds sold San Mateo County	125,000 00	
6/12/1914	—Bonds sold Santa Clara County	185,000 00	
6/ 8/1914	—Department of Engineering	3 50	
6/10/1914	—Department of Engineering	4,471 79	
6/16/1914	—Bonds sold Tehama County	18,000 00	
6. 16. 1914	Bonds sold Humboldt County	150,000 00	
6/17/1914	—Bonds sold State of California	12,000 00	
6. 17. 1914	Department of Engineering	3 18	
6/23/1914	—Bonds sold Kern County	180,000 00	
6. 30. 1914	Premium on bonds	27 00	
7/ 6/1914	—Department of Engineering	10 00	
8. 12. 1914	Bonds sold Trinity County	15,000 00	
8/19/1914	—Department of Engineering	3 65	
8. 29. 1914	Department of Engineering	33 88	
8/29/1914	—Bonds sold Santa Clara County	100,000 00	
9/21/1914	—Hibernia Savings & Loan Society	100,000 00	
9/25/1914	—Bonds sold Los Angeles County	225,000 00	
10/17/1914	—Bonds sold Siskiyou County	50,000 00	
10/28/1914	—Department of Engineering	55 00	
11/ 2/1914	—Bonds sold Capital National Bank	24,000 00	
11/10/1914	—Bonds sold Solano County	100,000 00	
11/12/1914	—Highway Commission	90 00	
11/20/1914	—Bonds sold Sutter County	2,000 00	
11. 20. 1914	—Bonds sold Sutter County	25,000 00	
11/24/1914	—Bonds sold Solano County	100,000 00	
11/27/1914	—Department of Engineering	74 55	
11/27/1914	—Board of Control	150 00	
12/ 1/1914	—Bonds sold Sutter County	4,000 00	
12/ 3/1914	—Department of Engineering	32	
12/ 5/1914	—Department of Engineering	7 07	
12/10/1914	—Bonds sold Colusa County	125,000 00	
12/11/1914	—Bonds sold Sutter County	5,000 00	
12/14/1914	—Bonds sold Sutter County	44,000 00	
12/24/1914	—Bonds sold Los Angeles County	325,000 00	
12/29/1914	—Bonds sold Colusa County	116,000 00	
12/31/1914	—Bonds sold Siskiyou County	25,000 00	
			6,495,011 09
			$11,722,054 48

STATE HIGHWAY FUND—DISBURSEMENTS—1914.

Date	Items	Amount	Total
1/ 2/1914	Amount brought forward Dec. 31, 1914		$2,505,646 05
1/ 3/1914	Department of Engineering	$12,406 42	
1/ 6/1914	Department of Engineering	22,558 21	
1/ 9/1914	Department of Engineering	33,269 78	
1/12/1914	Department of Engineering	12,357 48	
1/16/1914	Department of Engineering	5,997 92	
1/21/1914	Department of Engineering	39,523 89	
1/26/1914	Department of Engineering	65,220 53	
1/29/1914	Department of Engineering	7,974 00	
2/ 5/1914	Department of Engineering	22,339 16	
2/ 6/1914	Department of Engineering	33,812 29	
2/16/1914	Department of Engineering	5,968 50	
2/20/1914	Department of Engineering	100,020 98	
2/27/1914	Department of Engineering	11,690 53	
3/ 2/1914	Department of Engineering	12,580 48	
3/ 4/1914	Department of Engineering	26,469 95	
3/ 7/1914	Department of Engineering	49,314 86	
3/10/1914	Department of Engineering	13,199 83	
3/16/1914	Department of Engineering	1,229 40	
3/18/1914	Department of Engineering	2,754 22	
3/20/1914	Department of Engineering	15,530 92	
3/25/1914	Department of Engineering	26,400 17	
3/28/1914	Department of Engineering	33,338 02	
4/ 1/1914	Department of Engineering	56,440 86	
4/ 3/1914	Department of Engineering	9,115 07	
4/ 7/1914	Department of Engineering	12,708 79	
4/13/1914	Department of Engineering	2,472 13	
4/15/1914	Department of Engineering	3,842 67	
4/20/1914	Department of Engineering	9,660 65	
4/25/1914	Department of Engineering	55,786 83	
4/30/1914	Department of Engineering	71,642 51	
5/ 5/1914	Department of Engineering	18,402 08	
5/13/1914	Department of Engineering	7,880 55	
5/14/1914	Department of Engineering	60,215 04	
5/15/1914	Department of Engineering	8,487 99	
5/20/1914	Department of Engineering	17,044 76	
5/22/1914	Department of Engineering	11,888 08	
5/29/1914	Department of Engineering	869 13	
6/ 1/1914	Department of Engineering	39,250 00	
6/ 2/1914	Department of Engineering	39,351 06	
6/ 4/1914	Department of Engineering	79,433 98	
6/ 5/1914	Department of Engineering	6,455 40	
6/ 8/1914	Department of Engineering	2,051 12	
6/12/1914	Department of Engineering	3,496 43	
6/18/1914	Department of Engineering	21,032 51	
6/20/1914	Department of Engineering	39,362 04	
6/25/1914	Department of Engineering	30,086 86	
6/26/1914	Department of Engineering	54,392 88	
6/29/1914	Department of Engineering	79,824 91	
6/30/1914	Department of Engineering	7,590 59	
7/ 2/1914	Department of Engineering	4,231 61	
7/ 7/1914	Department of Engineering	2,297 69	
7/ 9/1914	Department of Engineering	2,726 29	
7/13/1914	Department of Engineering	65,158 76	
7/17/1914	Department of Engineering	5,974 76	
7/21/1914	Department of Engineering	4,618 43	
7/23/1914	Department of Engineering	4,690 90	
7/25/1914	Department of Engineering	44,532 63	
7/29/1914	Department of Engineering	89,979 01	
7/30/1914	Department of Engineering	23,252 22	
8/ 5/1914	Department of Engineering	28,749 52	
8/ 6/1914	Department of Engineering	60,547 77	
8/ 8/1914	Department of Engineering	55,445 84	
8/14/1914	Department of Engineering	22,735 44	
8/17/1914	Department of Engineering	71,492 90	
8/22/1914	Department of Engineering	37,599 09	
8/27/1914	Department of Engineering	3,712 98	
8/19/1914	Department of Engineering	17,583 96	
8/29/1914	Department of Engineering	170,658 71	
9/ 2/1914	Department of Engineering	75,531 43	

STATE HIGHWAY FUND. DISBURSEMENTS. 1914 Continued.

Date	Items	Amount	Total
9/ 5/1914	Department of Engineering	816,654 67	
9/10/1914	Department of Engineering	9,300 93	
9/11/1914	Department of Engineering	39,825 10	
9/16/1914	Department of Engineering	34,462 01	
9/18/1914	Department of Engineering	51,070 40	
9/21/1914	Department of Engineering	79,757 14	
9/23/1914	Department of Engineering	15 94	
9/24/1914	Department of Engineering	15,984 94	
9/26/1914	Department of Engineering	74,567 57	
9/29/1914	Department of Engineering	43,020 30	
10/ 1/1914	Department of Engineering	146,119 55	
10/ 5/1914	Department of Engineering	82,713 78	
10/ 6/1914	Department of Engineering	1,930 09	
10/ 9/1914	Department of Engineering	8,691 76	
10/13/1914	Department of Engineering	49,133 05	
10/16/1914	Department of Engineering	20,137 22	
10/19/1914	Department of Engineering	46,038 82	
10/21/1914	Department of Engineering	58,908 53	
10/24/1914	Department of Engineering	83,210 83	
10/27/1914	Department of Engineering	8,965 52	
10/30/1914	Department of Engineering	77,302 08	
10/16/1914	Department of Engineering	46,176 56	
11/ 2/1914	Department of Engineering	100,988 06	
11/ 5/1914	Department of Engineering	175,395 69	
11/ 7/1914	Department of Engineering	11,929 40	
11/ 9/1914	Department of Engineering	43,001 51	
11/12/1914	Department of Engineering	103,926 00	
11/13/1914	Department of Engineering	37,140 81	
11/18/1914	Department of Engineering	36,978 23	
11/20/1914	Department of Engineering	41,031 56	
11/24/1914	Department of Engineering	23,419 36	
11/25/1914	Department of Engineering	80,069 44	
11/27/1914	Department of Engineering	12,262 48	
11/28/1914	Department of Engineering	160,842 81	
12/ 1/1914	Department of Engineering	968 54	
12/ 4/1914	Department of Engineering	74,339 14	
12/ 5/1914	Department of Engineering	98,908 65	
12/ 9/1914	Department of Engineering	30,441 66	
12/12/1914	Department of Engineering	33,591 69	
12/16/1914	Department of Engineering	134,960 12	
12/21/1914	Department of Engineering	38,143 70	
12/23/1914	Department of Engineering	76,936 25	
12/24/1914	Department of Engineering	25,290 18	
12/29/1914	Department of Engineering	37,849 86	
12/30/1914	Department of Engineering	109,914 47	
			4,484,954 78
			$6,990,600 83
	To balance in fund		4,731,453 65
			$11,722,054 48

STATE HIGHWAY INTEREST AND SINKING FUND RECEIPTS 1914

Date	Items	Amount [illegible]	[illegible]	Total
1/ 2/1914	Amounts brought forward December 31, [illegible]	[illegible]	$65,818 69	$7[illegible]
1 2 1914	Transfer from General Fund		[illegible]	
1 5 1914	Interest received from sale of bonds	6 67		
1/ 8/1914	Interest received from sale of bonds	88 [illegible]		
2 6 1914	Interest received from sale of bonds	177 78		
2 11 1914	Interest received from sale of bonds	[illegible]		
2 19 1914	Interest received from sale of bonds	[illegible]		
2 26 1914	Interest received from sale of bonds	[illegible]		
3 31 1914	Interest received from sale of bonds	[illegible]		
3 2 1914	Interest received from sale of bonds	[illegible]		
3 3 1914	Interest received from sale of bonds	[illegible]		
3 4 1914	Interest received from sale of bonds	[illegible]		
3 6 1914	Interest received from sale of bonds	1,261 78		
3/ 6/1914	Interest received from sale of bonds	[illegible]		
3 6 1914	Interest received from sale of bonds	[illegible]		
3/ 9/1914	Interest received from sale of bonds	[illegible]		
3/14/1914	Interest received from sale of bonds	[illegible]		
3 31 1914	Interest received from sale of bonds	[illegible]		
3 31 1914	Interest received from sale of bonds	2,433 31		
4/ 1/1914	Interest received from sale of bonds	[illegible]		
4/ 2/1914	Interest received from sale of bonds	[illegible]		
4 3 1914	Interest received from sale of bonds	[illegible]		
4/ 4/1914	Interest received from sale of bonds	[illegible]		
4 7 1914	Interest received from sale of bonds	[illegible]		
4/ 9/1914	Interest received from sale of bonds	[illegible]		
4/17/1914	Interest received from sale of bonds	[illegible]		
4 17 1914	Interest received from sale of bonds	[illegible]		
4 18 1914	Interest received from sale of bonds	[illegible]		
4 20 1914	Interest received from sale of bonds	[illegible]		
4 25/1914	Interest received from sale of bonds	244 44		
5/ 4/1914	Interest received from sale of bonds	[illegible]		
5 25 1914	Interest received from sale of bonds	[illegible]		
5 27 1914	Interest received from sale of bonds	[illegible]		
6/13 1914	Interest received from sale of bonds	3,208 33		
6/17/1914	Interest received from sale of bonds	[illegible]		
6 17 1914	Interest received from sale of bonds	2,716 67		
6 24 1914	Interest received from sale of bonds	3,100 00		
6 23/1914	Interest received from sale of bonds	218 67		
7/ 2/1914	Transfer from General Fund		[illegible]	
8/12 1914	Interest received from sale of bonds	[illegible]		
8 29 1914	Interest received from sale of bonds	611 11		
9 21, 1914	Interest received from sale of bonds	844 44		
9 25 1914	Interest received from sale of bonds	[illegible]		
10/ 2/1914	Interest received from sale of bonds	[illegible]		
11/ 2/1914	Interest received from sale of bonds	314 64		
11 10 1914	Interest received from sale of bonds	[illegible]		
11 12 1914	Interest received from sale of bonds	28 42		
11 20 1914	Interest received from sale of bonds	377 78		
11 24 1914	Interest received from sale of bonds	[illegible]		
12/ 1/1914	Interest received from sale of bonds	[illegible]		
12 10 1914	Transfer from General Fund		[illegible]	
12 10 1914	Interest received from sale of bonds	2,180 55		
12/11/1914	Interest received from sale of bonds	87 22		
12 14/1914	Interest received from sale of bonds	777 33		
12 24/1914	Interest received from sale of bonds	6,983 34		
12 29 1914	Interest received from sale of bonds	2,268 45		
12 31, 1914	Interest received from sale of bonds	188 89		[illegible]
		[illegible] 25	[illegible]	[illegible]

STATE HIGHWAY INTEREST AND SINKING FUND. DISBURSEMENTS. 1914.

Date	Items	Interest paid	Total
1 2 1914	Amount brought forward December 31, 1913		$1,[illegible]
1 6 1914	By payment of semiannual interest	$16,[illegible]	
7 7 1914	By payment of semiannual interest	165,[illegible]	
7 10 1914	By payment of semiannual interest	1,[illegible]	
12 11 1914	By payment of semiannual interest	221,[illegible]	562,000 00
			$[illegible]
12 31 1914	Balance of interest in fund		11,885 78
			$[illegible]

REPORT OF PROCEEDINGS UNDER THE STATE HIGHWAYS ACT

To His Excellency, HIRAM W. JOHNSON,

Governor of California.

SIR: In accordance with the provisions of section 7, chapter 383, Statutes of 1909, we beg to submit a report of the proceedings under the said chapter for the year beginning January 1, 1915, and ending December 31, 1915.

Dated, Sacramento, California, January 21, 1916.

FRIEND WM. RICHARDSON, State Treasurer.
JOHN S. CHAMBERS, State Controller.

STATE HIGHWAY FUND. RECEIPTS, 1915.

Date	Items	Amount	Total
1 1 1915	Amount brought forward December 31, 1914		$11,722,051 48
1/ 4 1915	Transfer from General Fund	$725,000 00	
1 4 1915	Bonds sold Stanislaus County	75,000 00	
1 11 1915	Auditor Shasta County	16,000 00	
1 13 1915	Department of Engineering	194 39	
1, 23, 1915	Department of Engineering	15 00	
1/30/1915	Bonds sold Napa County	125,000 00	
2, 2, 1915	Department of Engineering	12 00	
2/ 6/1915	Bonds sold Mendocino County	75,000 00	
2/16/1915	Bonds sold Imperial County	50,000 00	
2/17/1915	Bonds sold Cap. Nat. Bank	25,000 00	
3 6 1915	Department of Engineering	378 70	
3, 10, 1915	Bonds sold Imperial County	20,000 00	
3/17/1915	Bonds sold Stanislaus County	25,000 00	
3/17/1915	Bonds sold Humboldt County	150,020 00	
3/17/1915	Bonds sold San Diego County	200,005 00	
3/18/1915	Bonds sold Monterey County	125,000 00	
3, 18, 1915	Bonds sold Kings County	50,002 50	
3/19/1915	Bonds sold Ventura County	250,005 00	
3, 20, 1915	Department of Engineering	306 51	
3/24/1915	Bonds sold Yuba County	40,000 00	
3, 26, 1915	Department of Engineering	641 00	
3/27/1915	Bonds sold Monterey County	250,015 00	
4/ 2/1915	Department of Engineering	9 00	
4/ 6/1915	Bonds sold Imperial County	100,005 00	
4/ 7/1915	Department of Engineering	69 03	
4/12/1915	Department of Engineering	275 77	
4/20/1915	Department of Engineering	104 96	
4/23/1915	Department of Engineering	119 14	
5/ 8/1915	Department of Engineering	395 02	
5 13 1915	Department of Engineering	3,187 38	
5, 17, 1915	Department of Engineering	1 45	
5/20/1915	Department of Engineering	442 82	
5/22/1915	Department of Engineering	315 00	
5/28/1915	Department of Engineering	2,887 75	
6/ 1, 1915	Department of Engineering	243 27	
6/29/1915	Department of Engineering	570 63	
7/15/1915	Shasta Co. donation, bridge	16,000 00	

STATE HIGHWAY FUND—RECEIPTS—1915—Continued.

Date	Items	Amount	Total
7/19/1915	Seymour Hill et al	$50.00	
7/21/1915	Department of Engineering	656.27	
7/26/1915	Department of Engineering	1.60	
7/29/1915	Department of Engineering	2,297.02	
7/29/1915	Bonds sold Humboldt County	200,000.00	
7/29/1915	Bonds sold Stanislaus County	35,022.00	
7/31/1915	Bonds sold Kern County	50,000.00	
7/31/1915	Bonds sold Placer County	100,000.00	
7/31/1915	Bonds sold Mono County	50,000.00	
7/31/1915	Bonds sold Inyo County	100,000.00	
7/31/1915	Bonds sold Placer County	100,000.00	
7/31/1915	Bonds sold Santa Barbara County	250,000.00	
7/31/1915	Bonds sold Placer County	50,000.00	
8/3/1915	Bonds sold Tuolumne County	35,000.00	
8/3/1915	Bonds sold Mendocino County	75,021.00	
8/3/1915	Bonds sold San Luis Obispo County	135,012.00	
8/3/1915	Bonds sold San Diego County	50,000.00	
8/4/1915	Bonds sold Kings County	5,000.00	
8/6/1915	Bonds sold Monterey County	100,000.00	
8/7/1915	Bonds sold Merced County	100,000.00	
8/9/1915	Bonds sold Butte County	150,000.00	
8/9/1915	Department of Engineering	2[illegible].91	
8/12/1915	Bonds sold Tulare County	[illegible].00	
8/12/1915	Bonds sold Santa Barbara County	20,000.00	
8/12/1915	Bonds sold Glenn County	50,000.00	
8/12/1915	Bonds sold Imperial County	60,041.50	
8/17/1915	Department of Engineering	18.04	
8/18/1915	Bonds sold Santa Cruz County	60,020.00	
8/21/1915	Department of Engineering	1[illegible].35	
8/23/1915	Bonds sold Santa Clara County	125,000.00	
9/3/1915	Department of Engineering	2[illegible].85	
9/8/1915	Department of Engineering	13.02	
9/25/1915	Bonds sold Santa Barbara County	5,000.00	
10/1/1915	Department of Engineering	25.93	
10/1/1915	Department of Engineering	500.00	
10/9/1915	Department of Engineering	19.00	
10/28/1915	Department of Engineering	26.67	
11/11/1915	Bonds sold Colusa County	120,000.00	
11/11/1915	Department of Engineering	16[illegible].15	
11/16/1915	Department of Engineering	59.17	
11/22/1915	Treasurer Town of San Juan	8,000.00	
11/23/1915	Department of Engineering	27.02	
12/1/1915	Department of Engineering	19[illegible].50	
12/13/1915	Department of Engineering	6[illegible].41	
12/30/1915	Department of Engineering	118.00	
			$1,740,[illegible].53
			$16,162,[illegible].04

STATE HIGHWAY FUND—DISBURSEMENTS—1915.

Date	Items	Amount	Total
1/2/1915	Department of Engineering	86,[illegible].40	
1/5/1915	Department of Engineering	59,[illegible].21	
1/7/1915	Department of Engineering	53,[illegible].81	
1/12/1915	Department of Engineering	34,182.50	
1/14/1915	Department of Engineering	87,530.08	
1/20/1915	Department of Engineering	6,092.70	
1/21/1915	Department of Engineering	122,[illegible].26	
1/25/1915	Department of Engineering	1,796.14	
1/26/1915	Department of Engineering	77,860.66	
1/29/1915	Department of Engineering	55,912.85	
2/2/1915	Department of Engineering	75,849.97	
2/4/1915	Department of Engineering	100,015.41	
2/9/1915	Department of Engineering	33,445.75	
2/11/1915	Department of Engineering	20,664.29	
2/17/1915	Department of Engineering	28,845.61	
2/18/1915	Department of Engineering	42,138.28	
2/23/1915	Department of Engineering	102,796.19	
3/2/1915	Department of Engineering	46,686.17	

STATE HIGHWAY FUND. DISBURSEMENTS. 1915 Continued.

Date	Items	Amount	Total
2 4 1915	Department of Engineering	856,118 97	
3 5 1915	Department of Engineering	78,972 33	
3 9 1915	Department of Engineering	16,332 43	
3 10 1915	Department of Engineering	4,195 15	
3 12 1915	Department of Engineering	1,814 99	
3 17 1915	Department of Engineering	4,508 72	
3 18 1915	Department of Engineering	61,070 70	
3 20 1915	Department of Engineering	11,364 82	
3 24 1915	Department of Engineering	16,854 86	
3/25/1915	Department of Engineering	80,828 96	
3 29 1915	Department of Engineering	115,298 84	
4 2 1915	Department of Engineering	104,661 27	
4/ 6/1915	Department of Engineering	392 36	
4/ 8/1915	Department of Engineering	26,754 65	
4/10/1915	Department of Engineering	7,353 91	
4 13 1915	Department of Engineering	37,786 10	
4/14/1915	Department of Engineering	16,093 02	
4 16 1915	Department of Engineering	39,049 03	
4/20/1915	Department of Engineering	74,330 09	
4 24 1915	Department of Engineering	85,012 60	
4/28/1915	Department of Engineering	49,626 29	
4/30/1915	Department of Engineering	29,150 37	
5 5 1915	Department of Engineering	107,857 61	
5/ 6/1915	Department of Engineering	173,952 03	
5 11 1915	Department of Engineering	78,614 59	
5 14 1915	Department of Engineering	52,988 46	
5 17 1915	Department of Engineering	27,317 88	
5/19 1915	Department of Engineering	108,185 34	
5/20 1915	Department of Engineering	515 28	
5 21 1915	Department of Engineering	472 13	
5 25 1915	Department of Engineering	34,287 91	
5 29 1915	Department of Engineering	46,518 04	
6/ 2/1915	Department of Engineering	160,606 80	
6/ 4/1915	Department of Engineering	58,145 93	
6/ 8/1915	Department of Engineering	13,347 59	
6/ 9/1915	Department of Engineering	71,159 45	
6/11/1915	Department of Engineering	95,555 28	
6/12/1915	Department of Engineering	77,762 55	
6 17 1915	Department of Engineering	16 60	
6/18/1915	Department of Engineering	15,735 95	
6 22 1915	Department of Engineering	30,608 41	
6 26 1915	Department of Engineering	74,390 81	
7 1 1915	Department of Engineering	11,605 63	
7 2 1915	Department of Engineering	40,019 27	
7/ 3/1915	Department of Engineering	231,039 30	
7/ 8/1915	Department of Engineering	92,056 25	
7/12/1915	Department of Engineering	69,436 73	
7/19/1915	Department of Engineering	6,899 38	
7 20 1915	Department of Engineering	6,447 33	
7/21/1915	Department of Engineering	102,169 56	
7 22 1915	Department of Engineering	17,975 95	
7/23/1915	Department of Engineering	69,907 87	
7/27/1915	Department of Engineering	160,819 95	
7/29/1915	Department of Engineering	31,609 02	
8/ 9/1915	Department of Engineering	29,462 44	
8/11/1915	Department of Engineering	50,795 35	
8/12/1915	Department of Engineering	10,995 96	
8/13/1915	Department of Engineering	111,855 68	
8/14/1915	Department of Engineering	147,789 61	
8 19 1915	Department of Engineering	91,268 62	
8/20/1915	Department of Engineering	2,169 82	
8/23/1915	Department of Engineering	13,778 97	
8/25/1915	Department of Engineering	67,770 97	
9/ 1/1915	Department of Engineering	59,704 48	
9/ 3/1915	Department of Engineering	177,306 99	
9/ 8/1915	Department of Engineering	275,841 75	
9/13/1915	Department of Engineering	55,630 19	
9 14 1915	Department of Engineering	14,674 30	
9 20 1915	Department of Engineering	17 25	
9 21 1915	Department of Engineering	153,016 01	
9/25/1915	Department of Engineering	16,897 39	

STATE HIGHWAY FUND DISBURSEMENTS, 1915—Continued.

Date	Items	Amount	Total
9/27/1915	Department of Engineering	$33,012 93	
9/30/1915	Department of Engineering	18,788 50	
9/10/1915	Department of Engineering	44,779 31	
10/1/1915	Department of Engineering	50,000 00	
10/5/1915	Department of Engineering	123,030 69	
10/8/1915	Department of Engineering	12,968 73	
10/9/1915	Department of Engineering	14,702 52	
10/13/1915	Department of Engineering	23,863 30	
10/15/1915	Department of Engineering	7,104 23	
10/19/1915	Department of Engineering	177,395 36	
10/19/1915	Department of Engineering	109,746 02	
10/22/1915	Department of Engineering	8,544 24	
10/25/1915	Department of Engineering	100,079 35	
10/28/1915	Department of Engineering	23,071 17	
11/1/1915	Department of Engineering	94,052 29	
11/3/1915	Department of Engineering	35 00	
11/6/1915	Department of Engineering	157,068 83	
11/9/1915	Department of Engineering	74,271 83	
11/12/1915	Department of Engineering	22,357 34	
11/13/1915	Department of Engineering	148,013 30	
11/19/1915	Department of Engineering	44,869 65	
11/22/1915	Department of Engineering	47,213 23	
11/24/1915	Department of Engineering	102,817 99	
11/11/1915	Department of Engineering	83,014 50	
12/1/1915	Department of Engineering	128,971 71	
12/7/1915	Department of Engineering	34,761 68	
12/8/1915	Department of Engineering	100,058 51	
12/10/1915	Department of Engineering	33,575 34	
12/16/1915	Department of Engineering	79,205 37	
12/17/1915	Department of Engineering	56,548 79	
12/18/1915	Department of Engineering	6,709 18	
12/20/1915	Department of Engineering	65,826 14	
12/22/1915	Department of Engineering	50,000 00	
12/24/1915	Department of Engineering	3,579 24	
12/27/1915	Department of Engineering	2,259 34	
12/28/1915	Department of Engineering	81,161 21	
12/29/1915	Department of Engineering	1,266 06	$7,725,825 81
			$14,716,426 14
	To balance in fund		1,746,109 87
			$16,462,536 01

STATE HIGHWAY INTEREST AND SINKING FUND RECEIPTS 1915

Date	Items	Amount [illegible]	Transfer	Total
12 [illegible] 1915	Amounts brought forward	[illegible]	[illegible]	[illegible]
1 [illegible] 1917	Transfer from General Fund		914 22	
1 [illegible] 1915	Interest received from sale bonds	361 11		
2 [illegible] 1915	Interest received from sale bonds	266 67		
2 16 1915	Interest received from sale bonds	[illegible]		
2 17 1915	Interest received from sale bonds	[illegible]		
[illegible] 1917	Interest received from sale bonds	146 67		
3 17 1915	Interest received from sale bonds	[illegible]		
3 [illegible] 1915	Interest received from sale bonds	1,419 45		
3 19 1915	Interest received from sale bonds	[illegible]		
[illegible] 1915	Interest received from sale bonds	355 56		
[illegible] 1917	Interest received from sale bonds	2,250 00		
4 6 1917	Interest received from sale bonds	[illegible]		
6 9 1915	Transfer from General Fund		208,697 76	
7 [illegible] 1915	Interest received from sale bonds	[illegible]		
7 [illegible] 1915	Interest received from sale bonds	[illegible]		
7 [illegible] 1917	Interest received from sale bonds	150 00		
7 [illegible] 1915	Interest received from sale bonds	[illegible]		
8 [illegible] 1915	Interest received from sale bonds	115 66		
8 [illegible] 1915	Interest received from sale bonds	[illegible]		
8 [illegible] 1915	Interest received from sale bonds	[illegible]		
8 6 1915	Interest received from sale bonds	598 89		
8 7 1915	Interest received from sale bonds	[illegible]		
8 [illegible] 1915	Interest received from sale bonds	566 67		
8 12 1915	Interest received from sale bonds	1,657 77		
8 18 1915	Interest received from sale bonds	[illegible]		
8 23 1915	Interest received from sale bonds	[illegible]		
9 25 1915	Interest received from sale bonds	45 00		
10 11 1915	Interest received from sale bonds	1,698 33		
12 [illegible] 1915	Transfer from General Fund		[illegible]	[illegible]
		[illegible]	[illegible]	[illegible]

STATE HIGHWAY INTEREST AND SINKING FUND DISBURSEMENTS 1915.

Date	Items	Interest [illegible]	Total
12 [illegible] 1915	Amount brought forward		[illegible]
1 [illegible]	By payment of semiannual interest	[illegible]	
6 9 1915	By payment of semiannual interest	[illegible]	
12 9 1915	By payment of semiannual interest	[illegible]	[illegible]
			[illegible]

Statement prepared by
E. B. WILKERSON, Bookkeeper.

EXECUTIVE DEPARTMENT.

OFFICE OF THE GOVERNOR.

To the Legislature of the State of California:

Pursuant to the provisions of section 6 of the San Francisco Harbor Improvement Act of 1909, approved March 29, 1909, I transmit herewith the report of the State Controller and State Treasurer of their proceedings under said act for the periods lapsing between

January 1, 1913, and December 31, 1913;
January 1, 1914, and December 31, 1914;
January 1, 1915, and December 31, 1915.

Respectfully submitted,

HIRAM W. JOHNSON,
Governor.

Sacramento, California, January 24, 1917.

REPORT OF THE PROCEEDINGS UNDER THE SAN FRANCISCO HARBOR IMPROVEMENT ACT OF 1909.

To His Excellency HIRAM W. JOHNSON,
Governor of California:

SIR: In accordance with the provisions of section 6 of Chapter 329, Statutes of 1909, we beg to submit a report of the proceedings under said act, including the 1914 year, **beginning January 1, 1915, and ending December 31, 1915.**

Dated, Sacramento, California,
January 24, 1916.

FRIEND W. RICHARDSON, State Treasurer.
JOHN S. CHAMBERS, State Controller.

SECOND SAN FRANCISCO SEAWALL FUND—RECEIPTS—1915.

1/ 2/1915—Amounts brought forward December 31, 1914		$8,469,775 66

SECOND SAN FRANCISCO SEAWALL FUND—DISBURSEMENTS—1915.

Date	Items	Amount	Total
1/ 2/1915—Amounts brought forward December 31, 1914			$7,243,928 83
1/ 5/1915—San Francisco Bridge Company		$41,929 00	
1/ 7/1915—J. G. Harney		**2,700 35**	
1/ 8/1915—Pacific Creosoting Company		1,178 60	
1/ 8/1915—Bates, Borland & Ayer		**186 86**	
1/ 8/1915—Healy-Tibbitts Construction Company		4,243 44	
1/ 8/1915—Healy-Tibbitts Construction Company		**286 19**	
1/ 8/1915—E. D. Roberts, State Treasurer		7,918 00	
1/12/1915—Daniel Contracting Company		1,238 75	
1/12/1915—Daniel Contracting Company		1,[illegible] 93	
1/12/1915—Daniel Contracting Company		1,769 00	
1/12/1915—Daniel Contracting Company		1,475 22	
1/13/1915—Marten's Market		35 20	
1/13/1915—Pacific Creosoting Company		10,013 47	
1/13/1915—Pacific Creosoting Company		8,987 33	
1/13/1915—Pacific Creosoting Company		**3,917 79**	
1/13/1915—Pacific Creosoting Company		3,278 47	
1/14/1915—Construction and Engineering Co.		8,415 00	
1/14/1915—San Francisco Bridge Company		648 25	
1/14/1915—San Francisco Bridge Company		11,729 00	
1/14/1915—San Francisco Bridge Company		2,062 80	
1/14/1915—San Francisco Bridge Company		13,492 50	
1/14/1915—Daniel Contracting Company		279 43	
1/14/1915—Daniel Contracting Company		13,200 00	
1/14/1915—Daniel Contracting Company		5,998 17	
1/14/1915—Healy-Tibbitts Construction Company		14,677 20	
1/14/1915—Healy-Tibbitts Construction Company		11,004 00	
1/14/1915—Healy-Tibbitts Construction Company		4,361 18	
1/14/1915—Healy-Tibbitts Construction Company		**10,140 38**	
1/14/1915—Healy-Tibbitts Construction Company		16,854 75	
1/15/1915—Daniel Contracting Company		5 18	
1/18/1915—San Francisco Bridge Company		**7 75**	
1/19/1915—Compressed Air and General Mach. Co.		**62 50**	
1/20/1915—J. G. Harney		**238 96**	
1/20/1915—J. G. Harney		55 30	
1/20/1915—Vulcan Iron Works		72 00	

SECOND SAN FRANCISCO SEAWALL FUND—DISBURSEMENTS, 1915—Continued.

Date	Items	Amount	Total
1/21/1915	Healy-Tibbitts Construction Company	$27,650 00	
1/21/1915	Healy-Tibbitts Construction Company	2,732 09	
1/22/1915	Healy-Tibbitts Construction Company	165 00	
1/22/1915	Bashford Smith	108 22	
1/22/1915	Scott Company	117 50	
1/22/1915	Construction and Engineering Company	39 54	
1/22/1915	San Francisco Bridge Company	185 80	
1/22/1915—San Francisco Bridge Company		23 25	
1/22/1915	San Francisco Bridge Company	4,268 36	
1/22/1915—Pacific Creosoting Company		130 00	
1/22/1915	Pacific Creosoting Company	3,099 12	
1/22/1915—Pacific Creosoting Company		7,420 50	
1/22/1915—Pacific Creosoting Company		2,062 67	
1/22/1915—Pacific Creosoting Company		2,478 31	
1/22/1915	Pacific Creosoting Company	9,319 40	
1/22/1915	Healy-Tibbitts Construction Company	99 52	
1/22/1915	Healy-Tibbitts Construction Company	162 32	
1/25/1915—Department of Engineering		8 33	
1/25/1915	Pacific Portland Cement Company	2,853 00	
1/25/1915—Charles H. Dasher		36 42	
1/25/1915	Justinian Caire Company	7 10	
1/26/1915	Robert W. Hunt Company	633 00	
1/27/1915—Healy-Tibbitts Construction Company		7,309 72	
1/28/1915	Detroit Insulated Wire Company	88 14	
1/30/1915	San Francisco Bridge Company	1,469 26	
1/30/1915	San Francisco Bridge Company	515 70	
2/1/1915—Martin's Market		87 70	
2/1/1915—Pacific Creosoting Company		2,603 45	
2/1/1915—Pacific Creosoting Company		2,136 01	
2/1/1915—Pacific Creosoting Company		680 51	
2/1/1915—Pacific Creosoting Company		5,051 69	
2/1/1915—Pacific Creosoting Company		11,348 93	
2/1/1915—Pacific Creosoting Company		80 00	
2/4/1915	San Francisco Bridge Company	8,481 00	
2/4/1915—Healy-Tibbitts Construction Company		8,253 00	
2/13/1915	Healy-Tibbitts Construction Company	29,112 75	
2/13/1915—Healy-Tibbitts Construction Company		18,832 12	
2/16/1915	Daniel Contracting Company	6,600 00	
2/16/1915—Daniel Contracting Company		10,210 20	
2/16/1915	Healy-Tibbitts Construction Company	12,231 00	
2/16/1915	Healy-Tibbitts Construction Company	1,349 89	
2/16/1915	Construction and Engineering Company	14,586 00	
2/16/1915—San Francisco Bridge Company		9,642 75	
2/17/1915	Pacific Creosoting Company	2,995 78	
2/17/1915—Pacific Creosoting Company		3,344 49	
2/17/1915—Pacific Creosoting Company		1,234 01	
2/19/1915—Pacific Portland Cement Co., Cons.		4,756 00	
2/23/1915	Friend Wm. Richardson	7,537 20	
2/23/1915—San Francisco Bridge Company		3,975 21	
2/23/1915—San Francisco Bridge Company		871 98	
2/23/1915—E. Lauterbach		9 00	
2/23/1915	Healy-Tibbitts Construction Company	656 25	
2/24/1915—San Francisco Bridge Company		221 67	
2/24/1915—Enterprise Foundry Company		712 24	
2/24/1915—Bashford Smith		170 94	
2/24/1915—Smith, Emery & Company		220 01	
2/24/1915—San Francisco Elevator Company		297 70	
2/24/1915	John A. Roebling's Sons Company	289 63	
2/24/1915—Pacific Creosoting Company		2,473 52	
2/24/1915—Pacific Creosoting Company		1,422 79	
2/24/1915—Healy-Tibbitts Construction Company		302 32	
2/24/1915—Healy-Tibbitts Construction Company		186 89	
2/24/1915—Healy-Tibbitts Construction Company		2 21	
2/24/1915—Healy-Tibbitts Construction Company		5 08	
2/25/1915—P. David Company		202 50	
2/25/1915	Justinian Caire Company	10 50	
2/25/1915	Loop Lumber Company	143 11	
2/25/1915—J. Eugene Stevens		9 70	
3/1/1915—Healy-Tibbitts Construction Company		62 32	
3/1/1915—Robert W. Hunt & Company		504 92	
3/2/1915—Henry Cowell Lime and Cement Co.		820 00	

SECOND SAN FRANCISCO SEAWALL FUND—DISBURSEMENTS—1915—Continued.

Date	Items	Amount	Total
3/ 4/1915	Chas. F. Dean	87 60	
3/ 5/1915	San Francisco Bridge Company	480 50	
3/ 5/1915	San Francisco Bridge Company	17,190 00	
3/ 5/1915	Daniel Contracting Company	1,732 73	
3/ 5/1915	Construction and Engineering Co.	507 01	
3/ 6/1915	The Fay Improvement Company	90 52	
3/ 6/1915	Pacific Creosoting Company	3,106 47	
3/ 6/1915	Pacific Creosoting Company	1,579 53	
3/ 6/1915	Pacific Creosoting Company	5,371 67	
3/ 6/1915	Pacific Creosoting Company	3,782 97	
3/ 6/1915	Pacific Creosoting Company	1,683 89	
3/ 6/1915	Pacific Creosoting Company	3,106 20	
3/ 8/1915	San Francisco Bridge Company	54 50	
3/11/1915	Marten's Market	29 75	
3/11/1915	Walter Snell & Company	90 00	
3/13/1915	Daniel Contracting Company	1,633 27	
3/13/1915	Healy-Tibbitts Construction Company	30,421 13	
3/13/1915	Healy-Tibbitts Construction Company	16,308 00	
3/13/1915	Healy-Tibbitts Construction Company	29,142 75	
3/13/1915	Healy-Tibbitts Construction Company	22,927 00	
3/13/1915	Healy-Tibbitts Construction Company	1,849 89	
3/16/1915	Friend Wm. Richardson	10,477 15	
3/18/1915	Pacific Rolling Mills Company	8,277 75	
3/18/1915	Construction and Engineering Co.	5,010 00	
3/18/1915	Daniel Contracting Company	6,000 00	
3/18/1915	Daniel Contracting Company	1,385 75	
3/18/1915	Daniel Contracting Company	424 62	
3/18/1915	San Francisco Bridge Company	18,866 25	
3/18/1915	San Francisco Bridge Company	12,850 00	
3/19/1915	Pacific Creosoting Company	8,919 62	
3/19/1915	Daniel Contracting Company	43 78	
3/19/1915	San Francisco Bridge Company	35 74	
3/20/1915	Loop Lumber Company	154 49	
3/20/1915	Pacific Portland Cement Company	3,230 80	
3/24/1915	Healy-Tibbitts Construction Company	650 48	
3/24/1915	Healy-Tibbitts Construction Company	904 45	
3/25/1915	Geo. H. Tay Company	408 83	
3/25/1915	Healy-Tibbitts Construction Company	81 39	
3/25/1915	Healy-Tibbitts Construction Company	14 64	
3/25/1915	Healy-Tibbitts Construction Company	164 21	
3/25/1915	Healy-Tibbitts Construction Company	343 77	
3/25/1915	Healy-Tibbitts Construction Company	21 35	
3/25/1915	Daniel Contracting Company	3,403 40	
3/25/1915	Daniel Contracting Company	1,476 32	
3/25/1915	Construction and Engineering Company	8,200 00	
3/26/1915	Daniel Contracting Company	116 61	
3/26/1915	Western Electric Company	74 43	
3/26/1915	Standard Underground Cable Company	336 22	
3/26/1915	Bashford Smith	140 52	
3/26/1915	McNab & Smith	14 00	
3/26/1915	Marshall-Newell Supply Company	1 47	
3/29/1915	White Bros.	86 06	
3/29/1915	Mark-Lally Company	8 50	
3/29/1915	Eugene Dietzgen Company	5 53	
4/ 6/1915	Marten's Market	17 60	
4/ 6/1915	D. J. Hanlon	1,143 00	
4/ 6/1915	Empire Planing Mill	639 00	
4/ 6/1915	Pacific Creosoting Company	42 50	
4/ 6/1915	Pacific Creosoting Company	5,442 15	
4/ 6/1915	Pacific Creosoting Company	411 34	
4/ 6/1915	Pacific Creosoting Company	1,790 56	
4/ 6/1915	D. J. Hanlon	1,143 00	
4/ 6/1915	Fog Signal Light Company	178 36	
4/ 6/1915	Bates, Borland & Ayer	309 98	
4/10/1915	Kinnear Manufacturing Company	1,673 00	
4/13/1915	Construction and Engineering Company	9,350 00	
4/14/1915	Construction and Engineering Company	490 93	

SECOND SAN FRANCISCO SEAWALL FUND—DISBURSEMENTS—1915—Continued.

Date	Items	Amount	Total
4/14/1915	Construction and Engineering Company	$107 43	
4/14/1915	D. J. Hanlon	1,143 00	
4/14/1915	San Francisco Bridge Company	25,155 00	
4/14/1915	Healy-Tibbitts Construction Company	34,767 00	
4/14/1915	Healy-Tibbitts Construction Company	6,230 25	
4/14/1915	Healy-Tibbitts Construction Company	20,385 00	
4/14/1915	Healy-Tibbitts Construction Company	7,372 50	
4/14/1915	Healy-Tibbitts Construction Company	13,790 25	
4/16/1915	Rolph Mills Company	7,500 00	
4/16/1915	Main Street Iron Works	26 70	
4/17/1915	Kinnear Manufacturing Company	6,414 52	
4/17/1915	Daniel Contracting Company	8,250 00	
4/17/1915	Daniel Contracting Company	544 43	
4/17/1915	George H. Tay Company	31 26	
4/17/1915	Pacific Portland Cement Company	9,011 80	
4/17/1915	White Bros.	118 47	
4/17/1915	Justinian Caire Company	6 75	
4/17/1915	Bashford Smith	123 28	
4/17/1915	Bates, Borland & Ayer	1,812 30	
4/19/1915	Meurer Bros. Company	47 30	
4/19/1915	Pacific Hardware and Steel Company	51 00	
4/19/1915	Empire Planing Mill	26 40	
4/19/1915	Pacific Creosoting Company	1,035 39	
4/20/1915	Friend Wm. Richardson	10,260 00	
4/20/1915	Bates, Borland & Ayer	2,658 44	
4/20/1915	Loop Lumber Company	948 05	
4/20/1915	Eugene Dietzgen Company	7 01	
4/20/1915	Pacific Creosoting Company	6,012 80	
4/20/1915	Pacific Creosoting Company	6,382 12	
4/20/1915	Pacific Creosoting Company	2,973 21	
4/22/1915	Henry Cowell Lime and Cement Company	22 25	
4/23/1915	Fay Improvement Company	28 56	
4/23/1915	Paraffine Paint Company	92 63	
4/23/1915	Healy-Tibbitts Construction Company	2,333 25	
4/23/1915	Healy-Tibbitts Construction Company	492 04	
4/23/1915	Healy-Tibbitts Construction Company	2,064 68	
4/23/1915	Healy-Tibbitts Construction Company	273 28	
4/24/1915	Healy-Tibbitts Construction Company	24 56	
4/24/1915	Healy-Tibbitts Construction Company	98 73	
4/27/1915	F. L. Hansen	14,604 75	
4/27/1915	D. J. Hanlon	1,143 00	
4/27/1915	Pacific States Electric Company	31 65	
4/27/1915	Daniel Contracting Company	2,106 30	
4/27/1915	Daniel Contracting Company	438 46	
4/28/1915	Nette Hamilton	174 00	
5/3/1915	Southern Pacific Company	428 87	
5/3/1915	Southern Pacific Company	6 00	
5/4/1915	Healy-Tibbitts Construction Company	2,089 35	
5/5/1915	Graff & Sons	75 00	
5/5/1915	Kinnear Manufacturing Company	12,344 06	
5/5/1915	Henry Cowell Lime and Cement Company	3,657 20	
5/6/1915	John Harkness	450 00	
5/7/1915	John A. Roebling Sons Co., Inc.	144 53	
5/7/1915	Pacific Creosoting Company	1,522 24	
5/7/1915	Pacific Creosoting Company	1,814 15	
5/7/1915	Pacific Creosoting Company	1,673 70	
5/7/1915	D. J. Hanlon	381 00	
5/7/1915	D. J. Hanlon	1,143 00	
5/7/1915	Construction and Engineering Company	4 03	
5/7/1915	Friend Wm. Richardson	10,560 00	
5/10/1915	Daniel Contracting Company	520 73	
5/10/1915	Healy-Tibbitts Construction Company	186 92	
5/10/1915	J. Eugene Stevens	20 20	
5/11/1915	Bausch & Lomb Optical Company	45 90	
5/11/1915	G. W. McGinn & Company	4,672 49	
5/11/1915	Pacific Creosoting Company	2,712 80	
5/13/1915	John Harkness	21 47	

SECOND SAN FRANCISCO SEAWALL FUND—DISBURSEMENTS—1915—Continued.

Date	Item	Amount	Total
5/13/1915	Healy-Tibbitts Construction Company	$10,725 75	
5/13/1915	Healy-Tibbitts Construction Company	8,154 00	
5/13/1915	Healy-Tibbitts Construction Company	22,117 50	
5/13/1915	Healy-Tibbitts Construction Company	57,945 00	
5/13/1915	San Francisco Bridge Company	2,145 95	
5/13/1915	San Francisco Bridge Company	6,708 00	
5/14/1915	Whitelaw Wrecking Company	2,500 00	
5/14/1915	Rolph Mills Company	6,206 25	
5/14/1915	Rolph Mills Company	587 14	
5/15/1915	Daniel Contracting Company	4,950 00	
5/15/1915—Daniel Contracting Company		388 24	
5/15/1915—Daniel Contracting Company		4,688 65	
5/15/1915—Construction and Engineering Company		2,531 08	
5/15/1915	San Francisco Bridge Company	874 00	
5/15/1915	Healy-Tibbitts Construction Company	1,048 37	
5/17/1915—Pacific Rolling Mill Company		5,518 50	
5/17/1915—L. E. Clawson Company		63 36	
5/17/1915—George H. Tay Company		139 24	
5/18/1915—Marshall-Newell Supply Company		6 32	
5/18/1915	Bashford Smith	4 20	
5/18/1915—Herzog & Dahl		3 50	
5/18/1915	Associated Manufacturing Importing Company	57 71	
5/19/1915	Teichert & Ambrose	5,085 14	
5/19/1915	Loop Lumber Company	1,299 61	
5/19/1915—Paraffine Paint Company		154 01	
5/19/1915	Payne's Bolt Works	18 90	
5/19/1915—John A. Roeblings Sons Company		213 50	
5/19/1915	Healy-Tibbitts Construction Company	1,149 71	
5/19/1915	Healy-Tibbitts Construction Company	795 43	
5/19/1915—Healy-Tibbitts Construction Company		726 28	
5/20/1915—Kinnear Manufacturing Company		8,552 71	
5/20/1915—Kinnear Manufacturing Company		2,468 81	
5/20/1915—Mark Lally Company		547 13	
5/20/1915—Pacific Portland Cement Company		11,669 40	
5/20/1915	Healy-Tibbitts Construction Company	144 30	
5/20/1915—D. J. Hanlon		1,143 00	
5/20/1915	Western Electric Company	105 26	
5/20/1915	Pacific Hardware & Steel Company	151 83	
5/20/1915	Pacific States Electric Company	118 11	
5/20/1915—Empire Planing Mill		11 76	
5/20/1915—John Cassaretto		105 50	
5/20/1915	Baker & Hamilton	5 00	
5/21/1915	Berger & Carter Company	12 15	
5/22/1915—Smith Emery & Company, Incorporated		4 00	
5/25/1915—Henry Cowell Lime & Cement Company		721 45	
5/25/1915	N. Clark & Sons	395 00	
5/25/1915—Charles H. Dasher		58 13	
5/26/1915—Pacific Creosoting Company		2,004 27	
5/26/1915—D. J. Hanlon		381 00	
5/26/1915	D. J. Hanlon	381 00	
5/26/1915—F. L. Hansen		4,381 42	
5/26/1915—California Door Company		66 98	
5/26/1915—Electric Appliance Company		23 50	
5/26/1915	Electric Railway & Manufacturing Supply Company	34 93	
5/26/1915—Healy-Tibbitts Construction Company		1,321 22	
5/26/1915—Healy-Tibbitts Construction Company		1,006 99	
5/26/1915	Healy-Tibbitts Construction Company	4,077 00	
5/27/1915—F. L. Hansen		1,682 00	
5/27/1915—Healy-Tibbitts Construction Company		138 56	
5/27/1915—Healy-Tibbitts Construction Company		111 76	
5/27/1915—Daniel Contracting Company		702 10	
5/28/1915	Southern Pacific Company	6 00	
5/28/1915—Robert W. Hunt & Company		585 32	
5/28/1915—F. L. Hansen		10,223 33	
5/28/1915	D. J. Hanlon	381 00	
5/29/1915	Marten's Market	10 20	
5/29/1915—Pacific Rolling Mill Company		800 00	
5/29/1915—Daniel Contracting Company		8 00	
6/4/1915—Healy-Tibbitts Construction Company		359 81	

SCHOOL SAN FRANCISCO SCHOOLS—FUND DISBURSEMENTS 1915—Continued.

Date	Payee	Amount	Total
6/ 5/1915	[illegible]	848 75	
6/ 8/1915	[illegible]	2,127 38	
6/ 8/1915	[illegible]	1,125 00	
6/ 8/1915	[illegible]	557 90	
6/ 8/1915	[illegible]	507 42	
6/ 8/1915	F. L. [illegible]	1,500 00	
6/ 8/1915	Kinnear Manufacturing Company	395 91	
6/ 8/1915	San Francisco Bridge Company	5,869 50	
6/ 8/1915	Healy-Tibbitts Construction Company	14,745 00	
6/ 8/1915	Healy-Tibbitts Construction Company	12,258 00	
6/ 8/1915	[illegible]	627 37	
6/ 8/1915	[illegible]	375 64	
6/ 8/1915	[illegible]	26,075 25	
6/11/1915	[illegible]	11,488 20	
6/11/1915	[illegible]	5,879 98	
6/15/1915	[illegible]	1 90	
6/15/1915	[illegible]	18 83	
6/15/1915	[illegible]	904 27	
6/15/1915	[illegible]	6,017 45	
6/15/1915	[illegible]	11,795 33	
6/15/1915	[illegible]	384 00	
6/15/1915	W. A. [illegible] Manufacturing Company		96
6/15/1915	[illegible]	7,887 40	
6/16/1915	Electric Appliance Company	77 33	
6/15/1915	Pacific States Electric Company	152 85	
6/16/1915	Healy-Tibbitts Construction Company	280 00	
6/16/1915	Electric Railway & Manufacturing Company	42 10	
6/17/1915	John A. Roeblings Sons Company	632 65	
6/18/1915	[illegible]	2,887 57	
6/18/1915	[illegible]	5 00	
6/18/1915	[illegible]	15 43	
6/18/1915	[illegible]	935 00	
6/18/1915	[illegible]	427 86	
6/18/1915	[illegible]	5 00	
6/18/1915	[illegible]	1 23	
6/18/1915	[illegible]	12 00	
6/18/1915	[illegible]	19 00	
6/18/1915	[illegible]	17 12	
6/18/1915	Holabird Reynolds Company	156 04	
6/18/1915	[illegible]	398 90	
6/18/1915	California Door Company	7 87	
6/18/1915	[illegible]	55,000 00	
6/18/1915	Healy-Tibbitts Construction Company	6,922 50	
6/18/1915	Daniel Contracting Company	129 41	
6/19/1915	[illegible]	19 98	
6/19/1915	Fay Improvement Company	542 56	
6/21/1915	Pacific Rolling Mill Company	398 58	
6/22/1915	[illegible]	34 00	
6/22/1915	W. S. [illegible] Manufacturing Company, Incorporated	8 00	
6/22/1915	Hooper & Jennings	2 25	
6/22/1915	Baker & Hamilton	27 50	
6/22/1915	[illegible] Mill Company	4,598 75	
6/22/1915	[illegible]	945 31	
6/22/1915	Healy-Tibbitts Construction Company	1,144 13	
6/23/1915	[illegible]	602 25	
6/23/1915	Healy-Tibbitts Construction Company	12 20	
6/23/1915	Healy-Tibbitts Construction Company	198 02	
6/23/1915	Healy-Tibbitts Construction Company	3 66	
6/23/1915	Healy-Tibbitts Construction Company	41 27	
6/23/1915	San Francisco [illegible]	4,192 50	
6/25/1915	Robert W. Hunt & Company	46 35	
6/26/1915	Fay Improvement Company	3,611 73	
6/30/1915	Healy-Tibbitts Construction Company	2,010 21	
7/ 1/1915	Kinnear Manufacturing Company	2 32	
7/ 1/1915	Kinnear Manufacturing Company	334 54	
7/ 1/1915	Kinnear Manufacturing Company	1,645 88	
7/ 7/1915	Keeler White Company	18 44	
7/ 7/1915	Enterprise Foundry Company	32 92	

SECOND SAN FRANCISCO SEAWALL FUND—DISBURSEMENTS—1915—Continued.

Date	Items	Amount	Total
7/ 7/1915	Smith Emery & Company	84 98	
7/ 7/1915	Bashford Smith	36 96	
7/ 7/1915	Rolph Mills Company	4,568 75	
7/ 7/1915	F. L. Hansen	201 90	
7/ 7/1915	Fay Improvement Company	1,213 80	
7/ 7/1915	**Carl T. Doell**	533 92	
7/ 7/1915	D. J. Hanlon	384 00	
7/ 7/1915	Healy Tibbitts Construction Company	27,189 00	
7/ 7/1915	**F. L. Hansen**	9,736 50	
7/ 7/1915	**Pacific Creosoting Company**	17,106 32	
7/ 7/1915	**Fay Improvement Company**	28 25	
7/ 7/1915	**E. Lauterback**	18 10	
7/ 7/1915	**J. E. O'Mara**	1,017 75	
7/12/1915	San Francisco Bridge Company	1,019 15	
7/12/1915	Healy Tibbitts Construction Company	467 92	
7/12/1915	Healy Tibbitts Construction Company	1,955 25	
7/13/1915	**Healy-Tibbitts Construction Company**	195 61	
7/13/1915	**Spencer Elevator**	375 00	
7/14/1915	**Pacific Creosoting Company**	2,471 46	
7/14/1915	Healy Tibbitts Construction Company	16,519 50	
7/14/1915	Healy Tibbitts Construction Company	31,075 00	
7/14/1915	Healy Tibbitts Construction Company	28,272 50	
7/14/1915	Healy Tibbitts Construction Company	711 07	
7/14/1915	Healy Tibbitts Construction Company	875 07	
7/15/1915	Kinnear Manufacturing Company	228 27	
7/16/1915	Healy Tibbitts Construction Company	349 70	
7/17/1915	**Friend William Richardson**	13,873 74	
7/19/1915	Payne's Bolt Works	29 47	
7/19/1915	Standard Crushed Rock Company	5 00	
7/19/1915	Healy-Tibbitts Construction Company	129 00	
7/19/1915	John A. Roebling's Sons Company	629 26	
7/20/1915	Pacific Portland Cement Company	5,934 80	
7/20/1915	Drendell Electric & Manufacturing Company	69 27	
7/20/1915	Australian Hardwood & Lumber Company	88 24	
7/20/1915	**Spring Valley Water Company**	68 24	
7/20/1915	Baker & Hamilton	51 15	
7/20/1915	R. N. Nason & Company	9 37	
7/20/1915	**Holabird Reynolds Company**	59 18	
7/20/1915	**J. W. Bender Roofing & Paving Company**	732 50	
7/20/1915	**George H. Tay Company**	556 00	
7/20/1915	**Paraffine Paint Company**	56 22	
7/20/1915	Bates, Borland & Ayer	2,250 19	
7/20/1915	Ferry Electric & Locksmith Company	70	
7/20/1915	Standard Oil Company	8 13	
7/20/1915	McNab & Smith	44 00	
7/21/1915	**Berger & Carter Company**	7 11	
7/22/1915	**San Francisco Elevator Company**	24 00	
7/22/1915	**Keeler White Company**	45 97	
7/22/1915	E. B. & A. L. Stone Company	32 53	
7/22/1915	California Door Company	80 38	
7/22/1915	Pacific Hardware & Steel Company	1 08	
7/22/1915	**Marshall-Newell Supply Company**	7 39	
7/22/1915	Pacific States Electric Company	101 48	
7/22/1915	**Bashford Smith**	14 08	
7/22/1915	Western Electric Company	492 77	
7/22/1915	**Carl T. Doell**	1,957 73	
7/22/1915	Pacific Creosoting Company	1,374 80	
7/23/1915	Herbert & Mulcairn Company	162 43	
7/23/1915	**C. J. Hendry Company**	3 97	
7/23/1915	**Teichert & Ambrose**	19,658 89	
7/23/1915	Henry Cowell Lime & Cement Company	1,185 35	
7/27/1915	City Street Improvement Company	165 85	
7/27/1915	**Robert W. Hunt & Company**	44 33	
7/27/1915	**Justinian Cairs Company**	3 60	
7/27/1915	Healy-Tibbitts Construction Company	1,045 69	
7/27/1915	Healy-Tibbitts Construction Company	631 20	
7/27/1915	Healy-Tibbitts Construction Company	2,049 40	
7/27/1915	San Francisco Bridge Company	27,950 00	

SECOND SAN FRANCISCO SEAWALL FUND—DISBURSEMENTS—1915—Continued.

Date	Items	Amount	Total
7/28/1915	San Francisco Bridge Company	$5,190 00	
7/28/1915	Healy Tibbitts Construction Company	852 55	
7/29/1915	Loop Lumber Company	1,231 82	
7/29/1915	Kinnear Manufacturing Company	5,186 25	
7/29/1915	Kinnear Manufacturing Company	7,127 25	
7/29/1915	Healy-Tibbitts Construction Company	103 30	
8/2/1915	Fay Improvement Company	849 24	
8/3/1915	W. P. Fuller & Company	42 10	
8/7/1915	Pacific Creosoting Company	7,531 08	
8/7/1915	Pacific Creosoting Company	5,702 11	
8/9/1915	Southern Pacific Company	32 20	
8/9/1915	Fair Manufacturing Company	46 55	
8/9/1915	W. G. Tibbitts	239 50	
8/9/1915	J. E. O'Mara	80 00	
8/9/1915	J. E. O'Mara	339 25	
8/11/1915	San Francisco Bridge Company	1,154 75	
8/12/1915	F. L. Hansen	205 62	
8/16/1915	Healy Tibbitts Construction Company	5,898 60	
8/16/1915	Healy-Tibbitts Construction Company	17,383 50	
8/17/1915	Fay Improvement Company	1,196 06	
8/17/1915	Pacific Creosoting Company	827 82	
8/18/1915	Healy-Tibbitts Construction Company	1,159 94	
8/18/1915	Healy-Tibbitts Construction Company	3,545 35	
8/19/1915	Healy-Tibbitts Construction Company	350 00	
8/19/1915	Pacific Portland Cement Company	8,528 00	
8/19/1915	Standard Crushed Rock Company	5 00	
8/19/1915	Western Electric Company	848 86	
8/19/1915	McNab & Smith	19 50	
8/23/1915	Friend Wm. Richardson	9,761 47	
8/23/1915	Geo. H. Tay Company	10 33	
8/23/1915	Standard Brass Casting Company	59 40	
8/23/1915	Pacific States Electric Company	4 61	
8/24/1915	E. A. Howard & Company	75	
8/24/1915	Pennsylvania Steel Company	12,696 00	
8/24/1915	John A. Roeblings Sons Company	5 25	
8/24/1915	Rudgear Merle Company	22 00	
8/24/1915	Paradine Paint Company	1 48	
8/25/1915	R. N. Nason & Company	1 89	
8/25/1915	New York Insulated Wire Company	305 04	
8/25/1915	Hokabird Reynolds Company	3 55	
8/26/1915	Healy-Tibbitts Construction Company	937 28	
8/27/1915	Spring Valley Water Company	5 00	
8/27/1915	Healy-Tibbitts Construction Company	50 34	
8/27/1915	Healy-Tibbitts Construction Company	41 68	
8/31/1915	Teichert & Ambrose	14,042 06	
9/1/1915	W. P. Fuller & Company	6 02	
9/1/1915	J. W. Benson Roofing & Paving Company	177 50	
9/3/1915	Robert W. Hunt & Company	174 63	
9/4/1915	Stevenson Underground Cable Company	344 54	
9/7/1915	Healy-Tibbitts Construction Company	3,865 47	
9/7/1915	Healy-Tibbitts Construction Company	557 34	
9/7/1915	Keyless Lock Company	511 80	
9/8/1915	J. E. O'Mara	1,557 75	
9/8/1915	Teichert & Ambrose	5,616 83	
9/8/1915	Healy-Tibbitts Construction Company	181 13	
9/8/1915	Healy-Tibbitts Construction Company	283 24	
9/8/1915	San Francisco Lime Company	3 25	
9/12/1915	John A. Roeblings Sons Company	172 54	
9/12/1915	Carl T. Doell	711 90	
9/10/1915	Charles Pianta	426 61	
9/10/1915	Herber Mulcairn Company	71 64	
9/10/1915	J. W. Benson Roofing & Paving Company	15 32	
9/10/1915	Southern Pacific Company	2 50	
9/10/1915	Baker & Hamilton	184 60	
9/13/1915	Friend William Richardson	10,421 92	
9/15/1915	Pacific Creosoting Company	2,510 36	
9/17/1915	Healy-Tibbitts Construction Company	28,972 50	
9/17/1915	Healy-Tibbitts Construction Company	4,200 81	
9/17/1915	Healy-Tibbitts Construction Company	4,423 50	
9/17/1915	Healy-Tibbitts Construction Company	5,421 76	

SECOND SAN FRANCISCO SEAWALL FUND—DISBURSEMENTS—1915—Concluded

Date	Items	Amount	Total
9/17/1915	Kinnear Manufacturing Company	$1,339 50	
9/20/1915	Carl T. Doell	355 95	
9/21/1915	J. E. O'Mara	519 25	
9/21/1915	John A. Roeblings Sons Company	589 64	
9/22/1915	Healy-Tibbitts Construction Company	14 44	
9/22/1915	Healy-Tibbitts Construction Company	56 00	
9/22/1915	Healy Tibbitts Construction Company	1,578 29	
9/22/1915	Marshall Newell Supply Company	10 53	
9/22/1915	Bashford Smith	106 42	
9/22/1915	Keeler & White Company	14 65	
9/22/1915	Fay Improvement Company	149 05	
9/22/1915	Electric Appliance Company	28 64	
9/22/1915	Diamond Expansion Bolt Company	5 94	
9/22/1915	California Door Company	103 93	
9/22/1915	Associated Manufacturing & Importing Company	1,222 72	
9/22/1915	Payne's Bolt Works	2 94	
9/22/1915	Paraffine Paint Company	15 92	
9/22/1915	Electric Railway & Manufacturing Supply Company	23 55	
9/22/1915	McNab & Smith	11 00	
9/22/1915	Ralph Mills Company	3,000 00	
9/22/1915	Pacific Creosoting Company	1,[illegible] 00	
9/22/1915	C. Jorgensen & Company	7,857 50	
9/22/1915	Fay Improvement Company	1,002 12	
9/23/1915	Western Electric Company	1,026 67	
9/23/1915	Empire Planing Mill	2 20	
9/25/1915	Mark Lally Company	8 34	
9/25/1915	Loop Lumber Company	842 [illegible]	
9/25/1915	Crocker Electric & Manufacturing Company	226 25	
9/25/1915	Pacific Portland Cement Company	4,100 00	
9/25/1915	Westinghouse Lamp Company	234 16	
9/25/1915	Herber Mulcairn Company	603 92	
9/25/1915	Fairbanks Morse & Company	122 00	
9/25/1915	Kinnear Manufacturing Company	175 79	
9/25/1915	Geo. H. Tay Company	378 05	
9/25/1915	Shell Company of California	2 50	
9/25/1915	Holabird Reynolds Company	118 50	
9/27/1915	W. P. Fuller & Company	7 84	
9/29/1915	Pacific Hardware and Steel Company	55 66	
9/22/1915	San Francisco Harbor Improvement Fund, transfer, to correct	187 00	
10/1/1915	Teichert & Ambrose	18,722 75	
10/1/1915	Robert W. Hunt & Company	247 54	
10/8/1915	Healy Tibbitts Construction Company	817 35	
10/8/1915	Healy-Tibbitts Construction Company	2,949 00	
10/8/1915	Healy Tibbitts Construction Company	449 76	
10/8/1915	Healy-Tibbitts Construction Company	1,099 32	
10/8/1915	Healy Tibbitts Construction Company	2,018 04	
10/11/1915	National Furring & Lathing Company	85 00	
10/14/1915	Friend Wm. Richardson	9,624 66	
10/15/1915	Teichert & Ambrose	29 48	
10/18/1915	W. & J. Sloane	107 00	
10/19/1915	City Street Improvement Company	1,959 44	
10/20/1915	Healy Tibbitts Construction Company	4,875 00	
10/20/1915	Healy Tibbitts Construction Company	5,794 50	
10/22/1915	John A. Roeblings Sons Company	520 99	
10/23/1915	Southern Pacific Company	72 00	
10/23/1915	Pacific Hardware and Steel Company	23 67	
10/23/1915	Marshall Newell Supply Company	2 88	
10/23/1915	Palace Hardware Company	17 15	
10/23/1915	Fay Improvement Company	559 53	
10/23/1915	Westinghouse Lamp Company	273 13	
10/23/1915	Associated Manufacturing and Importing Company	494 74	
10/23/1915	Electric Appliance Company	12 46	
10/23/1915	Bay Development Company	2 50	
10/23/1915	B. F. Goodrich Rubber Company	201 39	
10/23/1915	Bashford Smith	14 85	
10/23/1915	Tibbitts Pacific Company	5,498 66	

SECOND SAN FRANCISCO SEAWALL FUND. DISBURSEMENTS. 1915—Continued.

Date	Items	Amount	Total
10/23/1915	Healy-Tibbitts Construction Company	870 00	
10/23/1915	McNab & Smith	15 00	
10/23/1915	Loop Lumber Company	893 87	
10/23/1915	Chas. Stein	35	
10/23/1915	Carl T. Doell	1,186 50	
10/25/1915	Kinnear Manufacturing Company	446 50	
10/25/1915	George H. Tay Company	142 29	
10/25/1915	Pacific Portland Cement Company, Construction	2,583 00	
10/25/1915	Dennis Creedon	10 00	
10/25/1915	Baker & Hamilton	12 00	
10/25/1915	Holabird-Reynolds Company	18 63	
10/30/1915	Rolph Mills Company	1,200 00	
10/30/1915	Pacific Creosoting Company	455 33	
10/30/1915	C. Jorgensen & Company	2,612 50	
10/30/1915	Chas. Pianta	35 00	
11/1/1915	Payne's Bolt Works	5 49	
11/5/1915	Robert W. Hunt & Company	22 46	
11/5/1915	Healy-Tibbitts Construction Company	1,275 00	
11/5/1915	Healy-Tibbitts Construction Company	23,575 00	
11/6/1915	California Door Company	56 67	
11/6/1915	Healy-Tibbitts Construction Company	60 85	
11/9/1915	San Francisco Bridge Company	668 33	
11/12/1915	W. P. Fuller & Company	26 05	
11/15/1915	Tibbitts Pacific Company	14,663 10	
11/15/1915	Healy-Tibbitts Construction Company	5,299 31	
11/15/1915	Healy-Tibbitts Construction Company	1,950 00	
11/15/1915	Healy-Tibbitts Construction Company	41 61	
11/18/1915	Friend Wm. Richardson	6,786 50	
11/19/1915	City Street Improvement Company	666 50	
11/19/1915	J. Eugene Stevens	11 40	
11/19/1915	J. Eugene Stevens	13 60	
11/22/1915	Healy-Tibbitts Construction Company	924 38	
11/23/1915	McNab & Smith	23 50	
11/23/1915	Western Electric Company	40 11	
11/23/1915	Chas. Stein	35	
11/23/1915	John A. Roeblings Sons Company	55 86	
11/23/1915	Associated Manufacturing and Importing Company	279 99	
11/23/1915	Bashford Smith	39 83	
11/23/1915	California Door Company	12 81	
11/23/1915	J. M. Calmon Company	7,764 76	
11/23/1915	J. M. Calmon Company	2,153 46	
11/23/1915	J. M. Calmon Company	1,372 80	
11/23/1915	J. M. Calmon Company	4,118 41	
11/23/1915	Healy-Tibbitts Construction Company	70 00	
11/24/1915	Pacific Portland Cement Company, Construction	2,984 80	
11/24/1915	George H. Tay Company	10 58	
11/24/1915	Holabird-Reynolds Company	7 60	
11/24/1915	J. M. Calmon Company	2,588 25	
11/24/1915	J. M. Calmon Company	6,460 39	
11/26/1915	Healy-Tibbitts Construction Company	2,897 25	
11/26/1915	Robinson Nugent	202 50	
11/27/1915	J. M. Colman Company	3,224 45	
11/27/1915	Walter Sneell & Sons	252 00	
11/27/1915	Walter Sneell & Sons	243 00	
11/27/1915	C. Jorgensen & Company	189 75	
11/29/1915	E. C. Atkins & Company	2 04	
11/11/1915	Fay Improvement Company	360 32	
11/11/1915	D. L. Bienfield & Company	1,348 37	
12/1/1915	A. T. & S. F. Railway Company	24 00	
12/1/1915	D. L. Bienfield & Company	1,261 45	
12/1/1915	Spring Valley Water Company	8 95	
12/1/1915	D. L. Bienfield & Company	194 71	
12/4/1915	Healy-Tibbitts Construction Company	613 44	
12/4/1915	Tibbitts Pacific Company	610 62	
12/7/1915	Teichert & Ambrose Company	2,423 87	
12/8/1915	W. P. Fuller & Company	35 21	
12/8/1915	Daniel L. Bienfield Company	525 95	
12/8/1915	Daniel L. Bienfield Company	275 72	

SECOND SAN FRANCISCO SEAWALL FUND. DISBURSEMENTS, 1915—CONCLUDED.

Date	Items	Amount	Total
12/ 8/1915	Daniel L. Bienfield Company	$379 70	
12/ 8/1915	Daniel L. Bienfield Company	120 00	
12/ 9/1915	Healy-Tibbitts Construction Company	114 10	
12/ 9/1915	Healy-Tibbitts Construction Company	1,229 60	
12/ 9/1915	Healy-Tibbitts Construction Company	425 00	
12/ 9/1915	Healy-Tibbitts Construction Company	46 75	
12/ 9/1915	J. M. Calmon Company	1,074 82	
12/10/1915	Fairbanks, Morse & Company	332 00	
12/10/1915	Healy-Tibbitts Construction Company	2,925 00	
12/10/1915	Healy-Tibbitts Construction Company	1,766 44	
12/11/1915	Tibbitts Pacific Company	5,498 66	
12/16/1915	Baker & Hamilton	5 65	
12/16/1915	Daniel L. Bienfield Company	2,087 50	
12/16/1915	Daniel L. Bienfield Company	1,345 10	
12/16/1915	Daniel L. Bienfield Company	12 77	
12/16/1915	Daniel L. Bienfield Company	1,122 50	
12/16/1915	Daniel L. Bienfield Company	196 75	
12/17/1916	J. Eugene Stevens	18 05	
12/20/1915	W. P. Fuller & Company	6 25	
12/21/1915	Healy-Tibbitts Construction Company	9,858 21	
12/21/1915	E. Lauterback	7 05	
12/22/1915	Healy-Tibbitts Construction Company	154 00	
12/22/1915	Paraffine Paint Company	16 25	
12/22/1915	Payne's Bolt Works	1 06	
12/22/1915	Fay Improvement Company	1,856 42	
12/22/1915	Fay Improvement Company	1,779 80	
12/22/1915	Western Electric Company	1,081 00	
12/22/1915	Bashford Smith	76 51	
12/22/1915	Electric Appliance Company	6 57	
12/22/1915	Keeler, White Company	6 76	
12/23/1915	Friend Wm. Richardson	8,907 25	
12/27/1915	Scott Company	607 50	
12/27/1915	Healy-Tibbitts Construction Company	84,075 00	
12/28/1915	Pacific Portland Cement Co., Cons.	2,140 29	
12/28/1915	Scott Company	60 00	
12/28/1915	Robert W. Hunt & Company	99 81	
12/28/1915	Alfred A. Pyle	14 75	$2,106,352 61
			$8,070,281 44
	By balance in fund		399,733 72
			$8,470,015 16

SECOND SAN FRANCISCO SEAWALL SINKING FUND. RECEIPTS, 1915.

Date	Items	Bond Account	Interest Account	Total
1/ 2/1915	Amounts brought forward December 31, 1914	$[illegible]	$[illegible]	$[illegible]
1/ 2/1915	Transfer from S. F. Harbor Imp. Fund		[illegible]	
2/ 1/1915	Transfer from S. F. Harbor Imp. Fund		[illegible]	
3/ 1/1915	Transfer from S. F. Harbor Imp. Fund		[illegible]	
4/ 1/1915	Transfer from S. F. Harbor Imp. Fund		[illegible]	
5/ 1/1915	Transfer from S. F. Harbor Imp. Fund		[illegible]	
6/ 1/1915	Transfer from S. F. Harbor Imp. Fund		[illegible]	
6/ 9/1915	Transfer from General Fund		[illegible]	
7/ 1/1915	Transfer from S. F. Harbor Imp. Fund		23,600 00	
8/ 5/1915	Transfer from S. F. Harbor Imp. Fund		[illegible]	
9/ 1/1915	Transfer from S. F. Harbor Imp. Fund		[illegible]	
10/ 1/1915	Transfer from S. F. Harbor Imp. Fund		[illegible]	
11/ 1/1915	Transfer from S. F. Harbor Imp. Fund		[illegible]	
12/ 1/1915	Transfer from S. F. Harbor Imp. Fund		[illegible]	
12/ 8/1915	Transfer from General Fund		[illegible]	78,8[illegible]
		$107,755 56	$789,004 44	$896,760 00

SECOND SAN FRANCISCO SEAWALL SINKING FUND. DISBURSEMENTS. 1915.

Date	Items	Interest paid	Total
1/ 2/1915	Amount brought forward December 31, 1914		$59,520 00
1/ 7/1915	By transfer to General Fund	$2,[illegible]	
6/ 9/1915	Semiannual interest on bonds sold	[illegible]	
7/ 1/1915	By transfer to General Fund	[illegible]	
12/ 9/1915	Semiannual interest on bonds sold	[illegible]	87,240 00
			$896,760 00

Statement prepared by

E. B. WILKERSON,
Bookkeeper.

REPORT OF THE PROCEEDINGS UNDER THE SAN FRANCISCO HARBOR IMPROVEMENT ACT OF 1909.

To His Excellency, HIRAM W. JOHNSON,
Governor of California.

SIR: In accordance with the provisions of section 6, chapter 320, Statutes of 1909, we beg to submit a report of the proceedings under the said chapter for the year beginning January 1, 1914, and ending December 31, 1914.

Dated, Sacramento, California.
January 24, 1917.

F. W. RICHARDSON,
State Treasurer.
JOHN S. CHAMBERS,
State Controller.

SECOND SAN FRANCISCO SEAWALL FUND. RECEIPTS. 1914.

Date	Items	Amount	Total
1/ 1/1914	Amount brought forward December 31, 1913		$3,328,008 00
1/ 2/1914	Transfer from General Fund		300,000 00
2/ 9/1914	Sale of bonds to E. H. Rollins & Sons		57,000 00
	Premium on above bonds		865 83
2/13/1914	Sale of bonds to Rollins-Halsey Syndicate		5,000 00
	Premium on above bonds		75 95
2/14/1914	Sale of bonds to Rollins-Halsey Syndicate		3,000 00
	Premium on above bonds		45 57
2/19/1914	Sale of bonds to Rollins-Halsey Syndicate		26,000 00
	Premium on above bonds		394 94
2/21/1914	Sale of bonds to Rollins-Halsey Syndicate		501,000 00
	Premium on above bonds		7,610 19
2/25/1914	Sale of bonds to Rollins-Halsey Syndicate		3,342,000 00
	Premium on above bonds		50,763 98
2/27/1914	Sale of bonds to Rollins-Halsey Syndicate		40,000 00
	Premium on above bonds		607 60
3/ 2/1914	Sale of bonds to Rollins-Halsey Syndicate		631,000 00
	Premium on above bonds		9,584 89
3/ 2/1914	Sale on bonds to Rollins-Halsey Syndicate		7,000 00
	Premium on above bonds		106 33
3/ 4/1914	Sale of bonds to Rollins-Halsey Syndicate		3,000 00
	Premium on above bonds		32 32
3/11/1914	Sale of bonds to Rollins-Halsey Syndicate		60,000 00
	Premium on above bonds		911 40
7/ 8/1914	San Francisco Harbor Commission		95,767 66
			$8,469,775 66

SECOND SAN FRANCISCO SEAWALL FUND. DISBURSEMENTS 1914

Date	Items	Amount	Total
1/ 2/1914	Amount brought forward from December 31, 1913		$2,943,300 44
1/ 2/1914	Pacific Creosoting Company	822 753 98	
1/ 2/1914	Pacific Creosoting Company	27,919 42	
1/ 5/1914	Pacific Wakefield Company	243,995 25	
1/ 7/1914	Carbolineum Wood Preserving Co.	6,314 49	
1/ 7/1914	Jno. G. Sutton Co.	896 25	
1/ 8/1914	Henry Cowell Lime and Cement Co.	8,921 60	
1/10/1914	Pacific Creosoting Co.	6,029 51	
1/10/1914	Pacific Creosoting Co.	1,899 56	
1/10/1914	Pacific Wakefield Co.	68 74	
1/10/1914	Pacific Wakefield Co.	39 38	
1/10/1914	E. D. Roberts, State Treasurer	7,899 70	
1/15/1914	Lilley & Thurston Co.	15,567 50	
1/15/1914	Lilley & Thurston Co.	2,917 50	
1/15/1914	Healy Tibbitts Construction Co.	39,276 00	
1/15/1914	Daniel Contracting Co.	11,372 63	
1/16/1914	Smith Emery & Co., Inc.	55 00	
1/16/1914	Pierson Roofing Company	202 03	
1/16/1914	Lilley & Thurston Company	75 70	
1/16/1914	Electrical Supply Company	256 47	
1/16/1914	Western Electric Company	723 94	
1/16/1914	Baker & Hamilton	192 96	
1/16/1914	Pacific Wakefield Company	526 76	
1/16/1914	R. E. Noble & Co.	985 45	
1/16/1914	Geo. H. Tay Co.	50 23	
1/16/1914	P. A. Roeblings Sons Co.	527 83	
1/16/1914	Grant Smith & Company	15,522 50	
1/16/1914	Grant Smith & Company	869 22	
1/16/1914	Pacific Creosoting Co.	5,633 25	
1/29/1914	Henry Cowell Lime and Cement Co.	8,288 56	
1/22/1914	G. P. and C. A. Wetmore	111 00	
1/24/1914	Department of Engineering	180 00	
1/24/1914	Pacific States Electric Company	54 97	
1/26/1914	Pacific Creosoting Company	2,051 41	
1/26/1914	Electric Railway and Mfg. Supply Co.	56 01	
1/28/1914	Robt. W. Hunt & Co.	17 07	
1/29/1914	St. Paul & Tacoma Lumber Co.	5,341 05	
1/31/1914	A. P. Powell, Jr.	50 00	
1/31/1914	Grant Smith & Co.	3,882 38	
1/31/1914	Pacific Creosoting Co.	4,962 75	
1/31/1914	Pacific Creosoting Co.	2,591 14	
1/31/1914	W. H. Hickman	45 50	
2/ 2/1914	Jno. G. Sutton Co.	300 00	
2/ 4/1914	Grant Smith & Co.	739 54	
2/ 5/1914	Lilley & Thurston Co.	2,947 50	
2/ 5/1914	Pacific Wakefield Company	8,419 52	
2/ 5/1914	Jno. G. Sutton Company	298 75	
2/ 7/1914	Pacific Wakefield Company	850 40	
2/ 9/1914	Pacific Creosoting Company	7,674 72	
2/10/1914	Pacific Creosoting Company	12,139 00	
2/10/1914	Pacific Creosoting Company	2,008 83	
2/10/1914	E. D. Roberts, State Treasurer	7,012 40	
2/10/1914	Healy Tibbitts Construction Company	26,184 00	
2/13/1914	Daniel Contracting Company	8,271 00	
2/16/1914	Grant Smith Co.	420 76	
2/18/1914	St. Paul & Tacoma Lumber Co.	3,237 00	
2/18/1914	R. E. Noble & Co.	731 78	
2/20/1914	Atchison Topeka & Santa Fe Ry. Co.	12 00	
2/24/1914	G. P. & C. A. Wetmore	69 75	
2/24/1914	Smith Emery & Co., Inc.	44 27	
2/25/1914	Southern Pacific Co.	24 00	
2/27/1914	Lilley & Thurston Co.	107 50	
2/27/1914	Bashford Smith	6 93	
2/27/1914	E. B. & A. L. Stone Company	46 52	
3/ 2/1914	Grant Smith Company	72 61	
3/ 2/1914	Grant Smith Company	129,412 50	
3/ 2/1914	Pacific Creosoting Company	14,228 45	
3/ 6/1914	Henry Cowell Lime and Cement Company	762 60	
3/ 7/1914	United States Graphite Company	558 36	

SECOND SAN FRANCISCO SEAWALL FUND. DISBURSEMENTS. 1914—Continued.

Date	Items	Amount	Total
3/ 7/1914	Southern Pacific Company	$4,637 20	
3/12/1914	Department of Engineering	50 00	
3/12/1914	Department of Engineering	50 00	
3/13/1914	J. G. Sutton Company	100 00	
3/13/1914	Healy-Tibbitts Construction Company	32,730 00	
3/13/1914	Lilley & Thurston Company	12,281 25	
3/17/1914	Daniel Contracting Company	12,406 50	
3/17/1914	R. E. Noble & Company	439 97	
3/21/1914	Pacific Creosoting Company	2,558 24	
3/21/1914	Pacific Creosoting Company	4,046 64	
3/21/1914	Smith Emery & Company	275 88	
3/23/1914	Scott Company	322 50	
3/25/1914	Joel Johnson	1,575 00	
3/25/1914	Henry Cowell Lime and Cement Company	8,109 80	
3/25/1914	Bashford Smith	146 95	
4/ 1/1914	Joel Johnson	525 00	
4/ 1/1914	Joel Johnson	24 50	
4/10/1914	Daniel Contracting Company	6,203 25	
4/10/1914	Grant, Smith & Company	86 82	
4/10/1914	Healy-Tibbitts Construction Company	29,457 00	
4/10/1914	Healy-Tibbitts Construction Company	928 17	
4/11/1914	E. D. Roberts, State Treasurer	7,942 60	
4/11/1914	Pacific Creosoting Company	13,795 54	
4/20/1914	San Francisco Elevator Company	200 00	
4/21/1914	R. E. Noble & Company	219 65	
4/23/1914	Henry Cowell Lime and Cement Company	8,454 20	
4/24/1914	Smith Emery & Co., Inc.	400 96	
4/24/1914	Department of Engineering	50 00	
4/28/1914	Western Union Telegraph Company	7 18	
4/29/1914	Scott Company	107 50	
4/29/1914	Smith Emery & Company, Inc.	30 94	
4/29/1914	G. P. and C. A. Wetmore	55 50	
4/30/1914	Pacific Creosoting Company	2,881 04	
4/30/1914	Pacific Creosoting Company	4,742 82	
4/30/1914	Joel Johnson	700 00	
5/ 8/1914	Pacific Creosoting Company	1,647 79	
5/ 8/1914	Pacific Creosoting Company	13,185 90	
5/ 9/1914	Bashford Smith	56 43	
5/11/1914	E. D. Roberts, State Treasurer	10,856 75	
5/12/1914	Department of Engineering	50 00	
5/13/1914	Bates, Borland & Ayer	23,019 47	
5/13/1914	Healy-Tibbitts Construction Company	32,730 00	
5/13/1914	Healy-Tibbitts Construction Company	1,656 00	
5/13/1914	Daniel Contracting Company	20,677 50	
5/15/1914	James H. Hardy, Inc.	1,282 60	
5/15/1914	Thompson Bridge Company	6,485 06	
5/15/1914	Pacific Creosoting Company	4,598 51	
5/21/1914	Bashford Smith	17 16	
5/22/1914	Pacific Creosoting Company	12,701 34	
5/22/1914	Pacific Creosoting Company	549 27	
5/22/1914	Smith, Emery & Company, Inc.	19 75	
5/23/1914	H. W. Cowell Lime and Cement Company	3,228 14	
5/29/1914	Lilley & Thurston Company	235 20	
5/29/1914	Daniel Contracting Company	1,063 35	
6/ 2/1914	Pacific Creosoting Company	960 34	
6/ 2/1914	Standard Brass Casting Company	550 97	
6/ 4/1914	Bates, Borland & Ayer	310 84	
6/ 8/1914	Jas. H. Hardy, Inc.	1,141 12	
6/ 8/1914	Pacific Creosoting Company	12,638 84	
6/ 8/1914	Pacific Creosoting Company	3,677 01	
6/ 9/1914	E. D. Roberts, State Treasurer	6,205 65	
6/ 9/1914	E. D. Roberts, State Treasurer	2,932 75	
6/10/1914	Pacific Creosoting Company	4,395 30	
6/10/1914	Daniel Contracting Company	47,558 25	
6/10/1914	Healy-Tibbitts Construction Company	1,659 00	
6/10/1914	Healy-Tibbitts Construction Company	6,072 00	
6/11/1914	C. F. Dean	54 45	

SECOND SAN FRANCISCO SEAWALL FUND. DISBURSEMENTS 1914—Continued.

Date	Items	Amount	Total
6/11/1914	San Francisco Bridge Company	88,623 53	
6/12/1914	Atchison, Topeka & Santa Fe Railway	6 00	
6/12/1914	Thompson Bridge Company	12,970 13	
6/17/1914	Carbolineum Wood Preserving Company	6,013 80	
6/18/1914	Bates, Borland & Ayer	26,307 95	
6/18/1914	Bates, Borland & Ayer	581 76	
6/18/1914	R. E. Noble & Company	709 44	
6/18/1914	Healy Tibbitts Construction Company	109,100 00	
6/18/1914	Healy Tibbitts Construction Company	2,890 72	
6/19/1914	Pacific Creosoting Company	13,271 56	
6/19/1914	Pacific Creosoting Company	3,687 13	
6/20/1914	Smith Emery & Co., Inc.	38 60	
6/20/1914	Bashford Smith	26 34	
6/20/1914	Enterprise Foundry Company	592 12	
6/20/1914	San Francisco Elevator Company	200 00	
6/20/1914	Smith Emery & Co. Inc	15 00	
6/22/1914	Southern Pacific Company	2 50	
6/22/1914	Robt. W. Hunt & Company	18 00	
6/22/1914	Robt. W. Hunt & Company	100 00	
6/23/1914	G. P. & C. A. Wetmore	93 00	
6/24/1914	Henry Cowell Lime & Cement Company	9,503 80	
6/25/1914	Pacific Creosoting Company	1,233 78	
6/25/1914	H. F. Horn	103 35	
6/25/1914	Roy Manwais	5,160 00	
6/25/1914	Bates, Borland & Ayer	462 39	
6/26/1914	Department of Engineering	155 73	
6/26/1914	Robt. W. Hunt & Company	28 33	
7/ 6/1914	Pacific Creosoting Company	10,615 56	
7/ 6/1914	Pacific Creosoting Company	9,713 44	
7/ 7/1914	Thompson Bridge Company	6,485 06	
7/ 7/1914	Lilley & Thurston Company	275 00	
7/ 9/1914	Healy Tibbitts Construction Co.	3,312 00	
7/ 9/1914	Healy-Tibbitts Construction Co.	2,676 00	
7/ 9/1914	Healy Tibbitts Construction Co.	1,650 00	
7/ 9/1914	Healy Tibbitts Construction Co.	24,125 47	
7/ 9/1914	Thompson Bridge Company	849 43	
7/ 9/1914	San Francisco Bridge Company	11,498 64	
7/ 9/1914	San Francisco Bridge Company	3,094 29	
7/10/1914	Pacific Creosoting Company	7,577 95	
7/10/1914	Pacific Creosoting Company	4,212 95	
7/10/1914	Pacific Creosoting Company	1,225 67	
7/10/1914	Pacific Creosoting Company	11,568 44	
7/10/1914	J. H. Hardy Company	2,732 91	
7/10/1914	E. D. Roberts, State Treasurer	3,716 35	
7/10/1914	E. D. Roberts, State Treasurer	1,203 75	
7/13/1914	Daniel Contracting Company	17,573 87	
7/13/1914	Daniel Contracting Company	666 49	
7/14/1914	Bates, Borland & Ayer	27,952 21	
7/14/1914	Bates, Borland & Ayer	994 96	
7/16/1914	Bates, Borland & Ayer	3,867 18	
7/17/1914	Fay Improvement Company	1,034 33	
7/17/1914	R. E. Noble & Company	70 00	
7/22/1914	Henry Cowell Lime & Cement Company	2,755 20	
7/22/1914	Pacific Creosoting Company	17,856 12	
7/22/1914	Pacific Creosoting Company	7,308 21	
7/22/1914	Pacific Creosoting Company	8,665 66	
7/22/1914	Smith Emery & Co., Inc.	98 12	
7/23/1914	Atchison, Topeka & Santa Fe Railway	15 64	
7/23/1914	G. O. Abrahamsen	1,260 00	
7/23/1914	Pacific Portland Cement Company	3,550 60	
7/23/1914	Healy-Tibbitts Construction Company	76 84	
7/23/1914	Daniel Contracting Company	1,291 50	
7/24/1914	G. P. & C. A. Wetmore	26 00	
7/24/1914	H. F. Horn	10 70	
7/25/1914	Bashford Smith	143 13	
7/27/1914	Pacific Creosoting Company	4,423 86	
7/27/1914	Pacific Creosoting Company	1,229 05	
7/30/1914	Department of Engineering	85 92	
7/31/1914	Robert W. Hunt and Company	71 13	
8/ 1/1914	C. F. Dean	24 90	
8/ 7/1914	Pacific Creosoting Company	9,934 02	

SECOND SAN FRANCISCO SEAWALL FUND. DISBURSEMENTS 1914—Continued.

Date	Items	Amount	Total
8/ 7/1914	Pacific Creosoting Company	86,178 83	
8/ 7/1914	Pacific Creosoting Company	72 50	
8/ 7/1914	Pacific Creosoting Company	14 897 33	
8/ 7/1914	Pacific Creosoting Company	3,558 52	
8/ 7/1914	Pacific Creosoting Company	75 00	
8/ 7/1914	Roy Manuals	1,820 00	
8/ 7/1914	W. Sneell and Son	523 50	
8/ 8/1914	Thompson Bridge Company	8,446 75	
8/ 8/1914	American Locomotive Company	12,112 50	
8/ 8/1914	Fay Improvement Company	147 20	
8/10/1914	Pacific Creosoting Company	3,237 82	
8/11/1914—E. D. Roberts, State Treasurer		2,98[illegible] 75	
8/11/1914	E. D. Roberts, State Treasurer	754 50	
8/11/1914	E. D. Roberts, State Treasurer	12,376 80	
8/11/1914—Daniel Contracting Company		2,432 88	
8/11/1914—Bates, Borland & Ayer		38 95	
8/14/1914—Justice Court, City and Co. of S. F.		55 50	
8/14/1914	San Francisco Bridge Company	8,623 53	
8/14/1914	San Francisco Bridge Company	5,157 00	
8/14/1914—Daniel Contracting Company		18,150 00	
8/14/1914—Daniel Contracting Company		23,779 13	
8/14/1914	Daniel Contracting Company	2,802 20	
8/15/1914	Jas. H. Hardy, Inc.	2,700 00	
8/15/1914	Bates, Borland Company	331 66	
8/15/1914	Bates, Borland Company	4,605 53	
8/15/1914—Bates, Borland & Ayer		24,693 74	
8/15/1914	Pacific Creosoting Company	80 00	
8/15/1914—Pacific Creosoting Company		1,357 15	
8/15/1914—Pacific Creosoting Company		21,914 39	
8/15/1914—Pacific Creosoting Company		2,525 98	
8/15/1914—Pacific Creosoting Company		1,416 80	
8/15/1914—Pacific Creosoting Company		3,836 05	
8/15/1914	Pacific Creosoting Company	18,735 56	
8/17/1914	Fay Improvement Company	9,179 64	
8/19/1914	E. K. Pearson	175 00	
8/19/1914	City Street Improvement Company	2,166 88	
8/21/1914	Rashford Smith	83 85	
8/21/1914	Fog Signal Light Company	118 00	
8/24/1914—Charles A. Wetmore		24 00	
8/24/1914	Pacific Portland Cement Company	1,308 75	
8/24/1914—Walter Sneell & Son		2,436 07	
8/24/1914	Pacific Creosoting Company	2,888 55	
8/24/1914—Pacific Creosoting Company		5,952 14	
8/27/1914—Department of Engineering		68 81	
8/27/1914—G. O. Abrahamsen		420 00	
8/27/1914	Pacific Portland Cement Company	7,207 80	
8/27/1914	Robt. W. Hunt & Company	435 42	
8/28/1914	Healy Tibbitts Construction Company	2,352 07	
8/29/1914	Pacific Creosoting Company	9,135 91	
9/ 3/1914—Chas. F. Deane		35 60	
9/ 8/1914—Walter Sneell & Son		628 20	
9/10/1914—E. D. Roberts, State Treasurer		10,192 10	
9/10/1914—Healy-Tibbitts Construction Company		24,055 50	
9/10/1914—Healy-Tibbitts Construction Company		3,680 00	
9/11/1914—American Locomotive Company		4,037 50	
9/12/1914—Pacific Creosoting Company		4,884 57	
9/12/1914	Pacific Creosoting Company	4,965 78	
9/12/1914	Pacific Creosoting Company	3,311 34	
9/12/1914	Pacific Creosoting Company	2,059 61	
9/12/1914—Daniel Contracting Company		16,542 00	
9/12/1914—San Francisco Bridge Company		2,000 00	
9/12/1914	San Francisco Bridge Company	12,376 80	
9/12/1914	San Francisco Bridge Company	22,037 91	
9/12/1914	Healy Tibbitts Construction Company	6,189 75	
9/12/1914	Healy Tibbitts Construction Company	24,055 50	
9/12/1914	Healy-Tibbitts Construction Company	900 00	
9/12/1914—Daniel Contracting Company		21,450 00	
9/14/1914—Bates, Borland & Ayer		26,307 96	
9/14/1914	Bates, Borland & Ayer	4,860 98	
9/14/1914	Pacific Creosoting Company	5,613 39	
9/14/1914	Pacific Creosoting Company	4,239 15	

SECOND SAN FRANCISCO SEAWALL FUND. DISBURSEMENTS 1914—Continued.

Date	Items	Amount	Total
9 14 1914	Pacific Creosoting Company	$12,091 55	
9 16 1914	Pay Improvement Company	19,219 17	
9 19 1914	Healy Tibbitts Construction Company	249 60	
9/19/1914	Healy-Tibbitts Construction Company	1,419 21	
9 21 1914	James H Healy & Company, Inc	82 62	
9 21 1914	Bashford Smith	89 71	
9 21 1914	Bates, Borland & Ayer	1,335 18	
9 21 1914	Pacific Creosoting Company	1,278 22	
9 21 1914	Pacific Creosoting Company	6,255 19	
9/21/1914	Pacific Creosoting Company	472 27	
9 91 1914	Pacific Creosoting Company	7,004 80	
9 21 1914	Pacific Creosoting Company	152 28	
9/21/1914	Pacific Creosoting Company	43 80	
9/23/1914	Whitelaw Wrecking Company	1,250 00	
9 23 1914	Charles A Wetmore	58 00	
9 24 1914	E. A Howard & Company	51 20	
9 25 1914	San Francisco Bridge Company	11 00	
9 26 1914	Smith Emery & Company Inc	109 57	
9 26 1914	Bates, Borland & Ayer	34 70	
9 26 1914	Pacific Creosoting Company	1,296 88	
9/26/1914	Pacific Creosoting Company	11,067 25	
9/29/1914	Henry Cowell Lime & Cement Company	12,587 00	
10 1 1914	Thompson Bridge Company	2,500 00	
10 1 1914	Pacific Creosoting Company	11,194 39	
10/ 1/1914	Pacific Creosoting Company	2,968 57	
10 2 1914	Healy Tibbitts Construction Company	694 15	
10 6 1914	Healy Tibbitts Construction Company	261 39	
10 7 1914	Pacific Creosoting Company	9,551 85	
10/ 7/1914	Pacific Creosoting Company	1,485 71	
10 7 1914	Pacific Creosoting Company	259 56	
10 7 1914	Pacific Creosoting Company	8,249 37	
10/ 7/1914	Pacific Creosoting Company	10,440 54	
10/ 7/1914	Pacific Creosoting Company	6,044 30	
10/ 7/1914	Pacific Creosoting Company	10,879 68	
10/ 7/1914	Pacific Creosoting Company	650 75	
10 13 1914	E. D Roberts, State Treasurer	7,500 00	
10 14 1914	Pacific Creosoting Company	1,700 17	
10 14 1914	Pacific Creosoting Company	5,492 07	
10 14 1914	Pacific Creosoting Company	9,205 54	
10 14 1914	Pacific Creosoting Company	2,334 19	
10 14 1914	Whitelaw Wrecking Company	1,100 00	
10/17/1914	Pacific Creosoting Company	1,564 22	
10 19 1914	Bashford Smith	108 73	
10/20/1914	San Francisco Bridge Company	18,205 23	
10 20 1914	Healy Tibbitts Construction Company	465 91	
10 20 1914	Healy Tibbitts Construction Company	13,067 25	
10 20 1914	Healy Tibbitts Construction Company	20,737 50	
10 20 1914	Healy Tibbitts Construction Company	15,934 97	
10 20 1914	Daniel Contracting Company	1,649 84	
10 20 1914	Daniel Contracting Company	28,050 00	
10 20 1914	Daniel Contracting Company	4,235 50	
10 21 1914	Thompson Bridge Company	2,000 00	
10 21 1914	Bates, Borland & Ayer	213 90	
10/21 1914	Bates, Borland & Ayer	7,999 33	
10 21 1914	Bates, Borland & Ayer	23,019 17	
10/21/1914	Bates, Borland & Ayer	1,620 32	
10 21 1914	Bates, Borland & Ayer	130 29	
10 21 1914	Bates, Borland & Ayer	148 56	
10 21 1914	Bates, Borland & Ayer	665 94	
10/21/1914	R. E. Noble & Co.	48 00	
10/22/1914	Healy-Tibbitts Construction Co.	2,507 11	
10/23/1914	F. A. Koetitz	2,975 00	
10 24 1914	Henry Cowell Lime and Cement Co.	8,601 80	
10 26 1914	Pacific Creosoting Company	20 00	
10/26/1914	Pacific Creosoting Company	1,871 13	
10/26/1914	Pacific Creosoting Company	1,413 05	
10 26 1914	Pacific Creosoting Company	422 30	
10/26/1914	Pacific Creosoting Company	4,030 51	
10/26/1914	Pacific Creosoting Company	9,438 40	
10 26 1914	Pacific Creosoting Company	8,154 34	
10 26 1914	Pacific Creosoting Company	1,277 86	
10 26 1914	Pacific Creosoting Company	8,456 40	

SECOND SAN FRANCISCO SEAWALL FUND. DISBURSEMENTS. 1914—Continued.

Date	Items	Amount	Total
10/26/1914	Pacific Creosoting Company	83 689 09	
10/26/1914	Fog Signal Light Company	350 00	
10/26/1914	Fay Improvement Company	187 75	
10/26/1914	Fay Improvement Company	259 57	
10/29/1914	Daniel Contracting Company	4,253 54	
10/29/1914	Daniel Contracting Company	36 28	
10/29/1914	Daniel Contracting Company	101 09	
10/29/1914	Daniel Contracting Company	6,145 74	
10/29/1914	Daniel Contracting Company	36 62	
10/30/1914	American Can Co.	6 12	
10/30/1914	Pacific Creosoting Company	426 07	
10/31/1914	Robt. W. Hunt & Co.	36 39	
10/16/1914	San Francisco Bridge Company	59 00	
10/16/1914	San Francisco Bridge Company	6,939 00	
10/16/1914	San Francisco Bridge Company	12,892 50	
10/16/1914	San Francisco Bridge Company	8 62	
11/2/1914	Braun, Knecht, Heimann Co.	8 54	
11/2/1914	Pacific Creosoting Company	240 00	
11/5/1914	Pacific Creosoting Company	3,405 80	
11/5/1914	Pacific Creosoting Company	5,298 69	
11/5/1914	Pacific Creosoting Company	8,219 29	
11/5/1914	Fay Improvement Company	13,434 61	
11/5/1914	Pacific Creosoting Company	989 52	
11/5/1914	Pacific Creosoting Company	3,731 46	
11/5/1914	Pacific Creosoting Company	668 93	
11/5/1914	Pacific Creosoting Company	7,499 02	
11/6/1914	Daniel Contracting Company	4,135 50	
11/6/1914	Compressed Air and General Machinery Company	2,456 00	
11/6/1914	United States Steel Products Company	1,847 20	
11/7/1914	Bates, Borland & Ayer	13,153 98	
11/7/1914	Bates, Borland & Ayer	1,086 70	
11/10/1914	Pacific Creosoting Company	3,183 95	
11/10/1914	Pacific Creosoting Company	14,162 22	
11/10/1914	Pacific Creosoting Company	86 57	
11/10/1914	Pacific Creosoting Company	380 00	
11/10/1914	Pacific Creosoting Company	140 00	
11/10/1914	Pacific Creosoting Company	12,052 11	
11/10/1914	Pacific Creosoting Company	10,496 14	
11/10/1914	Pacific Creosoting Company	3,480 18	
11/10/1914	Pacific Creosoting Company	86 45	
11/10/1914	Pacific Creosoting Company	2,749 79	
11/10/1914	Pacific Creosoting Company	1,461 91	
11/10/1914	Pacific Creosoting Company	8,111 08	
11/10/1914	Pacific Creosoting Company	5,492 86	
11/10/1914	Pacific Portland Cement Company	2,755 20	
11/11/1914	Daniel Contracting Company	8 88	
11/11/1914	E. D. Roberts, State Treasurer	7,936 30	
11/12/1914	Daniel Contracting Company	33,000 00	
11/12/1914	Healy-Tibbitts Construction Company	6,636 00	
11/12/1914	Healy-Tibbitts Construction Company	22,983 75	
11/12/1914	Healy-Tibbitts Construction Company	11,589 00	
11/12/1914	Healy-Tibbitts Construction Company	10,316 25	
11/12/1914	San Francisco Bridge Company	10,314 00	
11/12/1914	San Francisco Bridge Company	20,121 57	
11/12/1914	San Francisco Bridge Company	3,084 00	
11/16/1914	Pacific Creosoting Company	566 72	
11/16/1914	Pacific Creosoting Company	778 06	
11/16/1914	Pacific Creosoting Company	3,088 92	
11/16/1914	Pacific Creosoting Company	1,800 69	
11/16/1914	Bates, Borland & Ayer	8,589 66	
11/16/1914	Bates, Borland & Ayer	5,900 00	
11/18/1914	Thompson Bridge Company	22 02	
11/20/1914	Pacific Creosoting Company	425 95	
11/20/1914	Daniel Contracting Company	549 96	
11/20/1914	Columbia Steel Company	445 00	
11/20/1914	Pacific Portland Cement Company	9,020 00	
11/24/1914	Healy-Tibbitts Construction Company	7,612 88	
11/24/1914	Healy-Tibbitts Construction Company	4,509 62	
11/25/1914	Henry Cowell Lime and Cement Company	4,723 20	

SECOND SAN FRANCISCO SEAWALL FUND. DISBURSEMENTS 1914—Continued.

Date	Items	Amount	Total
11 25 1914	Smith Emery & Company, Inc	8297 48	
11/25/1914	Bates, Borland & Ayer	4,414 81	
11 25 1915	Pacific Creosoting Company	2,818 80	
11 25 1914	Pacific Creosoting Company	2,718 12	
11 25 1914	Pacific Creosoting Company	3,146 13	
11 25 1914	Marten's Market	46 80	
11/25/1914	Bashford Smith	170 70	
11 25 1914	San Francisco Bridge Company	52 10	
11 25 1914	San Francisco Bridge Company	11 50	
11 27 1914	Justinian Caire Company	48 50	
11 28 1914	San Francisco Bridge Company	6,707 19	
11 28 1914	San Francisco Bridge Company	228 56	
11 28 1914	G. O. Abrahamsen	6,475 00	
11 30 1914	Robt. W. Hunt & Company	1,288 06	
11 30 1914	Church & Clark	5,776 53	
12 1 1914	J. G. Harnes	8,101 05	
12 2 1914	Department Engineering	14 40	
12 7 1914	Daniel Contracting Company	68,925 00	
12/ 8/1914	Bates, Borland & Ayer	54,808 25	
12/ 8/1915	Pacific Creosoting Company	9,775 41	
12/ 8/1915	Pacific Creosoting Company	2,739 76	
12/ 8/1914	Pacific Creosoting Company	1,766 23	
12/ 8/1914	Pacific Creosoting Company	2,499 68	
12/ 8/1914	Pacific Creosoting Company	222 58	
12/ 8/1914	Pacific Creosoting Company	1,135 26	
12 8 1914	Pacific Creosoting Company	11,753 36	
12 9 1914	Whitelaw Wrecking Company	2,700 00	
12 10 1914	San Francisco Bridge Company	1,677 00	
12 10 1914	San Francisco Bridge Company	5,157 00	
12/10/1914	San Francisco Bridge Company	6,553 50	
12 10 1914	Healy Tibbitts Construction Company	6,437 52	
12 10 1914	Healy Tibbitts Construction Company	5,707 80	
12/10/1914	Healy-Tibbitts Construction Company	3,318 00	
12 10 1914	Healy Tibbitts Construction Company	18,387 00	
12 11 1914	F. D. Roberts, State Treasurer	14,651 65	
12 11 1914	Daniel Contracting Company	24,750 00	
12/14/1914	Healy-Tibbitts Construction Company	19,944 75	
12 17 1914	Healy Tibbitts Construction Company	820 50	
12 17 1914	Healy Tibbitts Construction Company	9,832 54	
12/17/1914	Healy-Tibbitts Construction Company	903 27	
12 21 1914	Pacific Portland Cement Company	7,125 80	
12/21/1914	San Francisco Bridge Company	253 75	
12/21/1914	Bates, Borland & Ayer	2,863 22	
12 21 1914	Pacific Creosoting Company	9,297 34	
12 21 1914	Pacific Creosoting Company	2,703 69	
12/21/1914	Pacific Creosoting Company	1,830 96	
12 21 1914	Pacific Creosoting Company	4,720 74	
12/21/1914	Pacific Creosoting Company	28 86	
12/21/1914	Pacific Creosoting Company	3,458 72	
12 21 1914	Pacific Creosoting Company	7,434 03	
12 21 1914	Pacific Creosoting Company	6,188 03	
12 21 1914	Pacific Creosoting Company	4,017 37	
12 21 1914	Smith Emery Company, Incorporated	77 74	
12 21 1914	Bashford Smith	26 07	
12 21 1914	Scott Company	352 50	
12 23 1914	American Can Company	6 46	
12 29 1914	Pacific Creosoting Company	50 00	
12 29 1914	Pacific Creosoting Company	7,810 35	
12 29 1914	Pacific Creosoting Company	6,408 05	
12 29 1914	Pacific Creosoting Company	2,041 53	
12 29 1914	Pacific Creosoting Company	150 00	
12 29 1914	Pacific Creosoting Company	890 00	
12 30/1914	Chas. F. Deane	32 10	
12 30 1914	Justinian Caire	5 60	
12 31 1914	Robt. W. Hunt & Company	1,295 83	
12/31/1914	Construction and Engineering Company	650 56	
			$3,020,619 39
			$5,963,928 83
	By balance in fund		2,505,846 83
			$8,469,775 66

SECOND SAN FRANCISCO SEAWALL SINKING FUND. RECEIPTS. 1914.

Date	Items	Accrued interest on bonds	Transfer of interest	Total
1/ 2/1914	Amounts brought forward December 31, 1914	$87,581 00	$129,[illegible]	$1,[illegible]
1/ 2/1914	Transfer from S. F. Harbor Imp. Fund		[illegible]	
1/ 6/1914	Transfer from General Fund	135 [illegible]		
2/ 2/1914	Transfer from S. F. Harbor Imp. Fund		11,[illegible]	
2/ 9/1914	Accrued interest on bonds sold	21 [illegible]		
2/13/1914	Accrued interest on bonds sold	21 11		
2/14/1914	Accrued interest on bonds sold	[illegible]		
2/19/1914	Accrued interest on bonds sold	1,[illegible]		
2/21/1914	Accrued interest on bonds sold	[illegible]		
2/25/1914	Accrued interest on bonds sold	15,[illegible]		
2/27/1914	Accrued interest on bonds sold	[illegible]		
3/ 2/1914	Transfer from S. F. Harbor Imp. Fund		20,215 18	
3/ 2/1914	Accrued interest on bonds sold	3,716 00		
3/ 2/1914	Accrued interest on bonds sold	[illegible]		
3/ 4/1914	Accrued interest on bonds sold	[illegible]		
3/11/1914	Accrued interest on bonds sold	[illegible]		
4/ 1/1914	Transfer from S. F. Harbor Imp. Fund		28,[illegible]	
5/ 1/1914	Transfer from S. F. Harbor Imp. Fund		27,[illegible]	
6/ 1/1914	Transfer from S. F. Harbor Imp. Fund		27,[illegible]	
6/26/1914	Interest on money with Bankers Trust Company of New York	9,72[illegible]		
7/ 1/1914	Transfer from S. F. Harbor Imp. Fund		17,[illegible]	
7/28/1914	Interest on money with Bankers Trust Company of New York	7,102 70		
8/ 1/1914	Transfer from S. F. Harbor Imp. Fund		[illegible]	
9/ 1/1914	Transfer from S. F. Harbor Imp. Fund		27,[illegible]	
9/ 2/1914	Interest on money with Bankers Trust Company of New York	5,982 16		
9/22/1914	Interest on money with Bankers Trust Company of New York	23,248 49		
11/ 2/1914	Transfer from S. F. Harbor Imp. Fund		[illegible]	
12/ 1/1914	Transfer from S. F. Harbor Imp. Fund		[illegible]	
12/10/1914	Transfer from General Fund		27,[illegible]	
12/10/1914	Interest on bonds from Bankers Trust Company of New York	[illegible]		[illegible]
		$107,755 56	[illegible]	$512,912 65

SECOND SAN FRANCISCO SEAWALL SINKING FUND. DISBURSEMENTS. 1914.

Date	Items	Interest paid	Total
1/ 2/1914	Amount brought forward December 31, 1913		$111,110 00
1/ 6/1914	Semiannual interest on bonds sold	$66,460 00	
7/ 6/1914	Semiannual interest on bonds sold	165,960 00	
12/11/1914	Semiannual interest on bonds sold	165,[illegible]	[illegible]
			$[illegible]
12/31/1914	Balance of interest in fund		[illegible]
			$512,912 65

REPORT OF THE PROCEEDINGS UNDER THE SAN FRANCISCO HARBOR IMPROVEMENT ACT OF 1909.

To His Excellency, HIRAM W. JOHNSON,
Governor of California.

SIR: In accordance with the provisions of section 6, Chapter 320, Statutes of 1909, we beg to submit a report of the proceedings under the said chapter for the year beginning January 1, 1913, and ending December 31, 1913.

Dated, Sacramento, California,
January 24, 1917.

F. W. RICHARDSON, State Treasurer
JOHN S. CHAMBERS, State Controller.

SECOND SAN FRANCISCO SEAWALL FUND—RECEIPTS—1913

Date	Items	Amount
1/ 1/1913	Amount brought forward Dec. 31, 1912	$1,704,008.00
1/ 7/1913	Sale of bonds to Mrs. Frances A. Sumner	1,000.00
2/ 7/1913	Sale of bonds to Hibernia Savings and Loan Association	100,000.00
3/ 3/1913	**Sale of bonds to Mrs. Frances A. Sumner**	5,000.00
3/10/1913	Sale of bonds to Mrs. Frances A. Sumner	2,000.00
3/13/1913	Sale of bonds to Wells Fargo-Nevada National Bank	50,000.00
8/ 8/1913	Sale of bonds to Mrs. Elizabeth D. Murphy	5,000.00
8/18/1913	Sale of bonds to National Bank of D. O. Mills & Co.	67,000.00
8/19/1913	Transfer from General Fund	408,000.00
8/19/1913	**Sale of bonds to Capital National Bank**	25,000.00
10/ 4/1913	Transfer from General Fund	500,000.00
12/ 1/1913	Transfer from General Fund	460,000.00
		$3,328,008.00

SECOND SAN FRANCISCO SEAWALL FUND—DISBURSEMENTS—1913

Date	Items	Amount	Total
1/ 1/1913	Amount brought forward from December 31, 1912		$522,002.67
1/ 2/1913	Standard Blue Print Company	$116.78	
1/ 2/1913	Smith, Emery & Company	379.69	
1/ 4/1913	R. E. Noble & Company	34.00	
1/ 8/1913	**Leo V. Merle, Jr.**	6,646.65	
1/ 9/1913	Puget Sound Wood Preserving Works	9,186.26	
1/13/1913	Henry Cowell Lime & Cement Company	18,754.80	
1/13/1913	Pacific Wakefield Company	65,878.72	
1/11/1913	**Healy-Tibbetts Construction Company**	27,902.25	
1/11/1913	Grant Smith & Company	23,294.25	
1/11/1913	Pennsylvania Steel Company	9,565.54	
1/11/1913	**San Francisco Bridge Company**	24,192.00	
1/20/1913	**H. B. Green**	1,883.00	
1/24/1913	Smith, Emery & Company	188.90	
1/25/1913	**R. E. Noble & Company**	58.00	
1/27/1913	Department of Engineering	25.00	
2/ 4/1913	**Department of Engineering**	50.00	
2/ 7/1913	Henry Cowell Lime & Cement Company	26,084.80	
2/11/1913	**Leo V. Merle, Jr.**	6,532.00	
2/13/1913	Puget Sound Wood Preserving Works	2,037.12	
2/17/1913	Grant Smith & Company	19,411.88	
2/17/1913	**Pacific Wakefield Company**	43,919.14	
2/17/1913	**San Francisco Bridge Company**	16,128.00	
2/17/1913	**R. E. Noble & Company**	50.75	
2/17/1913	**Smith, Emery & Company**	98.67	
2/17/1913	Healy-Tibbetts Construction Company	25,984.50	
2/24/1913	Pennsylvania Steel Company	3,188.51	
2/26/1913	Henry Cowell Lime & Cement Company	15,752.20	
3/10/1913	**Puget Sound Wood Preserving Works**	3,974.35	
3/10/1913	**Leo V. Merle, Jr.**	6,521.00	
3/12/1913	Pacific Wakefield Company	57,404.03	
3/12/1913	Healy-Tibbetts Construction Company	13,828.50	
3/12/1913	**San Francisco Bridge Company**	32,256.00	
3/13/1913	Grant Smith & Company	23,294.25	
3/15/1913	**Smith, Emery & Company**	382.45	
3/22/1913	Puget Sound Wood Preserving Works	6,810.73	
3/24/1913	**R. E. Noble & Company**	28.00	
3/24/1913	**Healy-Tibbetts Construction Company**	2,057.25	
3/25/1913	**Daniel L. Brenfield Imp'v't Company**	1,976.92	
3/26/1913	Henry Cowell Lime & Cement Company	20,549.20	
4/ 8/1913	Daniel L. Brenfield Imp'v't Company	2,679.86	
4/ 9/1913	**Leo V. Merle, Jr.**	6,137.00	
4/11/1913	**Pacific Wakefield Company**	40,259.21	
4/11/1913	Healy-Tibbetts Construction Company	13,828.50	
4/11/1913	Pacific Creosoting Company	1,968.47	
4/17/1913	**Grant Smith & Company**	46,588.50	
4/17/1913	San Francisco Bridge Company	43,008.00	
4/21/1913	Puget Sound Wood Preserving Works	1,324.78	
4/21/1913	American Can Company	12.29	
4/21/1913	**R. E. Noble & Company**	60.00	
4/21/1913	Healy-Tibbetts Construction Company	1,389.19	
4/21/1913	**Daniel Contracting Company**	1,874.85	
4/25/1913	**Daniel L. Brenfield Imp'v't Company**	658.97	

SECOND SAN FRANCISCO SEAWALL FUND. DISBURSEMENTS. 1914—Continued.

Date	Items	Amount	Total
4/25/1913	Smith, Emery & Company	$437 93	
4/28/1913	Henry Cowell Lime & Cement Company	27,830 80	
4/29/1913	Puget Sound Wood Preserving Works	2,270 25	
5/ 3/1913	Pacific Wakefield Company	74,794 01	
5/ 7/1913	E. D. Roberts	5,795 00	
5/ 8/1913	Grant Smith & Company	36,882 56	
5/ 8/1913	San Francisco Bridge Company	8,064 00	
5/10/1913	Pacific Creosoting Works	656 16	
5/13/1913	Department of Engineering	100 00	
5/13/1913	Daniel L. Brenfield Imp'v't Company	460 21	
5/13/1913	W. F. Garrett & Company	255 60	
5/13/1913	San Francisco Elevator Company	200 00	
5/13/1913	Daniel L. Brenfield Imp'v't Company	411 41	
5/15/1913	Healy-Tibbitts Construction Company	65,850 00	
5/19/1913	Henry Cowell Lime & Cement Company	20,877 20	
5/20/1913	Smith, Emery & Company	374 82	
5/26/1913	Daniel Contracting Company	714 84	
5/26/1913	R. E. Noble & Company	40 00	
5/28/1913	Baldwin Locomotive Works	12,487 50	
5/28/1913	Robert W. Hunt & Company	155 68	
5/29/1913	Pacific Wakefield Company	1,204 42	
6/ 4/1913	Pacific Creosoting Company	14,520 60	
6/ 7/1913	Pacific Wakefield Company	62,218 80	
6/ 9/1913	E. D. Roberts, State Treasurer	9,950 35	
6/11/1913	San Francisco Bridge Company	16,128 00	
6/11/1913	Healy-Tibbitts Construction Company	16,365 00	
6/12/1913	Grant Smith & Company	36,882 56	
6/14/1913	Standard Blue Print Company	109 75	
6/16/1913	The Richardson Company	2,915 00	
6/17/1913	Henry Cowell Lime & Cement Company	37,441 20	
6/18/1913	R. E. Noble & Company	135 72	
6/21/1913	Pacific Creosoting Company	11,142 89	
6/24/1913	Department of Engineering	50 00	
6/26/1913	Baldwin Locomotive Works	4,162 50	
6/30/1913	Pacific Wakefield Company	1,379 84	
7/ 1/1913	Department of Engineering	50 00	
7/ 8/1913	Smith, Emery & Company	141 43	
7/ 9/1913	E. D. Roberts, State Treasurer	7,393 95	
7/ 9/1913	R. E. Noble & Company	657 43	
7/10/1913	Grant Smith & Company	2,658 46	
7/10/1913	Pacific Wakefield Company	62,218 78	
7/10/1913	Pacific Creosoting Company	17,114 02	
7/14/1913	Healy-Tibbitts Construction Company	9,819 00	
7/16/1913	Robert W. Hunt & Company	24 15	
7/16/1913	Grant Smith & Company	21,353 07	
7/18/1913	R. E. Noble & Company	338 80	
7/25/1913	Robert W. Hunt & Company	114 23	
7/28/1913	Henry Cowell Lime & Cement Company	19,630 80	
8/ 1/1913	Daniel L. Brenfield Imp'v't Company	86 40	
8/ 1/1913	Pacific Wakefield Company	1,455 44	
8/ 1/1913	San Francisco Bridge Company	3,459 36	
8/ 4/1913	San Francisco Bridge Company	18,816 00	
8/ 6/1913	Pacific Creosoting Company	3,714 30	
8/ 7/1913	E. D. Roberts, State Treasurer	6,192 00	
8/11/1913	Pacific Creosoting Company	5,000 00	
8/12/1913	H. B. Green	4,237 50	
8/20/1913	San Francisco Bridge Company	26,880 00	
8/20/1913	Pacific Wakefield Company	43,919 14	
8/20/1913	Lilley & Thurston Company	10,316 25	
8/20/1913	Pacific Creosoting Company	4,091 27	
8/20/1913	Daniel Contracting Company	11,372 62	
8/20/1913	Healy-Tibbitts Construction Company	13,092 00	
8/21/1913	Grant Smith & Company	21,353 06	
8/29/1913	Pacific Wakefield Company	1,109 08	
8/29/1913	Pacific Wakefield Company	209 00	
8/29/1913	Pacific Creosoting Company	11,689 77	
8/29/1913	San Francisco Bridge Company	1,615 00	

SECOND SAN FRANCISCO SEAWALL FUND. DISBURSEMENTS 1913—Continued.

Date	Items	Amount	Fols
9 2 1913	Eccles & Smith Company	$3,211 50	
9/10/1913	E. D. Roberts, State Treasurer	5,668 80	
9/11 1913	Grant Smith & Company	45,683 45	
9/11/1913	Pennsylvania Steel Company	62,722 71	
9/11 1913	R. E. Noble & Company	637 92	
9 11 1913	San Francisco Bridge Company	299 15	
9/11/1913	H. B. Green	1,412 50	
9/11/1913	Lilley & Thurston Company	20,227 42	
9 12 1913	Department of Engineering	100 00	
9/12 1913	Pacific Creosoting Company	56,114 85	
9 12 1913	Smith, Emery & Company	176 78	
9/12/1913	Pacific Wakefield Company	40,259 22	
9 15 1913	Henry Cowell Lime & Cement Company	18,165 40	
9 15 1913	Healy Tibbitts Construction Company	21,274 50	
9 15 1913	San Francisco Bridge Company	21,504 00	
9/19/1913	Robert W. Hunt & Company	347 20	
9 19 1913	Pacific Creosoting Company	2,073 59	
9 22 1913	Eccles & Smith Company	1,079 50	
9 22 1913	United States Steel Products Company	3,061 12	
9 22 1913	United States Steel Products Company	22,159 78	
9 22 1913	Electric Appliance Company	268 72	
9 24 1913	St. Paul & Tacoma Lumber Company	4,369 95	
9/24/1913	Western Electric Company	409 27	
9 24 1913	Pacific States Electric Company	57 75	
9 24 1913	Daniels Contracting Company	1,254 20	
9/25/1913	Henry Cowell Lime & Cement Company	21,049 40	
9 25 1913	Pacific Wakefield Company	1,008 00	
9 25 1913	Grant, Smith & Company	758 24	
10/ 3/1913	G. P. & C. A. Wetmore	46 50	
10/ 7/1913	E. D. Roberts, State Treasurer	7,326 00	
10 8 1913	Pacific Wakefield Company	18,269 64	
10/10/1913	Lilley & Thurston Company	13,076 70	
10 10 1913	Lilley & Thurston Company	10,184 69	
10 10 1913	Healy Tibbitts Construction Company	26,184 00	
10 11 1913	Pacific Creosoting Company	4,590 80	
10 11 1913	Pacific Creosoting Company	2,146 99	
10 14 1913	Grant, Smith & Company	17,479 69	
10 16 1913	John G. Sutton Company	266 25	
10 21 1913	Pacific Creosoting Company	3,058 26	
10/21/1913	Pacific Creosoting Company	2,404 44	
10 21 1913	Pierson Roofing Company	346 49	
10 21 1913	Detroit Insulated Wire Company	69 74	
10 21 1913	N. H. Hickman	495 70	
10 22 1913	John A Roebling Sons Company	37 35	
10 22 1913	Carbolineum Wood Preserving Co	1,804 14	
10 22 1913	Pacific States Electric Company	91 24	
10/22/1913	San Francisco Bridge Company	10 00	
10/22/1913	San Francisco Bridge Company	294 42	
10/22/1913	R. E. Noble & Company	738 30	
10 28 1913	Department of Engineering	50 00	
10 28 1913	United States Steel Products Company	1,029 38	
10 28 1913	Grant, Smith & Company	203 70	
10 28 1913	Pacific Wakefield Company	656 07	
10 28 1913	Pacific Creosoting Company	691 20	
10 28 1913	Pacific Wakefield Company	854 28	
10 31 1913	American Car Company	6 29	
11 4 1913	San Francisco Bridge Company	89,600 00	
11/10/1913	E. D. Roberts, State Treasurer	7,695 70	
11 11 1913	Daniels Contracting Company	12,829 05	
11 11 1913	Healy-Tibbitts Construction Company	40,912 50	
11 11 1913	Lilley & Thurston Company	7,000 31	
11 11 1913	Lilley & Thurston Company	10,274 55	
11 11 1913	Pennsylvania Steel Company	5,231 21	
11/11/1913	Pennsylvania Steel Company	64,998 88	
11/12/1913	Pacific Wakefield Company	25,619 51	
11/12/1913	Pacific Wakefield Company	363 68	
11/12/1913	Grant, Smith & Company	13,588 31	

SECOND SAN FRANCISCO SEAWALL FUND. DISBURSEMENTS, 1913—Continued.

Date	Items	Amount	Total
11/14/1913	Smith, Emery & Company, Inc.	$120 16	
11/14/1913	Western Electric Company	674 87	
11/15/1913	Southern Pacific Railway Company	187 47	
11/15/1913	Electric Appliance Company	7 78	
11/18/1913	Henry Cowell Lime & Cement Company	7,134 00	
11/18/1913	Henry Cowell Lime & Cement Company	5,707 20	
11/19/1913	Carbolineum Wood Preserving Company	5,412 42	
11/19/1913	John G. Sutton Company	88 75	
11/19/1913	Crane Company	229 70	
11/19/1913	Pacific Creosoting Company	10,710 34	
11/22/1913	Leeds & Smith, Company	750 00	
11/22/1913	Pacific Wakefield Company	149 90	
11/22/1913	Pacific Creosoting Company	1,319 42	
11/22/1913	Pacific Creosoting Company	15,773 22	
11/25/1913	Robert W. Hunt & Company	75 39	
11/25/1913	G. P. & C. A. Wetmore	91 50	
11/26/1913	W. P. Fuller & Company	2 50	
11/26/1913	Robert W. Hunt & Company	148 18	
11/26/1913	R. E. Noble & Company	30 00	
11/29/1913	Robert W. Hunt & Company	149 34	
12/ 4/1913	Department of Engineering	50 00	
12/ 4/1913	Pacific Wakefield Company	18,299 64	
12/ 5/1913	Pacific Wakefield Company	80 24	
12/ 5/1913	Pacific Creosoting Company	5,581 68	
12/ 9/1913	E. D. Roberts, State Treasurer	9,300 80	
12/11/1913	Pacific Wakefield Company	3,598 25	
12/11/1913	Pacific Creosoting Company	3,570 10	
12/13/1913	Lilley & Thurston Company	6,071 33	
12/13/1913	Healy-Tibbitts Construction Company	39,276 00	
12/13/1913	Daniels Contracting Company	8,271 00	
12/13/1913	Carbolineum Wood Preserving Company	4,510 35	
12/13/1913	R. E. Noble & Company	1,166 65	
12/15/1913	Grant, Smith & Company	21,353 06	
12/17/1913	Pennsylvania Steel Company	23,410 04	
12/19/1913	Grant, Smith & Company	93 24	
12/30/1913	Electric Ry. Mnfg. Supply Company	66 98	
12/30/1913	A. Paulsen Company	444 37	
			$2,420,707 37
			2,943,309 44
	By balance in fund		384,698 56
			$3,328,008 00

SECOND SAN FRANCISCO SEAWALL SINKING FUND—RECEIPTS—1913

Date	Items	Interest on sales	Transfer of interest	Total
1/ 1/1913	Amounts brought forward December 31, 1912	[illegible]	[illegible]	[illegible]
1/ 2/1913	Transfer from S. F. Harbor Imp. Fund		[illegible]	
1/ 7/1913	Accrued interest on bonds sold	15		
2/ 1/1913	Transfer from S. F. Harbor Imp. Fund		[illegible]	
2/ 7/1913	Accrued interest on bonds sold	[illegible]		
3/ 1/1913	Transfer from S. F. Harbor Imp. Fund		[illegible]	
3/ 4/1913	Accrued interest on bonds sold	[illegible]		
3/10/1913	Accrued interest on bonds sold	22 67		
3/14/1913	Accrued interest on bonds sold	[illegible]		
4/ 1/1913	Transfer from S. F. Harbor Imp. Fund		[illegible]	
5/ 1/1913	Transfer from S. F. Harbor Imp. Fund		[illegible]	
6/ 2/1913	Transfer from S. F. Harbor Imp. Fund		[illegible]	
7/ 1/1913	Transfer from S. F. Harbor Imp. Fund		[illegible]	
8/ 1/1913	Transfer from S. F. Harbor Imp. Fund		[illegible]	
8/ 8/1913	Accrued interest on bonds sold	[illegible]		
8/18/1913	Accrued interest on bonds sold	[illegible]		
8/18/1913	Transfer from General Fund	[illegible]		
8/19/1913	Accrued interest on bonds sold	[illegible]		
9/ 2/1913	Transfer from S. F. Harbor Imp. Fund		[illegible]	
10/ 1/1913	Transfer from S. F. Harbor Imp. Fund		7,876 67	
10/ 4/1913	Transfer from General Fund	[illegible]		
11/ 1/1913	Transfer from S. F. Harbor Imp. Fund		[illegible]	
12/ 1/1913	Transfer from S. F. Harbor Imp. Fund		[illegible]	
12/12/1913	Transfer from General Fund	[illegible]		[illegible]
		[illegible]	[illegible]	[illegible]

SECOND SAN FRANCISCO SEAWALL SINKING FUND—DISBURSEMENTS—1913

Date	Items	Interest paid	Total
1/ 2/1913	Amount brought forward December 31, 1912		$40,000 00
1/ 2/1913	Semiannual interest on bonds sold	[illegible]	
7/ 1/1913	Semiannual interest on bonds sold	37,160 00	
			[illegible]
12/31/1913	Balance of interest in fund		55,843 34
			[illegible]

EXECUTIVE DEPARTMENT.

OFFICE OF THE GOVERNOR.

To the Legislature of the State of California:

Pursuant to the provisions of section 6, of the San Francisco Seawall Act, approved March 29, 1903, I transmit herewith the joint reports of the State Controller and State Treasurer of their proceedings under said act for the periods lapsing between

January 1, 1913, and December 31, 1913;
January 1, 1914, and December 31, 1914;
January 1, 1915, and January 1, 1916.

Respectfully submitted,

HIRAM W. JOHNSON,
Governor.

Sacramento, California, January 24, 1917.

REPORT OF PROCEEDINGS UNDER THE SAN FRANCISCO SEAWALL ACT.

To His Excellency, HIRAM W. JOHNSON,
Governor of California.

SIR: In accordance with the provisions of section 6, Chapter 211, Statutes of 1903, we herewith submit a report of the proceedings under the provisions of said chapter for the year beginning January 1, 1913, and ending December 31, 1913.

F. W. RICHARDSON, State Treasurer.
JOHN S. CHAMBERS, State Controller.

[illegible]

Date	Items	Amount	Total
[illegible]	[illegible]	[illegible]	
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible] value		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible] par value		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible] par value		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible] par value		[illegible]
	[illegible]		[illegible]
	[illegible] bonds par value		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
	[illegible]		[illegible]
[illegible]		[illegible]	
		[illegible]	[illegible]
[illegible]			

INTEREST

The next payment of semiannual interest on bonds sold will be due Jan. 2, 1914, and will amount to		$40,000 00
Balance of interest in fund Dec. 31, 1913	$28,273 98	
Amount to be transferred back from principal	5,059 37	
Transfer of interest from S. F. Harbor Imp. Fund	6,666 65	
	$40,000 00	$40,000 00

SAN FRANCISCO SEAWALL SINKING FUND. RECEIPTS. 1913.

Date	Items	Investments returned to fund	Interest on investments	Principal	Transfer of interest	Total
1 1 1913	Amounts brought forward December 31, 1912	$12,000 00	$26,500 76	$537,557 27	$333,333 35	$939,391 38
1 2 1913	Transfer from San Francisco Harbor Improvement Fund			10,995 81	6,666 65	
1 3 1913	Interest on bonds purchased		1,110 00			
1 4 1913	Interest on bonds purchased		585 00			
1 6 1913	Interest on bonds purchased		1,625 08			
1 6 1913	Interest on bonds purchased		25 74			
1 7 1913	Interest on bonds purchased		800 00			
1 7 1913	Redemption of bonds	3,750 00				
1 17 1913	Interest on bonds purchased		400 00			
1 17 1913	Redemption of bonds	2,000 00				
1 21 1913	Interest on bonds purchased		100 00			
1 21 1913	Redemption of bonds	1,000 00				
2 1 1913	Transfer from San Francisco Harbor Improvement Fund			10,995 81	6,666 75	
2 3 1913	Interest on bonds purchased		916 87			
3 1 1913	Transfer from San Francisco Harbor Improvement Fund			10,995 81	6,666 65	
3 3 1913	Interest on bonds purchased		260 00			
4 1 1913	Transfer from San Francisco Harbor Improvement Fund			10,995 81	6,666 65	
4 1 1913	Interest on bonds purchased		75 00			
4 2 1913	Interest on bonds purchased		152 75			
4 8 1913	Interest on bonds purchased		978 75			
4 8 1913	Redemption of bonds and interest	1,000 00	1,000 00			
4 24 1913	Redemption of bonds	500 00				
5 1 1913	Transfer from San Francisco Harbor Improvement Fund			10,995 81	6,666 65	
5 5 1913	Interest on bonds purchased		666 88			
5 5 1913	Redemption of bonds	2,550 00				
6 2 1913	Transfer from San Francisco Harbor Improvement Fund			10,995 81	6,666 65	
6 2 1913	Interest on bonds purchased		69 50			
6 4 1913	Interest on bonds purchased		12 50			
6 4 1913	Interest on bonds purchased		510 00			
6 4 1913	Redemption of bonds	14,000 00				
6 6 1913	Interest on bonds purchased		2,267 12			
6 6 1913	Interest on bonds purchased		1,243 75			
6 6 1913	Redemption of bonds	10,500 00				
7 2 1913	Transfer from San Francisco Harbor Improvement Fund			10,995 81	6,666 65	
7 2 1913	Interest on bonds purchased		252 50			

7 2 1913	Interest on bonds purchased		2,099 63			
7 7 1913	Interest on bonds purchased		2,021 25			
7 7 1913	Redemption of bonds	16,250 00				
7 8 1913	Redemption of bonds	4,500 00				
7 8 1913	Interest on bonds purchased		1,545 75			
7 18 1913	Interest on bonds purchased		405 00			
7 6 1913	Interest on bonds purchased		75 00			
8 1 1913	Transfer from San Francisco Harbor Improvement Fund			10,995 81	6,666 65	
8 4 1913	Interest on bonds purchased		326 88			
8 7 1913	Interest on bonds purchased		75 00			
9 2 1913	Transfer from San Francisco Harbor Improvement Fund			10,995 81	6,666 75	
9 3 1913	Interest on bonds purchased		319 00			
9 3 1913	Redemption of bonds	2,525 00				
9 2 1913	Interest on bonds purchased		75 00			
10 1 1913	Transfer from San Francisco Harbor Improvement Fund			10,996 81	6,666 65	
10 3 1913	Interest on bonds purchased		155 75			
10 4 1913	Interest on bonds purchased		13 00			
10 6 1913	Interest on bonds purchased		1,636 25			
10 6 1913	Interest on bonds purchased		900 00			
10 6 1913	Redemption of bonds	1,500 00				
10 20 1913	Redemption of bonds	1,000 00				
10 20 1913	Interest on bonds purchased		650 00			
11 1 1913	Transfer from San Francisco Harbor Improvement Fund			10,995 81	6,666 65	
11 7 1913	Interest on bonds purchased		193 13			
12 1 1913	Transfer from San Francisco Harbor Improvement Fund			10,995 81	6,666 65	
12 2 1913	Interest on bonds purchased		62 50			
12 4 1913	Interest on bonds purchased		60 00			
12 8 1913	Interest on bonds purchased		[illegible]			
12 8 1913	Interest on bonds purchased		187 50			
12 1 1913	Interest on bonds purchased		7 50			394,141 93
		[illegible]	$84,817 97	[illegible]	[illegible]	$1,213,637 31
12 31 1913	Total of investments returned to fund			[illegible]		
12 31 1913	Total of interest on investments applied to principal			84,817 97		
				$860,099 96	[illegible]	$1,213,637 31

San Francisco Seawall Sinking Fund. Disbursements. 1913

Date	Items		Transfer	Investment as principal	Interest paid	Total
[illegible]	Totals brought forward December 31, 1912		$[illegible]	$[illegible]	$300,000 00	$902,971 1[illegible]
[illegible]	Payment of semiannual interest on bonds sold				40,000 00	
1-[illegible]-[illegible]	City of Oakland 4½ bonds			650 00		
	Accrued interest paid on above			73		
1-[illegible]-[illegible]	Los Angeles Polytechnic High School 4½ bonds	$[illegible] 00				
	Discount on above	21 00		9,478 91		
	Accrued interest on above			[illegible]		
2-15-1913	California Highway 4½ bonds			6,000 00		
	Accrued interest on above			21 [illegible]		
[illegible]	City of Alameda Public Library 4½ bonds			500 00		
[illegible]	City of Alameda Fire Protection			1,[illegible] 00		
[illegible]	City of Alameda Drainage			8[illegible] 00		
[illegible]	City of Alameda City Hall			1,[illegible] 00		
[illegible]	City of Alameda City Hall			5,000 00		
[illegible]	City of Alameda Range			7[illegible] 00		
[illegible]	City of Alameda Incinerator			[illegible] 00		
[illegible]	Accrued interest on above			2[illegible] 66		
[illegible]	City and County of San Francisco School 4½ bonds	$1,000 00				
	Discount on above	18[illegible]		14,872 [illegible]		
	Accrued interest on above			71 [illegible]		
[illegible]	Town of Fowler [illegible] bonds			7,000 00		
	Premium paid on above			11 70		
	Accrued interest on above			26 [illegible]		
[illegible]	State of California Highway 4½ bonds			7,000 00		
	Accrued interest on above			48 22		
4-15-1913	State of California Highway 4½ bonds			27,000 00		
	Accrued interest paid on above			267 00		
6-17-1912	State of California Highway 4½ bonds			25,000 00		
	Accrued interest on above			132 78		
[illegible]	City of Susun 5% bonds	$5,000 00				
	Discount on above	0 00		4,950 00		
	Accrued interest on above			77 78		
7-1-1913	Payment of semiannual interest on bonds sold				40,000 00	
8-1-1913	State of California Highway 4½ bonds	$1,000 00				
	Discount on above	2 00		950 00		
	Accrued interest on above			2 22		

8-11-1913	State of California Highway 4% bonds	$2,000 00				
	Discount on above	150 00		2,850 00		
	Accrued interest on above			10 00		
9-6-1913	Keen Camp School District 6% bonds			2,500 00		
9-6-1913	Accrued interest on above			36 25		
9-6-1913	State of California Highway 4% bonds	$2,000 00				
	Discount on above	100 00		1,900 00		
	Accrued interest on above			9 11		
9-6-1913	City of Sawtelle Central School Site 5½% bonds			21,000 00		
9-6-1913	Accrued interest on above			181 25		
9-19-1913	State of California Highway 4% bonds			18,000 00		
9-19-1913	Accrued interest on above			105 11		
9-25-1913	State of California Highway 4% bonds	$1,000 00				
	Discount on above	5 00		995 00		
	Accrued interest on above			8 11		
9-25-1913	Fontana Heights School District 7% bonds			18,000 00		
	Accrued interest on above			210 00		
10-9-1913	State of California Highway 4% bonds			40,000 00		
	Accrued interest on above			291 11		
11-6-1913	State of California Highway 4% bonds			20,000 00		
	Accrued interest on above			202 22		$312,288 17
			$8,067 50	$820,771 83	$98,000 00	$1,215,259 33
12-31-1913	Balance of transfer applied to principal			8,067 50		
12-31-1913	Balance of interest in fund				38,273 98	
12-31-1913	Total balance in fund					38,273 98
				$828,839 33	$136,273 98	$1,243,533 31

REPORT OF PROCEEDINGS UNDER THE SAN FRANCISCO SEAWALL ACT.

To His Excellency, HIRAM W. JOHNSON,
Governor of California.

SIR: In accordance with the provisions of section 6, Chapter 211, Statutes of 1903, we herewith submit a report of the proceedings under the provisions of said chapter for the year beginning January 1, 1914, and ending December 31, 1914.

FRIEND WM. RICHARDSON, State Treasurer.
JOHN S. CHAMBERS, State Controller.

CONDITION OF THE SAN FRANCISCO SEAWALL SINKING FUND, JANUARY 1, 1915.

Date	Items	Amount	Total
Total of transfers of principal		$801,456 71	
City of Oakland, Park, 4½ bonds par value			$6,000 00
City of Oakland M. I. 4½ bonds par value			650 00
City of San Diego M. I. 4½ bonds par value			25,000 00
City and Co. San Francisco Imp. 3½ bonds			15,000 00
City of Long Beach Harbor 4½ bonds par value			6,125 00
City of Piedmont 5 bonds par value			6,150 00
Ventura County Bridge 5 bonds par value			27,000 00
Nordhoff Union High School 5 bonds par value			2,000 00
City of Los Angeles Water Works 3¾ bonds			1,500 00
State of California Seawall 4 bonds par			19,000 00
City of San Diego W. Side Sewer 4½ bonds			9,000 00
City of San Diego Water 4½ bonds			2,000 00
City and Co. San Francisco School bonds par value			6,000 00
Richmond School Dist. 4½ bonds par value			11,000 00
Farmdale School Dist. 5 bonds par value			11,000 00
City of Long Beach Water 4½ bonds par value			22,000 00
Town of Ontario M. I. 5 bonds par value			4,950 00
City of San Jose 4½ bonds par value			750 00
Town of Sebastopol M. I. 4½ bonds par value			1,500 00
City of Roseville M. I. 5 bonds par value			8,000 00
City of Palo Alto Pub. Service 5 bonds			500 00
City of Vallejo M. I. 5 bonds par value			500 00
City of Coronado M. I. 5 bonds par value			32,000 00
State of California Highways 4 bonds par value			145,000 00
Orange Co. Almshouse and Bridge 5 bonds			8,000 00
City of Los Angeles Poly. High 3½ bonds			10,000 00
City of Alhambra M. I. 5 bonds par value			4,750 00
Town of Fowler M. I. 5 bonds par value			2,000 00
City of Suisun M. I. 5 bonds par value			5,000 00
Keen Camp School Dist. 6 bonds par value			2,500 00
City of Sawtelle 5½ bonds par value			20,000 00
Fontana Heights School 5 bonds par value			18,000 00
San Francisco Harbor Imp. 4 bonds par value			15,000 00
City of Corona M. I. 5½ bonds par value			4,000 00
Town of Sausalito Water 5 bonds par value			5,000 00
City of Vernon M. I. 5 bonds par value			2,500 00
City of Sacramento Water Main 4½ bonds			10,000 00
City of Sacramento Water Main 4½ bonds			1,800 00
State of California Seawall 4 bonds par value			222,000 00
City of Inglewood 5½ H. S. Dist. par value			5,000 00
City of San Diego Park 5 bonds par value			1,000 00
City of San Diego M. I. 5 bonds par value			250 00
City and Co. San Francisco Street R. R. 5 bonds			1,500 00
City of Santa Barbara M. I. 4½ bonds			2,000 00
City of Alhambra School 5 bonds par value			3,000 00
City of Alhambra H. S. Dist. 5 bonds par value			11,000 00
Present value of investment bonds at par			$719,925 00
Accrued interest on bonds not collected			12,515 37
Present value of investments			$732,440 37
Balance of principal in fund not invested			181,006 81
			$913,447 18
Excess value of fund over transfers		$119,990 47	
		$913,447 18	$913,447 18
Bonds sold (redeemable by lot between Jan. 1915, and Jan. 2, 1924)	$2,000,000 00		
INTEREST.			
The next payment of semiannual interest on bonds sold will be due Jan. 2, 1915, and will amount to			$40,000 00
Balance of interest in fund Dec. 1		$33,333 35	
Transfer of interest from S. F. Harbor Imp. Fund		6,666 65	
		$40,000 00	$40,000 00

San Francisco Seawall Sinking Fund. Receipts. 1914.

Date	Items	Investments returned to fund	Interest on investments	Principal	Transfer of interest	Total
1 1 1914	Amounts brought forward December 31, 1913	$75,875 00	$84,817 67	$999,566 00	$113,573 35	$1,243,333 31
1 2 1914	Transfer from San Francisco Harbor Improvement Fund			10,995 81	6,066 65	
1 5 1914	Interest on bonds purchased		2,004 68			
1 5 1914	Redemption of bonds	500 00				
1 6 1914	Interest on bonds purchased		1,67 50			
1 6 1914	Redemption of bonds	1,000 00				
1 6 1914	Interest on bonds purchased		697 50			
1 6 1914	Interest on bonds purchased		1,340 00			
1 8 1914	Interest on bonds purchased		16 25			
1 10 1914	Interest on bonds purchased		8 75			
1 13 1914	Redemption of bonds	2,500 00				
1 26 1914	Interest on bonds purchased		81 25			
1 27 1914	Interest on bonds purchased		105 00			
1 29 1914	Redemption of bonds	1,000 00				
1 31 1914	Interest on bonds purchased		75 00			
1 31 1914	Redemption of bonds	1,000 00				
2 2 1914	Transfer from San Francisco Harbor Improvement Fund			10,995 81	6,066 75	
2 5 1914	Interest on bonds purchased		16 87			
2 11 1914	Interest on bonds purchased		40 00			
3 2 1914	Transfer from San Francisco Harbor Improvement Fund			10,995 81	6,066 65	
3 5 1914	Interest on bonds purchased		24 87			
3 7 1914	Interest on bonds purchased		2 50			
4 1 1914	Transfer from San Francisco Harbor Improvement Fund			10,995 81	6,066 65	
4 2 1914	Interest on bonds purchased		18 75			
4 6 1914	Interest on bonds purchased		1,10 25			
4 6 1914	Redemption of bonds	1,000 00				
4 7 1914	Interest on bonds		2 50			
5 1 1914	Transfer from San Francisco Harbor Improvement Fund			10,995 81	6,066 65	
5 6 1914	Interest on bonds purchased		82 12			
5 6 1914	Redemption of bonds	1,000 00				
6 3 1914	Interest on bonds purchased		62 50			
6 3 1914	Interest on bonds purchased		2,62 50			
6 5 1914	Transfer from San Francisco Harbor Improvement Fund			10,995 81	6,066 65	
6 5 1914	Interest on bonds purchased		1,07 50			
6 5 1914	Redemption of bonds	1,000 00				
	Interest on bonds purchased		75 00			
7 1 1914	Transfer from San Francisco Harbor Improvement Fund			10,995 81	6,066 65	

San Francisco Seawall Sinking Fund. Receipts. 1914.

Date	Items	Investments returned to fund	Interest on investments	Principal	Transfer of interest	Total
7 2 1914	Interest on bonds purchased		680 00			
7 3 1914	Interest on bonds purchased		1,047 50			
7 3 1914	Redemption of bonds	8,000 00				
7 6 1914	Interest on bonds		3,900 00			
7 6 1914	Interest on bonds purchased		62 50			
7 6 1914	Redemption of bonds	3,250 00				
7 6 1914	Interest on bonds purchased		971 25			
7 7 1914	Interest on bonds purchased		14 63			
7 8 1914	Interest on bonds purchased		235 00			
7 [illegible] 1914	Redemption of bonds	5,000 00				
7 [illegible] 1914	Interest on bonds purchased		562 50			
7 [illegible] 1914	Redemption of bonds	16,500 00				
7 [illegible] 1914	Interest on bonds purchased		1,588 75			
7 [illegible] 1914	Interest on bonds purchased		395 00			
7 [illegible] 1914	Interest on bonds purchased		50 00			
8 1 1914	Transfer from San Francisco Harbor Improvement Fund			10,995 81	6,666 75	
8 6 1914	Interest on bonds purchased		16 88			
8 [illegible] 1914	Interest on bonds purchased		900 00			
9 1 1914	Transfer from San Francisco Harbor Improvement Fund			10,995 81	6,666 65	
9 1 1914	Redemption of bonds	500 00				
9 1 1914	Interest on bonds purchased		25 00			
9 8 1914	Redemption of bonds	2,275 00				
9 8 1914	Interest on bonds purchased		201 87			
9 1[illegible] 1914	Interest on bonds purchased		125 00			
10 1 1914	Transfer from San Francisco Harbor Improvement Fund			10,995 81	6,666 65	
10 1 1914	Redemption of bonds and interest	17,000 00	1,278 75			
10 1 1914	Interest on bonds purchased		328 75			
10 5 1914	Redemption of bonds	50,000 00				
10 5 1914	Interest on bonds purchased		488 80			
10 1[illegible] 1914	Interest on bonds purchased		600 00			
10 1[illegible] 1914	Redemption of bonds	1,000 00				
11 2 1914	Transfer from San Francisco Harbor Improvement Fund			10,995 81	6,666 65	
11 9 1914	Redemption of bonds	6,125 00				
11 9 1914	Interest on bonds purchased		399 37			
12 1 1914	Transfer from San Francisco Harbor Improvement Fund			10,995 81	6,666 65	

12/ 3 1914	Interest on bonds purchased		12 50			
12 7 1914	Redemption of bonds	2,500 00				
12 7 1914	Interest on bonds purchased		347 50			
12 8 1914	Redemption of bonds	91,000 00				
12 8 1914	Interest on bonds purchased		3,348 12			
12 10 1914	Interest on bonds purchased		75 00			
12 29 1914	Redemption of bonds	9,000 00				
12 29 1914	Interest on bonds purchased		225 00			
12 31 1914	Redemption of bonds	51,500 00				
12 31 1914	Interest on bonds purchased		2,786 87			610,117 22
		$426,375 00	$122,485 47	$801,456 71	$493,333 35	$1,853,650 53
12 31 1914	Total of investments returned to fund			426,375 00		
12 31 1914	Total of interest on investments applied to principal			122,485 47		
				$1,360,317 18	$493,333 35	$1,853,650 53

San Francisco Seawall Sinking Fund. Disbursements. 1914.

Date	Items		Transfer	Investment of principal	Interest paid	Total
1 1 1914	Totals brought forward December 31, 1913		$5,057 50	$830,201 83	$380,000 00	$1,215,259 33
1 6 1914	Payment of semianual interest on bonds sold				10,000 00	
1 8 1914	San Francisco Harbor Improvement 4% bonds			15,000 00		
	Accrued interest paid on above			8 33		
2 10 1914	State of California Highway 4% bonds			10,000 00		
	Accrued interest paid on above			42 22		
2 26 1914	State of California Seawall 4% bonds	87,000 00				
	Discount on above	175 00		6,825 00		
	Accrued interest on above			28 77		
3 5 1914	State of California Highway 4% bonds			5,000 00		
	Accrued interest on above			32 78		
4 [illegible]	City of Corona M. L. 4½% bonds			4,000 00		
	Accrued interest on above			171 67		
	State of California Highway 4% bonds	8,000 00				
	Discount on above	150 00		6,850 00		
	Accrued interest on above			39 33		
4 7 1914	State of California Highway 4% bonds	87,000 00				
	Discount on above	175 00		6,825 00		
	Accrued interest on above			47 44		
4 [illegible] 1914	City of Roseville M. L. 5% bonds			5,000 00		
	Accrued interest on above			71 53		
	Town of Sausalito Water 4% bonds			5,000 00		
	Accrued interest on above			61 89		
[illegible] 1914	City of Vernon 5% bonds			2,500 00		
	Accrued interest on above			17 92		
6 26 1914	State of California Highway 4% bonds			12,000 00		
	Accrued interest on above			218 67		
7 [illegible] 1914	Payment of semiannual interest on bonds sold				10,000 00	
8 28 1914	City of Sacramento, Water Main 4½% bonds	10,000 00				
	Discount on above	25 00		9,975 00		
	Accrued interest on above			33 75		
9 21 1914	State of California Seawall 4% bonds			125,000 00		
	Accrued interest on above			1,069 45		
10 2 1914	State of California Seawall 4% bonds			67,000 00		
	Accrued interest on above			662 56		

10/10/1914	State of California Seawall 4½ bonds			10,000 66		
	Accrued interest on above			106 83		
11/09/1914	Payment interest Bank of Italy Exchange of bonds			12 22		
11/14/1914	State of California Seawall 4½ bonds			10,000 00		
	Accrued interest on above			122 66		
11/14/1914	City of Inglewood ½% bonds			5,000 00		
	Accrued interest on above			235 00		
	Premium on above			18 00		
	City of Sacramento ½% bonds	81,80 00				
	Discount on above	69 72		4,734 28		
	Accrued interest on above			75 00		
	City of San Diego Park ½% bonds			1,000 00		
	City of San Diego M. I. ½% bonds			2,000 00		
	Accrued interest on above			2 08		
	San Francisco Street Railroad ½% bonds			1,000 00		
	San Francisco Street Railroad ½% bonds			500 00		
	Accrued interest on above			2 29		
	City of Santa Barbara M. I. ½% bonds	20,000 00				
	Discount on above	12 00		1,987 50		
	Accrued interest on above			4 25		
	South Pasadena M. I. ½% bonds			2,000 00		
	Accrued interest on above			31 44		
	Alhambra City School District ½% bonds			5,000 00		
	Accrued interest on above			64 58		
	Alhambra High School District ½% bonds			11,000 00		
	Accrued interest on above			236 81		
12/11/1914	Payment of semiannual interest on bonds sold				40,000 00	
12/29/1914	State of California Seawall 4½ bonds	[illegible] 00				
	Discount on above bonds	1 00		[illegible] 45		463,979 61
			$[illegible] 00	$1,174,181 44	$400,000 00	$1,879,258 94
12/31/1914	Balance of transfer applied to principal		[illegible]	3057 00		
	Balance of interest in fund			[illegible]	174,411 59	
	Total balance in fund					174,411 59
				$[illegible] 84	$574,411 59	$1,853,650 53

REPORT OF PROCEEDINGS UNDER THE SAN FRANCISCO SEAWALL ACT.

To His Excellency, HIRAM W. JOHNSON,

Governor of California.

SIR: In accordance with the provisions of section 6, Chapter 211, Statutes of 1903, we herewith submit a report of the proceedings under the provisions of said chapter for the year beginning January 1, 1915, and ending January 1, 1916.

FRIEND WM. RICHARDSON, State Treasurer.
JOHN S. CHAMBERS, State Controller.

Dated, Sacramento, California, January 28, 1916.

CONDITION OF THE SAN FRANCISCO SEAWALL SINKING FUND, JANUARY 1, 1916.

Total of transfers of principal	$925,821 27	
City of Oakland M. I. 4½ bonds par value	----------	$650 00
Town of Fowler M. I. 5 bonds par value	----------	500 00
Present value of investment bonds at par	----------	$1,150 00
Accrued interest on bonds not collected	----------	27 13
Present value of investments	----------	$1,177 13
To be returned to principal from Int. Transfer	----------	6,000 00
Balance in fund	----------	859,042 08
Bonds redeemed	----------	200,000 00
Total		$1,066,219 21
Excess value of fund over transfers		$140,397 94

SAN FRANCISCO SEAWALL SINKING FUND. RECEIPTS. 1915.

Date	Items	Premium	Investments retained [illegible]	Interest on investments	Principal	Transfer of interest	Total
1/ 2 1915	Amounts brought forward December 31, 1914		$[illegible]	$12,485 [illegible]	$[illegible]	$[illegible]	$1,[illegible]
1/ 2 1915	Transferred from San Francisco Harbor Improvement Fund				[illegible]	[illegible]	
1/ 2 1915	Interest on bonds purchased			[illegible]			
1/ 2 1915	Interest on bonds purchased			[illegible]			
1/ 5 1915	Interest on bonds purchased			[illegible]			
1/11 1915	Interest on bonds purchased			[illegible]			
1/16 1915	Interest on bonds purchased			[illegible]			
1/26 1915	Interest on bonds purchased			[illegible]			
1/26 1915	Redemption of bonds		[illegible]				
2/ 1 1915	Transferred from San Francisco Harbor Improvement Fund				[illegible]	[illegible]	
2/ 6 1915	Interest on bonds purchased			[illegible]			
2/ 8 1915	Interest on bonds purchased			[illegible]			
3/ 1 1915	Transferred from San Francisco Harbor Improvement Fund				[illegible]	[illegible]	
3/ 1 1915	Interest on bonds purchased			[illegible]			
3/ 3 1915	Interest on bonds purchased			[illegible]			
3/ 4 1915	Interest on bonds purchased			[illegible]			
3/ 8 1915	Interest on bonds purchased			[illegible]			
4/ 1 1915	Transferred from San Francisco Harbor Improvement Fund				[illegible]	[illegible]	
4/ 3 1915	Interest on bonds purchased			[illegible]			
4/ 3 1915	Redemption of bonds		[illegible]				
4/ 8 1915	Interest on bonds purchased			[illegible]			
4/ 8 1915	Interest on bonds purchased			[illegible]			
4/ 8 1915	Redemption of bonds		[illegible]				
4/28 1915	Interest on bonds purchased			[illegible]			
4/28 1915	Redemption of bonds		[illegible]				
5/ 3 1915	Transferred from San Francisco Harbor Improvement Fund				[illegible]	[illegible]	
5/ 3 1915	Interest on bonds purchased			[illegible]			
5/ 3 1915	Redemption of bonds		[illegible]				
5/ 3 1915	Interest on bonds purchased			[illegible]			
6/ 1 1915	Transferred from San Francisco Harbor Improvement Fund				[illegible]	[illegible]	
6/ 2 1915	Interest on bonds purchased			[illegible]			
6/ 4 1915	Interest on bonds purchased			[illegible]			
6/ 4 1915	Redemption of bonds		[illegible]				
6/ 7 1915	Interest on bonds purchased			[illegible]			
6/ 7 1915	Redemption of bonds		[illegible]				
6/11 1915	Interest on bonds purchased			[illegible]			
7/ 1 1915	Transferred from San Francisco Harbor Improvement Fund				[illegible]	[illegible]	

SAN FRANCISCO SEAWALL SINKING FUND. RECEIPTS. 1915.—Continued.

Date	Items	Premium	Investments returned to fund	Interest on investments	Principal	Transfer of interest	Total
7 1 1915	Interest on bonds purchased			$85 75			
7 2 1915	Interest on bonds purchased			7,497 00			
7 2 1915	Redemption of bonds		$10,800 00				
7 3 1915	Interest on bonds purchased			187 50			
7 3 1915	Redemption of bonds		5,500 00				
7 6 1915	Interest on bonds purchased			712 50			
7 6 1915	Redemption of bonds		8,000 00				
7 8 1915	Interest on bonds purchased			99 63			
7 9 1915	Interest on bonds purchased			25 00			
7 9 1915	Redemption of bonds		18,000 00				
7 12 1915	Interest on bonds purchased			10 00			
7 16 1915	Interest on bonds purchased			15 00			
7 19 1915	Interest on bonds purchased			12 00			
7 20 1915	Interest on bonds purchased			2 00			
7 20 1915	Interest on bonds purchased			75 00			
8 4 1915	Interest on bonds purchased				$16,[illegible] 25	$6,000 00	
8 4 1915	Transferred from San Francisco Harbor Improvement Fund			16 87			
8 5 1915	Interest on bonds purchased		75 00				
8 5 1915	Redemption of bonds				1,[illegible] 75	6,000 00	
9 1 1915	Transferred from San Francisco Harbor Improvement Fund			125 00			
9 3 1915	Interest on bonds purchased			56 25			
9 8 1915	Interest on bonds purchased		2,250 00				
9 8 1915	Redemption of bonds			118 [illegible]			
9 11 1915	Interest on bonds purchased		1,000 00				
9 11 1915	Redemption of bonds				1,[illegible] 25	6,000 00	
10 1 1915	Transferred from San Francisco Harbor Improvement Fund			1,222 50			
10 6 1915	Interest on bonds purchased			25 00			
10 6 1915	Interest on bonds purchased		1,000 00				
10 28 1915	Redemption of bonds			50 00			
10 28 1915	Interest on bonds purchased				1,[illegible] 25	6,000 00	
11 1 1915	Transferred from San Francisco Harbor Improvement Fund		3,000 00				
11 3 1917	Transferred from San Francisco Harbor Improvement Fund			247 81			
11 4 1915	Interest on bonds purchased		6,12 00				
11 4 1915	Redemption of bonds				1,[illegible] 25	6,000 00	
12 1 1915	Transferred from San Francisco Harbor Improvement Fund			75 00			
12 1 1915	Interest on bonds purchased			1 56			
12 3 1915	Interest on bonds purchased			85 00			
12 4 1915	Interest on bonds purchased						
12 6 1915	Sale of bonds		384,750 00				

12/ 6/1915	Interest on bonds sold			6,38 39			
12/ 6/1915	Premium on bonds sold	[illegible]					
12/ 6/1915	Sale of bonds		[illegible]				
12/ 6/1915	Interest on bonds sold			[illegible]			
12/ 6/1915	Premium on bonds sold	262 50					
12/ 8/1915	Interest on bonds purchased			[illegible]			
12/ 8/1915	Sale of bonds		[illegible]				
12/ 8/1915	Interest on bonds sold			[illegible]			
12/ 8/1915	Premium on bonds sold	[illegible]					
12/ 9/1915	Sale of bonds		[illegible]				
12/ 9/1915	Interest on bonds sold			[illegible]			
12/ 9/1915	Premium on bonds sold	[illegible]					
12/10/1915	Interest on bonds purchased			5 00			$[illegible]
		$[illegible]	$[illegible]	$[illegible]	$[illegible]	$[illegible]	$2,811,[illegible]

SAN FRANCISCO SEAWALL SINKING FUND. DISBURSEMENTS—1915.

Date	Items	Redemption of bonds issued	Transfer	Investment of funds	Interest paid	Total
1/ 2/1915	Totals brought forward December 31, 1914		$[illegible]	$1,[illegible]	$[illegible]	$1,[illegible]
1/ 2/1915	Redemption of bonds issued	[illegible]				
1/ 4/1915	Redemption of bonds issued	[illegible]				
6/ 9/1915	Payment of semiannual interest on bonds sold				[illegible]	
12/ 9/1915	Payment of semiannual interest on bonds sold				[illegible]	[illegible]
		[illegible]	[illegible]	[illegible]	[illegible]	$1,[illegible]
	Balance transfer applied to principal			[illegible]		
	Total balance in fund					[illegible]
		[illegible]	[illegible]	$1,[illegible]	[illegible]	$2,811,[illegible]

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SACRAMENTO, January 25, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 222—An act to amend section 4248 of the Political Code relating to the salaries, fees and expenses of officers in counties of the nineteenth class;

Also: Senate Concurrent Resolution No. 12—Approving the charter of the city of Santa Barbara, State of California, voted for and ratified by the qualified electors of said city of Santa Barbara at a special municipal election held therein for that purpose on the twenty-first day of September, 1915;

And report that the same have been correctly engrossed.

CANEPA, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Joint Resolution No. 3—Relative to the establishment of definite lines of division between federal and state taxes, and the calling of a congress of the states to consider conflicting jurisdictions of the federal and state governments—And report that the same has been correctly reengrossed.

CANEPA, Chairman.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(RESUMED).

The following bills were introduced:

By Senator Luce (by request): Senate Bill No. 659—An act to amend section 570 of the Code of Civil Procedure of the State of California, relating to the disposition of unclaimed funds in the hands of a receiver.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 660—An act to appropriate one hundred thousand dollars to be expended for the collection and maintenance of a state exhibit on the grounds of the Panama-California Exposition at San Diego.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 661—An act to amend section 626*d* of the Penal Code, relating to the regulation of hunting, taking, killing, pursuing or destroying of game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 662—An act amending section 3650 of the Political Code, relating to the assessment book of county assessors.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 663—An act to validate bonds issued and sold, or to be issued and sold for the purpose of the acquisition or construction of any public improvement work or public utility in any portion of a municipality.

Bill read first time, and referred to Committee on Municipal Corporations.

Also (by request): Senate Bill No. 664—An act to amend section 348 of the Code of Civil Procedure of the State of California, relating to the limitation of time within which to bring actions where money is deposited in a bank.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 665—An act to repeal section 280b of the Political Code, relating to admission of graduates of law school to practice law.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 666—An act to amend section 4236 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers and of grand and trial jurors in counties of the seventh class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 667—An act to amend section 688 of the Penal Code, relating to the rights of defendants in criminal actions.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 668—An act to appropriate money for the repair of the Naval Reserve Armory at San Diego, California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 669—An act to amend section 268 of the Political Code, relating to salaries of officers and attaches of Senate and Assembly.

Bill read first time, and referred to Committee on Judiciary.

By Senator Breed: Senate Bill No. 670—An act to amend an act entitled "An act to define investment companies, investment brokers, and agents; to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation thereof; to create the office of commissioner of corporations, and making an appropriation therefor," approved May 28, 1913.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 671—An act amending section 3 of an act entitled "An act authorizing the construction of the unfinished portion of the library building of the University of California, and the construction of a building for general use as a recitation building, of a building for the use of the College of Agriculture, and of a building for the use of the College of Natural Sciences as a chemistry building, upon the grounds of said University of California at Berkeley; providing for the issuance and sale of state bonds to meet the cost of the foregoing purposes; and providing the necessary moneys for the payment of the principal and interest to become due on said bonds," adopted as an initiative measure by vote of the people November 3, 1914.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 672—An act to amend section 6 of an act entitled "An act to establish a standard form of fire insurance policy and to prevent variations therefrom, excepting under certain stated conditions and restrictions," approved March 18, 1909, relating to what may be added to the standard form of fire insurance policy.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 673—An act to provide for the establishment and maintenance by fire insurance corporations of guaranty surplus funds and special reserve funds and thereby limiting liability and to provide for the waiver by policy holders of recourse against stockholders of such corporations.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 674—An act to amend sections 1, 2, 3, 4, 5, 6 and 9 of an act entitled "An act to establish a legislative counsel bureau and making an appropriation therefor," approved May 26, 1913, as amended.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 675—An act to add a new section to the Code of Civil Procedure, to be known and designated as section 1764*a* of such code, providing a rule for the selection and designation of guardians of the person and estate, or person or estate, of insane or incompetent persons.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 676—An act to amend section 453*c* of the Civil Code, relating to mortgage insurance.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 677—An act to add to the Civil Code of the State of California, a new section, to be designated as section 242 of such code, providing in certain cases for the appointment by will or deed of guardians for the person and estate, or person or estate, of insane or incompetent persons.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 678—An act to amend section 63 of an act entitled "An act to amend sections 3, 5, 6, 7, 11, 12, 18, 21, 23, 25, 27, 42, 43, 60, 63, 66, 67, 74 and 75, of an act entitled 'An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds,' approved April 7, 1911, and repealing sections 36, 84, 85, 86, 87, 88 and 89 thereof relating to work in unincorporated territory," approved June 11, 1915.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 679—An act to provide for and regulate the issuance of stock without nominal or par value by public utility corporations now existing or hereafter organized.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 680—An act to amend section 36 of an act entitled "An act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 27, 1915.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 681—An act to determine and to declare the effect of state land patents in certain cases.

Bill read first time, and referred to Committee on Judiciary.

By Senator King: Senate Bill No. 682—An act appropriating money for the purpose of financing the scientific investigation and search for certain beneficial insects.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 683—An act to add a new section to the Penal Code of the State of California, to be numbered 632c, relating to the protection of trout.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 684—An act to reimburse the county of Inyo for net loss of revenue sustained by the withdrawal of railroad property from county taxation under the provisions of section 14 of Article XIII of the Constitution of this State.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 685—An act to add a new section to the Political Code of the State of California, to be known as section 1718, relating to elementary school district libraries.

Bill read first time, and referred to Committee on Education.

By Senator Irwin: Senate Bill No. 686—An act to amend section 47 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 687—An act to amend section 67 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act and repealing Title XV of Part IV of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 688—An act to amend section 70 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 689—An act to amend section 32 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 690—An act to amend section 1238 of the Code of Civil Procedure, relating to the public uses in behalf of which the right of eminent domain may be exercised.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Senate Bill No. 691—An act to amend the title, and sections 4, 5, 6, 12, 13, 14, 15 and 15*a* of an act entitled "An act to be known as 'The California Irrigation Act' providing for cooperation between the State of California and the United States and independent proceedings in the storage and diversion of water, the distribution, thereof for irrigation, the manufacture of power and for domestic purposes; creating an irrigation board to form water districts, make contracts, construct reservoirs, divert and distribute water, generate, lease and sell electric current, lease water power, levy assessments, issue bonds of water districts; providing for the management, control and supervision of such water districts and of the works constructed pursuant to this act; directing the State Department of Engineering relative to such works; authorizing irrigation districts to reorganize under this act and generally providing a policy relating to storage, diversion and use of water, and adopting a plan for providing revenues therefor," approved June 4, 1915.

Bill read first time, and referred to Committee on Irrigation.

By Senator Crowley: Senate Bill No. 692—An act to amend section 1548 of the Political Code of the State of California, relating to postage, expressage, printing and binding of documents and other incidental expenses of the county, or city and county, superintendent of schools.

Bill read first time and referred to Committee on Education.

Also: Senate Bill No. 693—An act to amend sections 1712 and 1714 of the Political Code of the State of California, relating to school libraries, what books and apparatus may be bought, how and when they may be purchased, and providing a library fund in cities, and cities and counties.

Bill read first time and referred to Committee on Education.

Also: Senate Bill No. 694—An act to amend sections 1560, 1564 and 1565 of the Political Code of the State of California relating to teachers' institutes or conventions, joint institutes or conventions, institute expenses, penalties for failure to hold institutes, and fees for certificates, and institute and library fund.

Bill read first time and referred to Committee on Education.

By Senator Ballard: Senate Bill No. 695—An act making unlawful certain conspiracies, combinations and agreements for the purpose of

preventing the carrying on of any lawful business within the State of California, or for the purpose of interfering with or injuring the same, and making unlawful any act done pursuant to or in furtherance of any such conspiracies, combinations or agreements, and providing certain civil remedies therefor, and repealing all acts or parts of acts inconsistent with this act.

Bill read first time, and referred to Committee on Judiciary.

By Senator Duncan: Senate Bill No. 696—An act for the relief of Jacob Moak, and to appropriate money therefor.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 697—An act for the relief of Sim Moak, and to appropriate money therefor.

Bill read first time, and referred to Committee on Finance.

By Senator Brown: Senate Bill No. 698—An act to amend section 280*b* of the Code of Civil Procedure, relating to licenses to practice law.

Bill read first time, and referred to Committee on Judiciary.

By Senator Slater: Senate Bill No. 699—An act providing for a state road in Sonoma County, and making an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 700—An act appropriating one thousand five hundred dollars for the restoration and rebuilding of the two old bastions and the old entrance gate and portions of the stockade, and for repairs to existing buildings on the property of the State at Fort Ross, Sonoma County, California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 701—An act empowering and authorizing the Board of Fish and Game Commissioners to insure against loss or damage by fire the property of the State of California.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 702—An act to repeal section 637*c* of the Penal Code of the State of California.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Flaherty: Senate Bill No. 703—An act making it the duty of railroads operating in whole or in part within the State of California to provide first medical aid to injured passengers, employees or other persons, and providing a penalty for violation thereof.

Bill read first time, and referred to Committee on Public Utilities.

By Senator Carr, F. M: Senate Bill No. 704—An act to amend section 1519*a* of the Political Code, relating to free textbooks for state institutions.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 705—An act to amend sections 1663, 1771 and 1775 of the Political Code, relating to the classification of schools, the powers of county boards of education and the granting of teachers' certificates.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 706—An act to amend subdivision 3 of section 1770 of the Political Code, relating to the compensation and mileage of the members of the county board of education.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 707—An act to amend subdivision 7 of section 1543 of the Political Code, relative to the powers and duties of the superintendent of schools of each county, in the matter of issuing temporary certificates.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 708—An act to amend section 344 of the Political Code of the State of California, relating to the interpretation of various terms and titles used in relation to the fish and game commissions and commissioners, and creating the office of fish and game commissioner and providing for the employment and appointment by the commissioner of necessary deputies, assistants and employees and providing for their compensation and defining their qualifications.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Gates: Senate Bill No. 709—An act to amend section 5 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the use of said funds," approved June 16, 1913.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 710—An act making an appropriation for the establishment in Los Angeles of a branch of the extension division of the University of California.

Bill read first time, and referred to Committee on Universities.

Also: Senate Bill No. 711—An act making an appropriation for the maintenance in the city of Santa Monica of a summer session of the University of California.

Bill read first time, and referred to Committee on Universities.

Also: Senate Bill No. 712—An act to add a new section to the Political Code, to be numbered 1528, providing for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 713—An act permitting any incorporated city, municipal corporation or town to make agreements with the board of supervisors, highway commissioners, commissioner or other authority in charge of the roads and highways of the county in which it is situate for the construction, maintenance and supervision of its roads and streets as a road district of such county and to make agreements with any similar state authority for the construction or maintenance of any main state highway within its limits.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 714—An act to amend an act entitled "An act for the relief of purchasers of school lands," approved June 3, 1913.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 715—An act to regulate and control the business of making personal loans and to regulate the assignment of wages when given as security for any such loan.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 716—An act relating to the regulation of real estate brokers, agents, salesmen and dealers in the State of California.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 717—An act to validate proceedings for the annexation of territory to municipal corporations under the provisions of an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the districting, government and municipal control of such annexed territory," approved June 11, 1913, and the acts amendatory thereof.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Canepa: Senate Bill No. 718—An act to provide for the furnishing recreation piers on the waterfront of the city and county of San Francisco.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 719—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, by adding a new section thereto to be numbered 256a.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 720—An act to amend section 1365 of the Code of Civil Procedure, relating to persons entitled to administration of estates.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 721—An act to provide for the erection of a memorial monument to Christopher Columbus and George Washington; appointing a commission therefor and providing an appropriation to carry this act into effect.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 722—An act making an appropriation to assist in the construction of a boulevard upon Telegraph Hill in the city and county of San Francisco.

Bill read first time, and referred to Committee on Finance.

By Senator Sharkey: Senate Bill No. 723—An act establishing a state military commission and defining its powers and duties, providing for military training in high and secondary schools, and making an appropriation therefor.

Bill read first time, and referred to Committee on Military Affairs.

By Senator Ingram: Senate Bill No. 724—An act authorizing boards of supervisors of the several counties in this state to employ competent persons to cruise the timberlands in their respective counties, for the purpose of assessment.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 725—An act to amend an act entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 726—An act to provide whole family protection for members of fraternal benefit societies.

Bill read first time, and referred to Committee on Insurance.

By Senator Rush: Senate Bill No. 727—An act to provide for the creation and organization of road improvement districts; to provide for the issuance and sale of bonds by such districts and the levy and collection of taxes for payment of principal and interest on such bonds; to authorize road improvement districts created under the provisions hereof to construct and maintain roads in such districts, and to raise money for such purposes and to repeal acts in conflict herewith.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 728—An act to amend an act entitled "An act to provide for the management and control of the State Agricultural Society by the State," approved April 15, 1880, as amended January 11, 1913, and again amended May 29, 1915.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 729—An act to repeal an act entitled "An act to provide for the formation, government and control of overflow districts," approved May 1, 1911.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 730—An act to amend section 3480 of the Political Code, relating to swamp and overflowed, salt-marsh and tide lands.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 731—An act to amend sections 3446, 3447, 3449, 3452, 3453, 3454, 3455, 3456, 3457, 3459, 3460, 3462, 3463, 3465, 3466, and 3491, and to repeal sections 3467 and 3468, of the Political Code and relating to swamp and overflowed, salt-marsh and tide lands.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 732—An act to amend section 4300*b* of the Political Code, relating to sheriffs' fees.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 733—An act providing for the appointment by the Reclamation Board of the State of California, of commissioners to view and assess upon the land within any reclamation district required by law to construct any portion of any by-pass provided for or approved by the Reclamation Board of the State of California, the sum estimated by the board of trustees of such reclamation district, by any original plan or plans of reclamation or any amended original plan of reclamation or any new, supplemental, or additional plan with the estimates of the cost of the works necessary for the reclamation of the lands in such district, in pursuance of any such plan or plans and the incidental expense, prescribing the powers and duties of such commissioners and of the Reclamation Board, directing the clerk of the board of supervisors to which said plan or plans have been reported to certify certain facts to the Reclamation Board, providing that the Reclamation Board shall appoint a time and place to hear objections

to the assessment, making the assessment a lien upon the lands assessed, providing for the payment of such assessments, and providing for the payment of expenses and compensation to the commissioners and Reclamation Board, and repealing the provisions of all acts and parts of acts inconsistent with this act.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 734—An act to add a new section to the Political Code of the State of California to be numbered section 3472*a*, providing that when a reclamation district heretofore or hereafter formed under the laws of the State of California has been or is required or authorized by law or by the Reclamation Board of the State of California, to construct any portion of any levee constituting a part of a by-pass provided for or approved by the Reclamation Board, the Reclamation Board shall have exclusively the powers and perform exclusively all the duties prescribed by the Political Code, or any law of this State possessed, or to be performed by the board of supervisors that otherwise would have jurisdiction over such reclamation district, or its board of trustees, in the management, control and administration of the affairs of such district, and that the Reclamation Board shall be substituted exclusively as to all intents and purposes for such board of supervisors, and its orders, acts and proceedings shall have like effect, as in the case of such board of supervisors prior to this act, and repealing all acts and parts of acts in conflict with the provisions of this act.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Rominger: Senate Bill No. 735—An act to amend section 10 of an act entitled "An act to encourage and provide for a general vaccination for all public and private schools of California, specifying the duties of certain officers and persons with relation thereto making violations of its provisions a misdemeanor, providing penalties, and repealing an act entitled 'An act to encourage and provide for a general vaccination in the State of California,' approved February 20, 1899," approved March 7, 1911.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 736—An act to add a new section to the Penal Code to be numbered section 653*f*, relating to the restrictions of the number of individuals who may learn a trade.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 737—An act providing for the purchase of a site upon which to erect a branch state prison and reformatory; making an appropriation therefor; creating a commission to select and purchase such site; and making an appropriation to defray the expenses of such commission.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 738—An act to amend sections 1917 and 1918 of the Civil Code, and to add a new section to the Civil Code to be numbered section 1918*a*, relating to rate of interest.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 739—An act to amend section 1519 of the Political Code, relating to powers and duties of the State Board of Education.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 740—An act to provide for the prevention of forest fires in the San Antonio canyon in the San Gabriel Mountains, California, and to make an appropriation therefor.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 741—An act to amend section 5 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of president and vice president of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the direct primary law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said direct primary law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913.

Bill read first time, and referred to Committee on Elections.

By Senator Kehoe: Senate Bill No. 742—An act to amend section 264 of the Penal Code of the State of California, relating to punishment for rape.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 743—An act to add a new section to the Political Code to be numbered 633*d*, relating to the licensing of adjusters or insurance adjusters.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 744—An act for the prevention of fire waste, the creation of the office and appointment of a state fire marshal, authorizing the appointment of his assistants and deputies, to prescribe their several powers, duties and compensation; to prescribe procedure in certain cases; providing penalties for violations of the provisions hereof.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 745—An act to amend section 1 of an act known as and designated the "road district improvement act of 1907," approved March 21, 1907, and acts amendatory thereof.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 746—An act to add a new section to the Code of Civil Procedure, to be numbered 1381, relating to joint administration of estates under the value of one thousand five hundred dollars where the property is required by law to pass through several persons who have died.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 747—An act to add a new section to the Penal Code, to be numbered 1157*a*, relating to the giving of evidence of mitigating circumstances after verdict in cases of homicide.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 748—An act to amend section 190 of the Penal Code, relating to the punishment for murder.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 749—An act authorizing the governor to appoint a commission to investigate and advise the legislature concerning the adoption of a system of social insurance, and to make a report to the forty-third session of the legislature and making an appropriation therefor.

Bill read first time, and referred to Committee on Insurance.

By Senator Benson: Senate Bill No. 750—An act to add a new section to the Political Code, to be numbered section 3804½, relating to the payment of taxes on property assessed by two or more counties and to cancellation of erroneous assessments.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 751—An act to prevent the importation into or transportation through the State of California of insects injurious to cultivated crops, providing exemption for specific scientific purposes, fixing the authority to grant such exemption and providing a penalty for a violation of the terms of this act.

Bill read first time, and referred to Committee on Agriculture.

Also (by request): Senate Bill No. 752—An act to amend section 1502 of the Code of Civil Procedure, relating to actions pending against a decedent at the time of his death.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Senate Bill No. 753—An act to amend an act entitled "An act to amend the title and an act entitled 'An act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children; providing for the punishment of persons responsible for or contributing to, the dependency or delinquency of children, and giving to the superior court jurisdiction of such offenses, and repealing inconsistent acts,' approved March 8, 1909, and as amended by an act approved April 5, 1911," by adding a new section thereto, providing for the appointment of a commissioner of the superior court to hear and determine matters and causes arising under this act, and fixing his duties, term of office, and salary.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 754—An act to amend section 1 of an act entitled "An act creating an advisory pardon board; defining and prescribing the powers and duties thereof; and making an appropriation therefor," approved May 18, 1915.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Senator Inman (by request): Senate Bill No. 755—An act to amend sections 2239, 2283, 2287 and 2289 of the Civil Code, relating to trusts.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Senate Bill No. 756—An act to amend section 199 of the Code of Civil Procedure of the State of California, in relation to the competency of jurors.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 757—An act providing for the giving of notice of time and place of sale under deed of trust, mortgage or other instrument containing a power of sale, to any person having a lien upon or interest in the real property to be sold thereunder, and giving such person the right of redemption where no such notice is given.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Senate Bill No. 758—An act to amend subdivision 3 of section 537, and subdivision 3 of section 538, of the Code of Civil Procedure, relating to attachments and affidavit for attachment.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Senate Bill No. 759—An act to amend sections 2 and 60 of an act entitled, "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the "Railroad Commission Fund" and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act, approved April 23, 1915, relating to common carriers, defining what shall constitute common carriers, and providing that when two or more public utilities are engaged in competition, either may make complaint against the other that the rates, charges, rules and regulations of one are unreasonable, discriminatory, illegal, unfair, or tending to oppress, to stifle competition or to create or encourage the creation of monopoly, and giving the Railroad Commission power to correct the abuse complained of.

Bill read first time, and referred to Committee on Public Utilities.

By Senator Stuckenbruck: Senate Bill No. 760—An act to amend section 13 of an act entitled, "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended April 24, 1915.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Scott: Senate Bill No. 761—An act to repeal sections 1959 and 2027 of the Political Code of the State of California, and to amend sections 1918, 1919, 1924, 1925, 1926, 1927, 1928*a*, 1928*b*, 1928*d*, 1929, 1930, 1931, 1932, 1932½, 1933, 1934, 1951, 1953, 1954, 1955, 1956, 1957, 1958, 1960, 1980, 1982, 2006, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2026, 2086, 2107, 2111, and 2112, of the Political Code of the State of California, all relating to the National Guard of the State of California.

Bill read first time, and referred to Committee on Military Affairs.

Also: Senate Bill No. 762—An act appropriating the sum of forty thousand dollars to defray the expenses, during the sixty-ninth and seventieth fiscal years, of organizing, controlling, equipping, instructing and maintaining high school cadet companies in the State of California, and for promoting rifle practice in said companies and to further carry out the purposes of an act entitled "An act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911.

Bill read first time, and referred to Committee on Military Affairs.

By Senator Thompson: Senate Bill No. 763—An act to amend section 626*g* of the Penal Code of the State of California, relating to the protection of game.

Bill read first time and referred to Committee on Fish and Game.

Also: Senate Bill No. 764—An act to add a new section to the Penal Code of the State of California, to be numbered section 630*a*, relating to the protection of fish and game and providing additional penalties for the violation of the laws relating thereto.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 765—An act to appropriate money to reimburse the fish and game preservation fund for compensation benefits paid out of said fund to the officers and employees of the Fish and Game Commission, while performing services out of and incidental to their employment.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 766—An act to amend sections 2957 and 2959 of the Civil Code, and to add thereto two new sections to be numbered 2963*a* and 2973*a*, all relating to mortgages and contracts of sale of personal property.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 767—An act to regulate the business of dealing in fish by wholesale and retail for profit and to provide therefrom revenue for the conservation, propagation and restoration of fish in the State of California, and providing for a record of the transactions therein and providing penalties for the violation thereof and repealing all acts and parts of acts in conflict herewith.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 768—An act to amend "An act to regulate the vocation of fishing and to provide therefrom revenue for the propagation, restoration and conservation of fish in the waters of the State of California," approved March 13, 1909.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 769—An act to amend sections 2, 4, 5, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, 27, 31, 33, 36, 37, 38, 40, 41, 42, 43, 44, 46, 47, 48, 49 of an act entitled "An act establishing and creating a department of the State Mining Bureau for the protection of the natural resources of petroleum and gas from waste and destruction through improper operations in production; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make

certain reports; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act," approved June 10, 1915, and to add two new sections thereto to be numbered 21*a* and 49*a*.

Bill read first time, and referred to Committee on Oil Industries.

By Senator Rigdon: Senate Bill No. 770—An act to incorporate standard provisions in policies of accident and health insurance, to prevent discriminations in connection therewith and to prescribe penalties for violations of the provisions hereof.

Also: Senate Bill No. 771—An act to amend section 1858 of the Political Code, relating to the appropriation of school moneys.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 772—An act appropriating money for the purpose of acquiring an additional watershed for the use of the California Polytechnic school at San Luis Obispo.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 773—An act appropriating money for the purpose of constructing new school and farm buildings to be used in connection with the California Polytechnic school at San Luis Obispo.

Bill read first time, and referred to Committee on Education.

By Senator Duncan: Senate Bill No. 774—An act appropriating money to reimburse Reclamation District 1001 for the expense of repair and re-construction of Nelson's Bend on the Feather River in Sutter County.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 775—An act to repeal an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a reclamation board and defining its powers," approved December 24, 1911; and as amended May 26, 1913.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Scott: Senate Bill No. 776—An act to amend section 2086 of the Political Code, relating to the salaries of officers, clerks, and employees of the Adjutant General's office.

Bill read first time, and referred to Committee on Military Affairs.

By Senator Evans: Senate Bill No. 777—An act to amend an act entitled "An act to carry into effect the provisions of section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies

for the benefit of the state, all relating to revenue and taxation," approved April 1, 1911, as amended February 3, 1913, and January 28, 1915, by amending section 7 thereof.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 778—An act to provide for the reforestation, the cutting of fire lanes and fire trails on the Angeles National Forest, and to make an appropriation therefor.

Bill read first time and referred to Committee on Agriculture.

Also: Senate Bill No. 779—An act making an appropriation for the construction of a monument to Abraham Lincoln at some suitable location to be provided by the city of Riverside and providing for the financial cooperation by said city, by the Grand Army of the Republic and other similar organizations, or by the citizens thereof.

Bill read first time, and referred to Committee on Finance.

By Senator Gates: Senate Bill No. 780—An act to amend section 1313 of the Civil Code of the State of California, relating to restrictions on devises or bequests for charitable uses.

Bill read first time, and referred to Committee on Judiciary.

By Senator Purkitt: Senate Bill No. 781—An act to amend section 4049 of the Political Code, relating to the publication of proceedings of supervisors.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 782—An act to amend section 4275 of the Political Code, relating to the salaries of county officers in counties of the forty-sixth class, and fixing the mileage and per diem of jurors in counties of the forty-sixth class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 783—An act to amend section 3611 of the Political Code, relating to exemption from taxation of property used for religious worship.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 784—An act to amend section 40 of an act entitled "An act to promote the general welfare of the people of this State as affected by accidents causing the injury or death of employees in the course of their employment, by creating a liability on the part of employers to compensate such employees and their dependents for such accidental injury or death irrespective of the fault of either party, and providing the means and methods of enforcing such liability; and creating a "state compensation insurance fund" to insure employers against such liability and providing for its administration and regulating such insurance by other insurance carriers; and requiring safety in all employments and places of employment in this State and providing the means and methods of enforcing such safety; and requiring reports of industrial accidents; and providing penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; and creating an industrial accident commission, providing for its organization, defining its powers and duties and providing for a review of its orders, decisions and awards;

and appropriating moneys to carry out the provisions of this act; and repealing all acts and parts of acts inconsistent with the provisions of this act," approved May 26, 1913.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 785—An act to add a new section to the Civil Code of the State of California, to be numbered section 172½, relating to community property.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 786—An act to appropriate money to cover the cost of installing a new heating distribution system in the administration and ward buildings at the Mendocino State Hospital.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 787—An act to amend the act entitled "An act to be known as the juvenile court law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the juvenile court law approved March 8, 1909, as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 15, 1915, by adding a new section thereto to be numbered section 19*x*, relating to probation officers and assistant probation officers in counties of the forty-sixth class and the salaries of such officers.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 788—An act to appropriate money to cover the cost of the construction of a nurses' home at the Mendocino State Hospital.

Bill read first time, and referred to Committee on Finance.

By Senator Benson (by request): Senate Bill No. 789—An act to amend section 737 of the Political Code, relating to the salaries of superior judges.

Bill read first time, and referred to Committee on Judiciary.

By Senator Carr, W. J.: Senate Bill No. 790—An act to amend an act entitled "An act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and creation of ex officio boards of supervisors," approved March 20, 1909; amended March 23, 1911, June 4, 1913, and May 29, 1915, by adding a new section thereto to be known as section 18½.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Brown: Senate Bill No. 791—An act permitting the delivery of Torrens title certificates in lieu of abstracts of title, certificates of title, or guarantees of policies of title insurance.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 792—An act declaring certain corporations engaged in the land title business to be public utilities and subject to the jurisdiction of the Railroad Commission.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 793—An act declaring it unlawful to discriminate against certificates of titles issued by county registrars and making such discrimination a misdemeanor.

Bill read first time, and referred to Committee on County Government.

By Senator Scott: Senate Bill No. 794—An act to amend section 462 of the Code of Civil Procedure, relating to the effect of a failure to controvert in an answer material allegations of a complaint, the deemed controversion by the opposite party of statements of new matter in an answer in avoidance or constituting a defense or counterclaim, and providing for the delivery by such opposite party, upon demand, of a statement of the ultimate facts constituting an affirmative defense to such new matter in the answer in avoidance or constituting a defense or counterclaim.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 795—An act to amend section 1973 of the Code of Civil Procedure, relating to certain classes of agreements invalid unless in writing.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 796—An act to amend section 1714 of the Code of Civil Procedure, relating to new trials and appeals in proceedings in probate courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 797—An act to amend section 1624 of the Civil Code, relating to certain classes of agreements invalid unless in writing.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 798—An act to amend section 1646 of the Code of Civil Procedure, relating to the payment by an executor or administrator of the funeral expenses of a last illness of a decedent.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 799—An act to amend section 670 of the Code of Civil Procedure, relating to the papers constituting a judgment roll.

Bill read first time, and referred to Committee on Judiciary.

By Senator Burnett: Senate Bill No. 800—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,

and repealing an act entitled 'An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," and approved June 13, 1913 Statutes of California, page 737, approved May 29, 1915.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Jones: Senate Bill No. 801—An act to amend section 23 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law, and also to repeal all other acts and parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, relating to names which shall be placed on the ballot at the general election.

Bill read first time, and referred to Committee on Elections.

Also: Senate Bill No. 802—An act to amend section 4 of an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance," approved May 10, 1915, relating to the procurement of a license and the tax therefor.

Bill read first time, and referred to Committee on Corporations.

Also: Senate Bill No. 803—An act authorizing the appointment of a commission to be known and designated as the Real Estate Loan Commission; fixing the compensation of the commissioner and his deputy, defining his duties and powers, and providing for the licensing of corporations coming under the provisions of this act.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 804—An act to amend an act entitled "An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements, and regulating the acquisition, construction and completion thereof," approved February 25, 1901, by amending section 3 thereof relating to the requisite vote at an election authorizing the creation of a bonded indebtedness.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 805—An act to amend section 9 of an act entitled "An act to define the duties of and to license land surveyors," and to repeal an act entitled "An act to define the duties of and to license land surveyors," approved March 16, 1907.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 806—An act to repeal sections 1537, 1538, 1539, 1540, 1542, 1543, and 1544 of the Code of Civil Procedure of the State of California, relating to sales by executors and administrators.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 807—An act to amend sections 1536, 1545, 1547, 1549, 1552, 1554, and 1555 of the Code of Civil Procedure of the State

of California, relating to sales of real property by executors and administrators.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 808—An act to amend section 2924 of the Civil Code of the State of California, relating to mortgages and deeds of trust.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 809—An act to amend section 103*a* of the Code of Civil Procedure, relating to the authority of clerks of justices of the peace.

Bill read first time, and referred to Committee on Judiciary.

By Senators Jones and Johnson: Senate Bill No. 810—An act providing for the enlargement of the California Redwood Park, making an appropriation for the purchase of additional land therefor, and granting power to the California Redwood Park Commission to purchase the same.

Bill read first time, and referred to Committee on Finance.

By Senator Ballard: Senate Bill No. 811—An act to amend section 1881 of the Code of Civil Procedure of the State of California, relating to confidential communications.

Bill read first time, and referred to Committee on Judiciary.

By Senator Carr, W. J.: Senate Bill No. 812—An act providing for state insurance on public buildings.

Bill read first time, and referred to Committee on Insurance.

By Senator Slater: Senate Bill No. 813—An act to provide for the holding of an annual state poultry show, and appropriating money therefor.

Bill read first time, and referred to Committee on Agriculture.

By Senator McDonald: Senate Bill No. 814—An act to amend section 1613 of the Penal Code, relating to labor of prisoners.

Bill read first time, and referred to Committee on Prisons and Reformatories.

The following resolutions were offered:

By Senator Breed: Senate Constitutional Amendment No. 20—Resolution to propose to the people of the State of California an amendment to section 9 of Article IX of the constitution of the State of California in relation to the powers of the board of regents of the University of California.

Constitutional amendment ordered to print, and referred to Committee on Constitutional Amendments.

By Senator Irwin: Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by amending section 22 of Article XII thereof, relating to the powers and duties of the Railroad Commission of the State of California.

Constitutional amendment ordered to print, and referred to Committee on Constitutional Amendments.

Also: Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by amending section 23 of

Article XII thereof, relating to the powers and duties of the Railroad Commission of the State of California.

Constitutional amendment ordered to print, and referred to Committee on Constitutional Amendments.

By Senator Ballard: Senate Constitutional Amendment No. 23—A resolution to propose to the people of the State of California an amendment to sections 4 and 5 of Article XI of the constitution of the State of California.

Constitutional amendment ordered to print, and referred to Committee on Constitutional Amendments.

Also: Senate Constitutional Amendment No. 24—A resolution to propose to the people of the State of California an amendment to section 7½ of Article XI of the constitution of the State of California, relating to charters of counties and amendments to such charters and to the surrender thereof.

Constitutional amendment ordered to print, and referred to Committee on Constitutional Amendments.

By Senator Shearer: Senate Constitutional Amendment No 25—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 10½ of Article XIII thereof, relating to the exemption of certain personal property from taxation.

Constitutional amendment ordered to print, and referred to Committee on Constitutional Amendments.

By Senator Kehoe: Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XX thereof a new section, to be numbered section 22, relative to health insurance.

Constitutional Amendment ordered to print, and referred to Committee on Constitutional Amendments.

Also: Senate Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding thereto a new section to be known as section 5 of Article XIII, providing for the exemption of certain property from taxation.

Constitutional Amendment ordered to print, and referred to Committee on Constitutional Amendments.

By Senator Inman: Senate Constitutional Amendment No. 28—A resolution to propose to the people of the State of California to amend section 1 of Article II of the Constitution of said State, relating to the right of suffrage.

Constitutional Amendment ordered to print, and referred to Committee on Constitutional Amendments.

By Senator McDonald: Senate Constitutional Amendment No. 29—A resolution to propose to the people of the State of California an amendment to the Constitution amending Article XIII thereof, by inserting therein a new section to be known as section 12, providing for the assessment, levy and collection of a tax for the care and support of orphans and half-orphans, and dependent children.

Constitutional amendment ordered to print, and referred to Committee on Constitutional Amendments.

By Senator Jones: Senate Joint Resolution No. 7—Relative to the devoting revenues from national forests to the construction of works for flood control.

Joint resolution ordered to print, and referred to Committee on Federal Relations.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, January 25, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 11—Relative to repeal and amendment of provisions of the Constitution and laws respecting the judiciary—and reports that the same has been correctly enrolled, and presented the same to the Governor on this twenty-fifth day of January, 1917, at 12 o'clock m.

CANEPA, Chairman.

MESSAGES FROM THE ASSEMBLY—[OUT OF ORDER].

On motion of Senator Benson, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 12—Relative to the recession to the State of California, by the United States, of the right to use any part of the bed of "Lower or Little Klamath Lake" for the storage of water connected with the operations of the Reclamation Service of the United States, and the recession to said State of all the right, title, interest and claim of the United States in and to any and all lands uncovered by the lowering of the water level of said lake, or surrounding or connected with said lake, ceded to the United States by an act of the Legislature of the State of California, approved February 3, 1905.

Also: Assembly Joint Resolution No. 13—Relative to the preservation of the old Galen Clark cabin in Mariposa Big Trees Reservation.

Also: Assembly Joint Resolution No. 5—Relative to a measure pending in Congress known as H. R. 19291, for the protection or reclamation of arid and semi-arid lands and memorializing Congress for the passage of the bill.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Joint Resolution No. 5 referred to Committee on Federal Relations.

CONSIDERATION OF RESOLUTION—[OUT OF ORDER].

Senator Benson asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 12 for consideration without reference to committee.

ASSEMBLY JOINT RESOLUTION NUMBER TWELVE.

Relative to the recession to the State of California, by the United States, of the right to use any part of the bed of "Lower or Little Klamath Lake" for the storage of water connected with the operations of the Reclamation Service of the United States, and the recession to said State of all the right, title, interest and claim of the United States in and to any and all lands uncovered by the lowering of the water level of said lake, or surrounding or connected with said lake, ceded to the United States by an act of the Legislature of the State of California, approved February 3, 1905.

WHEREAS, The Legislature of the State of California passed an act, approved February 3, 1905, of which the following is a copy:

"CHAPTER VI.

An act authorizing the United States government to lower the water levels of any or all of the following lakes: Lower or Little Klamath Lake, Tule or Rhett Lake, Goose Lake and Clear Lake, situated in Siskiyou and Modoc counties, and to use any

part or all of the beds of said lakes for the storage of water in connection with the irrigation and reclamation operations conducted by the Reclamation Service of the United States; also ceding to the United States all right, title, interest or claim of the State of California to any lands uncovered by the lowering of the water levels of any or all of said lakes not already disposed of by the State.

(Approved February 3, 1905.)

The people of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. That for the purpose of aiding in the operations of irrigation and reclamation conducted by the Reclamation Service of the United States, established by the act of Congress, approved June 17, 1902 (32 Stat., 388), known as the Reclamation Act, the United States is hereby authorized to lower the water levels of any or all of the following lakes: Lower or Little Klamath Lake, Tule or Rattlesnake Lake, Goose Lake, and Clear Lake, situated in Siskiyou and Modoc counties, as shown by the map of the United States geological survey, and to use any part or all of the beds of said lakes for the storage of water in connection with such operations.

SEC. 2. And there is hereby ceded to the United States all the right, title, interest or claim of this State to any lands uncovered by the lowering of the water levels of any or all of said lakes, not already disposed of by this State; and the lands hereby ceded may be disposed of by the United States free of any claim on the part of this State, in any manner that may be deemed advisable by the authorized agencies of the United States, in pursuance of the provisions of said reclamation act, *provided*, that this act shall not be in force as to the lakes herein named which lie partly in the state of Oregon, until a similar cession has been made by that state."

AND WHEREAS, The Reclamation Service of the United States has not, during the twelve years which have elapsed since the approval of the aforesaid act, lowered the water level of said "Lower or Little Klamath Lake" or used the bed of said lake for the purpose of storing water to use in connection with the reclamation of the land adjacent to said lake, and there are no indications that the Reclamation Service intends to ever reclaim the land, thereby accomplishing the purposes of the Legislature of the State of California as expressed in said act approved February 3, 1905.

AND WHEREAS, There is a large body of swamp and overflowed land surrounding said lake in Siskiyou County, unfit for cultivation without reclamation, upon the title to which a cloud has been cast by the ambiguous wording of the above mentioned act, which it is necessary to remove before such land can be successfully thrown open to entry, reclamation and cultivation; therefore, be it

Resolved by the Assembly and Senate jointly, That the Legislature of the State of California respectfully request our Senators and Representatives in Congress to use their influence and to take all proper means to have a bill introduced and passed by Congress and approved by the President of the United States, ceding back to the State of California the right to use all or any part of the bed of "Lower or Little Klamath Lake" for the storage of water connected with the operations of the Reclamation Service of the United States, and also ceding back to the State all the right, title, interest or claim of the United States, in or to any of the lands surrounding or connected with said lake in Siskiyou County, ceded to it by the above mentioned act of the Legislature of California, to the end that such lake, water and lands shall be returned to said State, as they were prior to the approval of said act of the Legislature approved February 3, 1905, and be governed by the general laws by which they were governed prior thereto, reserving, however, to the United States, the right to lower the water level in said lake, as provided in said act approved February 3, 1905.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 12 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Gates, Hans, Ingram, Inman, Irwin, Jones, Kehoe, King, McDonald, Maddux, Parkett, Scott, Searkey, Sumner, Slater, Stockenbruck, Thompson, and Tyrrell—29.

NOES—None.

Assembly Joint Resolution No. 12 ordered transmitted to the Assembly.

CONSIDERATION OF RESOLUTION—(OUT OF ORDER).

Senator Sharkey asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 15 for consideration without reference to committee.

ASSEMBLY JOINT RESOLUTION NUMBER FIFTEEN.

Relative to the preservation of the old Cabin Clark Cabin in Mariposa Big Trees Reservation.

WHEREAS, It is reported that the Federal government is contemplating the moving of the old cabin, situated among the Mariposa Big Trees, [illegible] the discoverer of the trees, [illegible] years ago, [illegible] to D.

Resolved, by the Assembly and Senate, jointly, That the Hon. Franklin K. Lane, Secretary of the Interior, and our Senators and Representatives in Congress be requested to use all honorable means to secure and assure the preservation of this cabin as a landmark of historical importance in our State and as [illegible] interest to tourists and visitors to the Big Trees.

Resolved, That copies of this resolution, immediately upon its adoption, be forwarded to the Hon. Franklin K. Lane, Secretary of the Interior, Washington, D. C., and to our Senators and Representatives in Congress [illegible].

Resolution read.

The question being on the adoption of the resolution

The roll was called, and Assembly Joint Resolution No. 15 adopted by the following vote:

AYES—Senators Ballard, Benson, Bond, Burnett, Caminetti, Carter, Cartwright, Chandler, Crowley, Duncan, Evans, Finnerty, Gerlach, Hans, Harrison, Hewitt, Jacobsen, Jones, Kehoe, King, McDonald, Maddux, Purkitt, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—28.

NOES—None.

Assembly Joint Resolution No. 15 ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Kehoe, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1917.

MR. PRESIDENT: I am directed to inform your Honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 6, Relative to amending the charter of the county of Tehama, State of California.

Also: Assembly Joint Resolution No. 3, Relative to the early completion by the United States of hydrographical work on the Pacific Coast, and asking that adequate appropriations be made for forwarding the work as speedily as possible.

E. O. BOOTHBY, Chief Clerk of Assembly.
By M. SHEEN, Assistant Clerk.

Assembly Concurrent Resolution No. 6 referred to Committee on County Government.

CONSIDERATION OF RESOLUTION—(OUT OF ORDER).

Senator Kehoe asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 3 for consideration without reference to committee.

ASSEMBLY JOINT RESOLUTION NUMBER THREE.

Relative to the early completion by the United States of hydrographical work on the Pacific Coast, and asking that adequate appropriations be made for forwarding the work as speedily as possible.

WHEREAS, More than sixty per cent of the Pacific Coast is not yet charted, and

WHEREAS, The hydrographical work of the coast and geodetic survey is far from complete on said Pacific Coast; and

WHEREAS, The nature and action of many coast currents are not yet thoroughly understood; and

WHEREAS, Shipping and commerce is rapidly increasing on the Pacific coast and ocean; and

WHEREAS, Many wrecks have occurred, causing a large loss of human life and involving a great loss of property, not only to private persons or firms but to the United States government as well, in the loss of some of the finest ships of the navy; and

WHEREAS, This loss of human life and property has been caused largely by reason that the greater portion of said Pacific Coast is not charted and that the action and nature of many of the coast currents are not properly understood; therefore, be it

Resolved by the Assembly and Senate, jointly, That the Legislature of the State of California hereby respectfully authorizes the Congress of the United States for the early completion of the work of charting the Pacific Coast, and the hydrography work of the coast and geodetic survey on said coast, to carry out all measures necessary for such work, and to make adequate appropriations to forward said work as speedily as possible; and be it further

Resolved, That the Secretary of Commerce be requested to take the necessary measures for hastening the charting and hydrography work on the Pacific Coast; and be it further

Resolved, That our Senators in Congress be respected and our Representatives requested to use all reasonable means to secure the action desired in this matter for the purpose aforesaid; and be it further

***Resolved*, That the Chief Clerk of the Assembly be, and he is hereby instructed to forward a copy of these resolutions respectively to the President of the United States, the Secretary of Commerce, the presiding Houses in Congress, and to each of our Senators and Representatives in Congress, including those to assume office on March 4, 1917.**

Resolution read.

The question being on the adoption of the resolution,

The roll was called, and Assembly Joint Resolution No. 3 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Campbell, Carr, F. M., Crowley, Dennett, Evans, Flaherty, Hates, Jackson, Irwin, Jones, Kelsey, King, McDonald, Moldaby, Parkin, Rieden, Scott, Shearer, Slater, Stockenbauck, Thompson and Tyrrell—27.

NOES—None.

Assembly Joint Resolution No. 3 ordered transmitted to the Assembly.

ASSEMBLY MESSAGES.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 9—Relative to the establishment of definite lines of division between federal and state taxes, and the calling of a congress of the states to consider conflicting jurisdictions of the federal and state governments.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Joint Resolution No. 9 referred to Committee on Federal Relations.

Also:

SACRAMENTO, January 25, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed as a concurrent measure Senate Bill No. 178—An act validating the formation and organization, and determining the boundaries of drainage improvement district number one of the county of Merced, State of California.

Also: Senate Bill No. 179—An act validating the formation and organization, and determining the boundaries of drainage improvement district number two of the county of Merced, State of California.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 178 and 179 ordered to enrollment.

Also:

SACRAMENTO, January 25, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Joint Resolution No. 4—Relative to amending the act of Congress, approved February 28, 1891, providing for an exchange of lands between the United States and the State of California.

Also: Senate Concurrent Resolution No. 10—Relative to amendments to the charter of the city of Berkeley after due ratification by the qualified electors of said city at a city election properly held.

Also: Senate Concurrent Resolution No. 9—Approving two certain amendments to the charter of the city of Santa Rosa, county of Sonoma, State of California, voted for and ratified by a majority of the qualified electors of the said city of Santa Rosa, at the general municipal election held therein on Tuesday, April 4, 1916.

Also: Senate Concurrent Resolution No. 6—Approving the charter of the county of Butte, State of California, which was submitted to the qualified electors of the said county, voted for, and ratified at a general election held therein on the seventh day of November, 1916.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Joint Resolution No. 4 ordered to enrollment.

Senate Concurrent Resolutions Nos. 6, 9 and 10 ordered to enrollment.

ADJOURNMENT.

At three o'clock and forty-five minutes p.m., on motion of Senator Benson, the President declared the Senate adjourned until Friday, January 26, 1917, at ten o'clock a.m.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Friday, January 26, 1917.

The Senate met at ten o'clock a.m.

Lieutenant Governor William D. Stephens, President of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Caneva, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Lane, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—39.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, January 25, 1917, the further reading was dispensed with, on motion of Senator Slater.

PETITIONS.

Senator Breed presented the following petitions, which were ordered printed in the Journal:

OAKLAND, CALIFORNIA, January 25, 1917.

Hon. A. H. Breed,

President Pro Tempore Senate, Sacramento, California:

The Alameda County Civic Association, representing thirty civic organizations in Oakland, has unanimously adopted the following resolution:

Resolved, That this organization urgently and respectfully requests the State Legislature to approve before adjourning for the thirty day recess the charter amendment adopted by majority vote of the people of Oakland on August 22, 1916, relating to lease of western waterfront lands.

E. C. KAYSER, President.
GEO. INGRAHAM, Secretary.

Also:

SAN FRANCISCO, January 20, 1917.

To the Honorable Legislature of the State of California:

WHEREAS, The Legislature at the special session of 1916 passed acts providing for the acquisition and acceptance by the State of the California Building as a Normal School and appropriated $200,000 out of the proceeds coming to the State from the assets of the Exposition; and

WHEREAS, It was understood at that time that such amount being insufficient to complete the acquisition, further action would be taken at a subsequent session to accomplish the true intent of the Legislature; and

WHEREAS, Assembly Bills Nos. 31, 50 and 91 have been introduced by Assemblyman Marks at the instance of the trustees of the Normal School, authorizing the State to accept its share of the assets of the Exposition either in lands or in money, and providing that the value of the present Normal School lands and buildings, estimated at $150,000, should be appropriated to assist in making permanent the $400,000 value of the California Building, and that on such appropriation the present Normal School property shall be turned over to the Board of Control for sale; be it

Resolved, That the Sutter Street Property Owners Improvement Association does respectfully urge the Legislature to pass these bills in order to protect the interests of the State, secure the safety of the children and young women attending the Normal School, and conserve to a useful purpose a great monument of the Panama-Pacific International Exposition.

SUTTER STREET PROPERTY OWNERS IMPROVEMENT ASSOCIATION.

DR. JULIUS ROSENSTERN, President.
EDWARD METZGER, Secretary.

Also:

SAN FRANCISCO, January 19, 1917.

To the Honorable Legislature of the State of California:

WHEREAS, The Legislature at the special session of 1916 passed acts providing for the acquisition and acceptance by the State of the California Building as a Normal School, and appropriated $200,000 out of the proceeds coming to the State from the assets of the Exposition; and

WHEREAS, It was understood at that time that such amount being insufficient to complete the acquisition, further action would be taken at a subsequent session to accomplish the true intent of the Legislature; and

WHEREAS, Assembly Bills Nos. 31, 50 and 91 have been introduced by Assemblyman Marks at the instance of the trustees of the Normal School authorizing the State to accept its share of the assets of the Exposition either in lands or in money and providing that the value of the present Normal School lands and buildings estimated at $150,000 should be appropriated to assist in making permanent the $400,000 value of the California Building and that on such appropriation the present Normal School property shall be turned over to the Board of Control for sale; be it

Resolved, That the Fillmore Street Improvement Association does respectfully urge the Legislature to pass these bills in order to protect the interests of the State, secure the safety of the children and young women attending the Normal School, and conserve to a useful purpose a great monument of the Panama Pacific International Exposition.

FILLMORE STREET IMPROVEMENT ASSOCIATION.

MORRIS SCHWARTZ, Secretary.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills were introduced:

By Senator Luce: Senate Bill No. 815—An act to provide for the protection of beneficiaries of workmen's compensation insurance policies and self-employing policies against the default or insolvency of insurance carriers issuing such policies; to provide for the examination from time to time of such insurance carriers to determine their financial condition; to provide for the establishment and maintenance of a compensation insurance beneficiaries' guaranty fund, for the making and enforcement of contributions thereto, and for the payment therefrom of compensation awards against insolvent or defaulting insurance carriers contributing thereto; to provide for the reimbursement of said fund from the assets of any insurance carrier becoming insolvent or otherwise defaulting in its payment to such beneficiaries; to provide for the expense of administration of said fund; and vesting power in the Insurance Commissioner to take possession of the assets and administer the affairs of any such insurance carrier upon its default or insolvency or threatened insolvency; and for other purposes.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 816—An act to amend section 3 of an act entitled "An act relating to explosives and prescribing regulations for the transportation, storage and selling of explosives, and providing penalties for the violation of this act," in effect March 21, 1911, and known as chapter 213, Statutes of 1911, and to repeal section 11 of said act.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 817—An act to authorize cooperation by the Railroad Commission and the Industrial Accident Commission in the exercise of jurisdiction with respect to safety orders, rules and regulations in employments and places of employment conducted by public utilities.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 818—An act to promote the comfort, health, safety and general welfare of the people of this State as affected by injury causing the disability or death of employees in the course of their employment, providing for a complete plan of workmen's compensation by creating a liability on the part of immediate employers, principal employers, contracting employers and their insurance carriers to compensate employees and their dependents for such disability or death, irrespective of the fault of any party, providing the means and methods of enforcing such liability and providing for certain liens upon compensation; and regulating compensation insurance coverage against such liability, securing the payment of compensation and confirming the establishment and transactions of the State Compensation Insurance Fund; and requiring safety in all employments and places of employment in this State and providing the means and methods of enforcing such safety; and requiring reports of industrial injuries; and providing penalties for offenses, as defined herein, by employers, their officers and agents, and by employees and other persons and corporations; and defining the powers and duties of the Industrial Accident Commission under

this act, and providing for a review of its orders, decisions and awards; and repealing sections 2, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, and 87 of Chapter 170, Laws of 1913, and all other acts and parts of acts inconsistent herewith, except sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 88, and 89 of said Chapter 170, Laws of 1913.

Bill read first time and referred to Committee on Judiciary.

Assembly Senate Bill No. 819—An act to amend Chapter 667, Laws of 1913, entitled "An act requiring employers who furnish hospital service for their employees and who make a charge therefor, to keep books, records and accounts of all such charges, and to make an annual report thereof; regulating such such charge to be paid and expended and to be levied for no other purpose than such hospital service and prescribing penalties for violations of the provisions thereof," by adding the jurisdiction of the Railroad Commission and the Industrial Accident Commission with respect to hospital facilities of public utilities.

Bill read first time and referred to Committee on Labor and Capital.

Senate Bill No. 820—An act to provide for the periodical inspection of steam boilers used in connection with certain employments operated in this State; requiring a permit to be issued by the Industrial Accident Commission for the operation of such boilers, making it a misdemeanor to operate such boilers without such permit; and allowing an injunction against such operation without such permit when dangerous to the life or safety of employees; providing for a hearing before the Industrial Accident Commission prior to refusal of a permit; providing for the investigation of complaints of operation of such boilers and requiring reports of inspections; and prescribing maximum fees for such inspections.

Bill read first time and referred to Committee on Labor and Capital.

Senate Bill No. 821—An act to amend section 412 of the Penal Code of the State of California, relating to opinion evidence in actions, etc.

Bill read first time and referred to Committee on Labor and Capital.

Senate Bill No. 822—An act to repeal an act entitled "An act to amend an act entitled 'An act to establish and support a museum of science and arts,' approved March 2, 1903, by adding a new section, thereto, to be numbered section 2," approved February 20, 1905, and known as Chapter 5, 2, 2, Statutes of 1905.

Bill read first time and referred to Committee on Labor and Capital.

Senate Bill No. 823—An act to repeal an act entitled "An act to establish a uniform system of value bill stamps to be used in all the offices operated in the State of California, and for the prevention of frauds," approved March 9, 1905, and known as Chapter 2, 2, 2, Statutes of 1905.

Bill read first time and referred to Committee on Labor and Capital.

Senate Bill No. 824—An act to repeal an act entitled "An act to establish a uniform system of weights for the protection of customers, requiring them to be affixed to the dollar, imposed for and by some employers, being an act relating to protecting the use of scales of weights and measures, and to establish fees on contracted weights and employers

shall be subject to the provisions of this act; fixing penalties for a violation hereof to be the same as prescribed in section 402, of the Penal Code; and providing for the enforcement of this act by the commissioner of the bureau of labor statistics," approved April 22, 1913, and known as Chapter XLVIII, Statutes of 1913.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 825—An act to repeal an act entitled "An act to provide for temporary floors in buildings more than three stories high in the course of construction and for the protection of the life and limb of workmen employed in such buildings from falling joists or girders and from falling bricks, rivets, etc.," approved March 6, 1909, and known as Chapter CVII, Statutes of 1909.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 826—An act to repeal an act entitled "An act to regulate the construction, operation, and maintenance of elevators in buildings during course of construction; providing for inspection of the same by the bureau of labor statistics; and providing for a penalty for violation thereof," approved January 7, 1913, and known as Chapter CCLXXV, laws of 1913.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 827—An act to provide for the periodical inspection of elevators operated in places of employment in this State; to require a permit for such operation; to make it a misdemeanor to operate such elevator without such permit; and to provide for an injunction against such operation if dangerous to the life or safety of employees; to vest in the Industrial Accident Commission the power to make such inspections and determine the competency of inspectors and require reports of inspections; and to issue such permits and prescribe maximum fees therefor.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 828—An act to regulate the performance of labor by associations of laborers under contract and to provide for the approval of such association contracts by the labor commissioner.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 829—An act to amend section 597 of the Political Code, relating to the examination by the Insurance Commissioner of insurance carriers.

Bill read first time, and referred to Committee on Insurance.

By Senator Chamberlin: Senate Bill No. 830—An act to amend section 1446 of the Penal Code, relating to judgments, fines and imprisonment.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 831—An act to add a new section to the Civil Code, to be numbered 2903*a*, relating to the foreclosure of deeds of trust and redemption.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 832—An act to amend section 1861 of the Civil Code, relating to lien of hotel keepers on property of guests for charges.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 833—An act requiring all qualified electors in the State of California to register and to vote at general elections and prescribing a poll tax upon all electors who fail or neglect so to register

or to vote, and prescribing punishment for those persons who swear falsely in such matters and prescribing certain duties for county clerks, tax collectors and boards of elections.

Bill read first time, and referred to Committee on Elections.

Also: Senate Bill No. 834—An act to add a new section to the Penal Code, to be numbered 7046, relating to indemnitement, removal and disposal of leased property.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 835—An act to amend section 237 of the Political Code, relating to the appointment of officers and employees of the Legislature.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 836—An act to define as common carriers within this State, persons, firms and corporations operating certain public conveyances for the transportation for compensation, of persons or property, to prohibit the operation of any such conveyance upon any public street or highway in any county, county and city, or city, except in pursuance of authority granted by franchise and compliance with certain conditions, and authorizing the granting of such franchises.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 837—An act to amend the Code of Civil Procedure of the State of California by adding a new section, to be numbered and known as section 299, relating to costs in proceedings for the removal and suspension of attorneys.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 838—An act to amend section 628 of the Penal Code, relating to fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 839—An act to amend section 628 of the Penal Code, relating to fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 840—An act to amend section 3 of an act entitled "An act to regulate the taking of fishing and to provide the revenue revenue for the propagation, restoration and preservation of fish in the waters of the State of California," approved March 13, 1909.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 841—An act preventing the limitation of the issuance of licenses for the taking or catching of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 842—An act to amend section 630 of the Penal Code, relating to fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 843—An act making bonds of municipal improvement districts legal investments for certain purposes.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 844—An act for the relief of A. J. Bourn for personal injuries received by him while in the service of the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 845—An act amending sections 287, 288, 289 and 299 of the Code of Civil Procedure, relating to the causes for

which courts may remove attorneys and counsellors, the proceedings for removal or suspension, and the judgment in such proceedings.

Bill read first time, and referred to Committee on Judiciary.

By Senator Chandler: Senate Bill No. 846—An act relating to the Sacramento and San Joaquin drainage district, providing an election therein for the purpose of determining whether or not said district shall be dissolved, and providing for the conduct of such election.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 847—An act to provide for the assessment, levy and collection of taxes for the support of the State government for the sixty-ninth and seventieth fiscal years.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Benson: Senate Bill No. 848—An act to provide for the imposition and collection of a tax upon the increase of the value of land, creating a reserve fund to be used for certain specified purposes and providing for the encouragement of the use and improvement of land by those in the possession thereof.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 849—An act to amend an act entitled "An act to carry into effect the provisions of section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing the taxation of public service and other corporations, banks and insurance companies for the benefit of the state, all relating to revenue and taxation," approved April 1, 1911, as amended February 3, 1913, as amended January 28, 1915, by amending sections 2, 3, 4, 5, 11 and 35 thereof.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 850—An act to amend an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance," approved May 10, 1915, by amending sections 1, 4, 7, 9, 10, 11, 12, 13, 14 and 15 thereof, all relating to the terms and conditions upon which corporations may transact business in this State.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 851—An act to amend section 400 of the Civil Code, and to repeal sections 405, 406, 408, 409 and 410 of said code, relating to corporations.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 852—An act to amend sections 21, 22, 23 and 24 of an act entitled "An act to carry into effect the provisions of section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation

of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 853—An act to regulate and limit the amount that may be produced by tax levies in the aggregate by political subdivisions of this State, and repealing all acts and parts of acts in conflict with this act.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 854—An act to amend section 341 of the Code of Civil Procedure, relating to time for commencement of actions.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also (by request): Senate Bill No. 855—An act to amend section 19 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such person; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith."

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 856—An act making an appropriation for the support of the Department of Sanitary Engineering under the direction of the State Board of Health.

Bill read first time, and referred to Committee on Finance.

By Senator Purkitt: Senate Bill No. 857—An act to amend section 1617 of the Political Code, relating to the powers and duties of boards of school trustees and city boards of education.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 858—An act revising and amending chapter 25 of the Laws of 1911 (extra session), chapter 170 of the Laws of 1913, and chapter 686 of the Laws of 1915, all relating to the report of the California Debris Commission, the Reclamation Board of the State of California, the organization, powers and duties of said Reclamation Board, and the Sacramento and San Joaquin Drainage District, and repealing all acts and parts of acts inconsistent with the provisions of this act.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Flaherty: Senate Bill No. 859—An act to authorize the Board of State Harbor Commissioners of San Francisco Harbor to pay the claim of the Fidelity and Deposit Company of Maryland.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Caucpa: Senate Bill No. 860—An act to provide for the construction of a viaduct or viaducts from the second story of the Ferry Building across Market street in the city and county of San Francisco.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 861—An act to provide for the construction of an elevated boulevard or walk along The Embarcadero in the city and county of San Francisco.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 862—An act to provide for the pavement of The Embarcadero in the city and county of San Francisco.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 863—An act to appropriate money to continue in effect "An act to authorize the State Board of Prison Directors to provide for assisting paroled and discharged prisoners and to secure employment for the same and making an appropriation for that purpose," approved May 18, 1915.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 864—An act to appropriate money for the payment of compensation benefits accruing by reason of personal injury resulting from accident to state officers and employees while performing services accruing out of and incidental to their employment.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 865—An act to amend section 15 of an act entitled "An act to promote the general welfare of the people of this State as affected by accident causing the injury or death of employees in the course of their employment, by creating a liability on the part of employers to compensate such employees and their dependents for such accidental injury or death irrespective of the fault of either party, and providing the means and methods of enforcing such liability; and creating a 'State Compensation Insurance Fund' to insure employers against such liability and providing for its administration and regulating such insurance by other insurance carriers; and requiring safety in all employments and places of employment in this State and providing the means and methods of enforcing such safety; and requiring reports of industrial accidents; and providing penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; and creating an industrial accident commission, providing for its organization, defining its powers and duties and providing for a review of its orders, decisions and awards; and appropriating moneys to carry out the provisions of this act; and repealing all acts and parts of acts inconsistent with the provisions of this act," approved May 26, 1913, as amended.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 866—An act to amend section 1665 of the Political Code, relating to subjects in which instruction shall be given in the elementary schools of the State.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 867—An act to amend section 1665*a* of the Political Code, relating to continuation schools, and the teaching of languages therein and in high schools.

Bill read first time, and referred to Committee on Education.

By Senator Thompson: Senate Bill No. 868—An act to amend section 2911 of the Civil Code, relating to the extinguishment of liens.

Bill read first time, and referred to Committee on Judiciary.

By Senator Stanley (by request): Senate Bill No. 869—An act to amend section 4 of an act entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled 'An act to promote the better education and practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the board of regents of the University of California, and to provide penalties for violation thereof,'" approved June 12, 1913, as amended.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 870—An act to add two new sections, to be numbered 1817*c* and 1543*b*, to the Political Code, providing for the cooperative purchase of stage apparatus and supplies by trustees of common school districts and certain high school boards through the office of the county purchasing agent or the superintendent of schools.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 871—An act appropriating money for the support of the Advisory Pardon Board during the sixty-ninth and seventieth fiscal years.

Bill read first time, and referred to Committee on Finance.

By Senators Duncan, Purcell, Irwin and Shearer: Senate Bill No. 872—An act defining the meaning of the term "appointive officer," and to prohibit any appointive officer of the State of California, or of any of its departments or commissions, from participating in political conventions, discussions or campaigns for or against any political party, or measure, or candidate, making public political speeches to influence the action of any voter or voters for or against any party, person, or measure, or using any official stationery for such purpose, and providing penalties for the violation thereof.

Bill read first time, and referred to Committee on Judiciary.

By Senator Ingram: Senate Bill No. 873—An act making an appropriation to pay the claim of Nevada County against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Irwin: Senate Bill No. 874—An act prohibiting state, county, city, or city and county officers from drawing salaries or expenses while engaged in certain campaign or election work.

Bill read first time, and referred to Committee on Elections.

By Senator Ballard: Senate Bill No. 875—An act to amend section 2 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities therein, for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved April 20, 1915.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Maddux: Senate Bill No. 876—An act to amend section 3 of an act entitled "An act to provide for the organization and government of drainage districts for the drainage of agricultural lands other than swamp and overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such districts," approved March 20, 1903, and amended April 22, 1909, and June 8, 1915, and to add four new sections to said act, to be numbered 2*a*, 6*a*, 27*a*, and 27*b*, and providing for an alternative method of voting in said districts in proportion to value of lands owned, and for an alternative method of assessment in proportion to benefits.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Hans: Senate Bill No. 877—An act to amend the Penal Code by adding thereto a new section to be numbered 260, and relating to derogatory statements affecting banks.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 878—An act to amend the Civil Code by adding thereto a new section to be numbered 2320, and providing for the damages recoverable from banks on the non-payment of checks.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 879—An act relating to bank transactions after twelve o'clock noon on Saturdays.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 880—An act to add a new section to the Penal Code, to be numbered 464, relative to burglary with explosives.

Bill read first time, and referred to Committee on Banking.

By Senator Tyrrell: Senate Bill No. 881—An act to amend section 2185*b* of the Political Code, relating to temporary and voluntary patients in the State hospitals.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 882—An act relating to baling of hay; defining hay baler; providing regulations governing the baling of hay; providing for indicating the weight of bales; fixing a tolerance and providing penalties for any violation of the provisions of this act.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 883—An act to amend an act known as the "Juvenile Court Law," approved June 5, 1915, by adding a new section thereto, to be numbered 23*a*, relating to records of juvenile offenders.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 884—An act to repeal section 847 of the Civil Code, relating to uses and trusts, to amend section 857 of the Civil Code, relating to express trusts, and to amend section 2220 of the Civil Code, relating to purposes for which a trust may be created.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 885—An act to amend section 715 of the Civil Code, relating to restraints upon alienation.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 886—An act to amend section 2141 of the Political Code, relating to the powers of the Lunacy Commission.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 887—An act to amend section 1 of an act entitled "An act granting certain tide lands and submerged lands of the State of California to the city of Oakland, and regulating the management, use and control thereof," approved May 1, 1911.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 888—An act to amend section 3714 of the Political Code of the State of California, relating to the levying of taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 889—An act to provide for the payment into the county treasury of any moneys now held by county tax collectors which represent duplicate or excess payments of taxes on property in their respective counties, and to provide for the distribution of such moneys when so paid, and to provide for the payment and distribution of any duplicate collections which may be made hereafter.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 890—An act to amend section 2643 of the Political Code of the State of California, relating to the powers of boards of supervisors over roads.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 891—An act to amend section 3770 of the Political Code of the State of California relating to delinquent taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 892—An act to amend section 4041 of the Political Code of the State of California, relating to the general permanent powers of boards of supervisors.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 893—An act to amend section 1388 of the Code of Civil Procedure of the State of California, relating to bonds of administrators.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 894—An act to amend section 1754 of the Code of Civil Procedure of the State of California, relating to the bonds of guardians.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 895—An act to amend section 870 of the Penal Code, relating to the keeping of depositions, and the furnishing of transcripts thereof to defendants.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 896—An act to add a new section to the Penal Code, to be numbered 109*a*, relating to escapes from state hospitals.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 897—An act to amend section 2187 of the Political Code, relating to the transfer of patients from one state hospital to another.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 898—An act to amend section 1 of an act entitled "An act to provide for the asexualization of inmates of state hospitals for the insane, the Sonoma State Home, of convicts in the state prisons, and of idiots, and repealing an act entitled 'An act to permit asexualization of inmates of the state hospitals and the California Home for the Care and Training of Feeble-minded Children and of convicts in the state prisons,' approved April 26, 1909," approved June 13, 1913.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 899—An act to add a new section to the Political Code of the State of California, to be numbered 3709*a*, relating to salary of the secretary of the State Board of Equalization.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 900—An act to add a new section to the Code of Civil Procedure, to be numbered 1663, relating to partial distribution of estates of deceased persons.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 901—An act to amend chapter 639 of Amended Statutes of 1915, the same being an act to provide for the indicating of the net quantity of foodstuffs and stuffs intended to be used or prepared for use as food for human beings when sold, offered, or exposed for sale in containers, and providing penalties for the violation thereof.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 902—An act to provide for the licensing by the Commissioner of the Bureau of Labor Statistics of persons engaged in the business of making loans, secured or unsecured, at a greater rate of interest than twelve per cent per annum, prescribing the rate of interest and charge therefor, etc., and penalties for the violation thereof, and to regulate such business and the assignment of wages or salaries earned or to be earned, when given as security for any such loan, and to regulate rates of interest and prescribe a maximum rate.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Evans: Senate Bill No. 903—An act to amend section 4242 of the Political Code, relating to salaries and fees of officers of counties of the thirteenth class.

Bill read first time, and referred to Committee on County Government.

Also (by request): Senate Bill No. 904—An act to provide for the incorporation of villages and the local self-government of rural communities.

Bill read first time, and referred to Committee on Municipal Corporations.

Also Senate Bill No. 905—An act to add three new sections to an act entitled "An act relating to immigrants and immigration, creating a commission of immigrating and housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, providing for the investigation by said commission of all things affecting immigrants, and for the care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof," approved June 12, 1913, to be numbered sections 15, 16, and 17, and making an appropriation to carry out the provisions hereof.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Senate Bill No. 906—An act to prevent floods, to protect cities, towns, lands, farms and highways from damage from flood waters, and to authorize the organization of drainage and conservation districts therefor, and to levy assessments and issue bonds for the costs.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Inman: Senate Bill No. 907—An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, as recommended in the special report of the California Debris Commission, dated June 30, 1907, and made jointly by Brigadier General A. Mackenzie, chief of engineers, C. H. McKinstry, major, corps of engineers, and Thomas H. Jackson, captain, corps of engineers, of the United States Army, and printed with the annual report of the chief of engineers of the United States Army, for the fiscal year ending June 30, 1907, and making an appropriation for such work.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 908—An act appropriating money for the construction and equipment of a State Printing Office and the necessary removal thereto.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 909—An act in relation to conditional sales and leases of personal property.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 910—An act to amend section 859 of the Code of Civil Procedure of the State of California.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 911—An act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 927, relating to the opening of default judgments in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 912—An act to amend section 1021 of the Code of Civil Procedure of the State of California, relating to costs in civil actions.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 913—An act appropriating money for the creating of a revolving fund for engineering department in lieu of that created by chapter 108 of Statutes of 1913 and chapter 355 of Statutes of 1915.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 914—An act appropriating money to create a revolving fund for the State Purchasing Department.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 915—An act appropriating money for the support of the State Purchasing Department during the sixty-ninth and seventieth fiscal years.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 916—An act appropriating money for machinery and equipment, State Printing Plant.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 917—An act to provide for the celebration of the national memorial reunion and peace jubilee at Vicksburg, Mississippi; appointing a commission in connection therewith, and making an appropriation therefor.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 918—An act to amend section 2093 of the Code of Civil Procedure, relating to who shall be authorized to administer oaths or affirmations.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 919—An act appropriating money to pay the claim of Mark Woermer against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 920—An act to amend an act entitled "An act creating a reclamation district to be called and known as 'Reclamation District No. 1500,' providing for the management and control thereof and dissolving all levee districts, swamp land districts, and reclamation districts, lying wholly within the boundaries of said Reclamation District No. 1500, providing for the liquidation and winding up of said dissolved districts, and excluding from any levee district, swamp land district and reclamation district any land lying within the boundaries of said Reclamation District No. 1500," approved April 30, 1913, in effect August 10, 1913, and amended by act approved June 1, 1915, in effect August 8, 1915, conferring powers and duties upon the trustees of said district and relating to the management and control thereof, and substituting the board of supervisors and other officials of Yolo County for the board of supervisors and other officials of Sutter County.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Johnson: Senate Bill No. 921—An act to amend the vehicle act, approved May 11, 1915, by repealing sections 10, 18, 23, and 33 thereof, and by amending sections 1, 3, 4, 5, 6, 7, 8, 9, 11, 13, 15, 17, 20, 22, 24, 26, 27, 28, 32, 34, 35, and 37 thereof, said amendments providing for the regulation of the use and occupation of the public highways by vehicles and otherwise, for the registration and identification

of motor and other vehicles, for the payment of registration fees therefor, and also relating to other matters provided for in said act so amended.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 922—An act to amend the Penal Code by repealing section 499c thereof.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 923—An act to amend the Penal Code, by amending section 499b thereof.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 924—Authorizing any county to permit the construction and maintenance of a highway or boulevard over highways within its limits connecting with main public highways of an adjoining county by the board of supervisors or highway commissioners of such adjoining county, permitting boards of supervisors of such adjoining counties to construct and maintain such bridge or bridges on such highways or boulevards as they may deem necessary, permitting such boards of supervisors to macadamize or pave or gutter such highways or boulevards, providing the manner in which the cost and expense thereof shall be paid, and prescribing the procedure whereby the use, control, maintenance and jurisdiction of any highway or boulevard constructed under the provisions of this act may be retransferred to the county originally granting the use thereof.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Lyon: Senate Bill No. 925—An act to amend an act entitled "An act to provide for the organization of the railroad commission, to define its powers and duties and rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees, and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of division first of the Civil Code, and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 926—An act to amend section 863 of the Civil Code of the State of California, relating to express trusts, so as to provide for notice before sale under trust deeds; also providing for foreclosure.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 927—An act prohibiting the transmitting, conveyance and sale of electric current generated by water power beyond the confines of the State.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 928—An act to amend an act entitled "An act regulating the employment and hours of labor of children; prohibiting the employment of minors under certain ages; prohibiting the employment of certain illiterate minors; providing for the enforcement thereof

by the Commissioner of the Bureau of Labor Statistics and providing penalties for the violation hereof," approved February 20, 1905, as amended by an act approved April 14, 1911, as further amended by an act approved June 2, 1913, as further amended by an act approved June 5, 1915.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 929—An act to amend an act entitled "An act to provide for the organization of the railroad commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 930—An act to amend sections 9 and 10 of an act entitled "An act to establish and support a Bureau of Labor Statistics," approved March 3, 1883.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Jones: Senate Bill No. 931—An act to add a new section to the Political Code, to be numbered section 1734½, relating to the exclusion of an elementary school district from a high school district and the annexation of such elementary school district to another contiguous high school district.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 932—An act to amend section 4 of an act approved June 12, 1916, entitled "An act to provide for the establishment and maintenance of a bureau of tuberculosis under the direction of the State Board of Health; defining its powers and duties; providing for the granting of state aid to cities, counties, cities and counties and groups of counties for the support and care of persons afflicted with tuberculosis; making an appropriation therefor, and repealing certain acts of the Legislature of the State of California," so as to provide for carrying out the purposes thereof.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 933—An act appropriating money for the support of the State Board of Health, in the control of contagious diseases, during the sixty-ninth and seventieth fiscal years.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 934—An act making an appropriation for the relief of the unemployed and to aid cities, counties, and cities and counties in providing work for the unemployed.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 935—An act to amend section 638 of the Civil Code, relating to loans by building and loan associations and the notes or obligations taken therefor.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 936—An act to amend an act entitled "An act to define the duties of and to license land surveyors, and to repeal an

act entitled 'An act to define the duties of and to license land surveyors,' approved March 31, 1891," approved March 16, 1907; by amending sections 1, 2, 3, 11 and 14 thereof, so as to constitute the Surveyor General, the State Engineer and the Highway Engineer, ex officio, a state board of land surveyors to examine persons applying to become licensed land surveyors; to prescribe the powers and duties of such board; to provide for the issuance, suspension, or revocation of licenses; to provide penalties for violations hereof; and to provide for paying the actual necessary expenses of such board.

Bill read first time, and referred to Committee on Judiciary.

By Senator Carr, F. M.: Senate Bill No. 937—An act to amend section 17 of the act known as the "Public Utilities Act," approved April 23, 1915.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 938—An act to amend section 8 of an act entitled "An act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain acts a felony and repealing an act entitled 'An act creating a Commissioner of Public Works, defining his duties and powers and fixing his compensation,' approved February 9, 1900, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897; also repealing an act entitled 'An act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this act,' approved March 17, 1897, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to provide for the appointment, duties and compensation of a debris commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such commissioner,' approved March 24, 1893, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this act,' approved April 1, 1897, and all acts or parts of acts amendatory thereof," approved March 11, 1907, as amended.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Senate Bill No. 939—An act to add a new section to the Political Code of the State of California to be known as section

2291, relative to mothers' pension, called the Safety Home Mortgage Loan Lien.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 940—An act authorizing the Governor to appoint a commission to investigate and report at the forty third session of the Legislature, ways and means of fostering and encouraging the industrial and manufacturing development of the State of California, and for the purpose of encouraging the consumption of California made manufactured goods, and making an appropriation therefor.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 941—An act to amend section 1543 of the Political Code relating to the duty of the superintendent of schools and to add a new section to the Political Code, to be numbered section 1582, relating to his duties concerning the lapsing and suspension of school districts.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 942—An act to amend sections 1519 and 1519*a* of the Political Code, and to add thereto new sections to be numbered 1519*b*, 1519*c*, 1519*d*, 1534 and 1696*b*, relating to the powers and duties of the State Board of Education and of the superintendent of public instruction, and to the duties of the teachers.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 943—An act to add new sections to the Political Code, to be numbered sections 1585, 1586, 1587, 1588, 1589, 1589*a*, 1589*b*, 1589*c*, 1590, 1591, 1591*a*, 1591*b* and 1591*c*, relating to union school districts, and to repeal section 1674 of the Political Code, relating to union school districts.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 944—An act to add a new section to the Political Code, to be numbered 1675*a*, relating to the change of name of school districts and the manner of making such change and to repeal "An act to provide for the change of name of school districts and the manner of making such change," approved March 16, 1903.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 945—An act to add a new section to the Political Code, to be numbered section 1670, relating to the school year, and school month, and to repeal section 1697 of the Political Code, relating to the school month, and section 1878 of the Political Code, relating to the school year.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 946—An act to amend sections 1611, 1613, 1614, 1615, 1616, and 1617 of the Political Code; to add thereto new sections to be numbered 1603, 1603*a*, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1612 and to repeal sections 1617*a*, 1617*b*, 1617*c*, and 1617*d*, of the Political Code, relating to boards of school trustees and city boards of education.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 947—An act to add new sections to the Political Code, to be numbered section 1547 and section 1671, relating to the apportionment of school moneys by the county superintendent of schools

and the minimum school day, and to repeal section 1858 of the Political Code, relating to the same.

Bill read first time, and referred to Committee on Education.

By Senator Benson: Senate Bill No. 948—An act appropriating money to pay the cost of printing, publishing and distributing state textbooks free to the school children of the State in accordance with the provisions of the Constitution.

Bill read first time, and referred to Committee on Finance.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following report of standing committee was received and read:

ON FEDERAL RELATIONS.

SACRAMENTO, January 26, 1917

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 5—Relative to a measure pending in Congress known as H. R. 19291, for the promotion of reclamation of arid and swamp lands, and memorializing Congress for the passage of the bill—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

RUSH, Chairman.

CONSIDERATION OF JOINT RESOLUTION—(OUT OF ORDER).

Senator Maddux asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 5 for consideration out of order.

ASSEMBLY JOINT RESOLUTION NO. 5

Relative to a measure pending in Congress known as H. R. 19291 for the promotion of reclamation of arid and swamp lands and memorializing Congress for the passage of the bill.

WHEREAS, There has been introduced in the house of representatives by Mr. Smith of Idaho a bill known as H. R. 19291, and in the Senate by Mr. Chamberlain, known as S. 7487, which proposed bill is as follows:

A BILL

To promote the reclamation of arid and swamp lands in the United States, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That beginning with July 1, 1917, there shall be paid out of the receipts of the reclamation fund the sum of five hundred thousand dollars per annum into a special fund in the treasury of the United States, to be known as the reclamation guaranty fund, until such reclamation guaranty fund reaches a total of ten million dollars, to be used to reimburse the general funds of the treasury of the United States for any costs, losses, or expenses not otherwise provided for, which may be incurred under the provisions of this act. Should said reclamation guaranty fund ever become exhausted in the payment of obligations incurred under the provisions of this act, then from such time the sum of one million dollars shall be paid each year out of the receipts of the reclamation fund until such reclamation guaranty fund again reaches the sum of ten million dollars.

SEC. 2. That when the secretary of the interior, pursuant to the provisions of the reclamation act of June 17, 1902, and acts amendatory thereof and supplementary thereto, hereinafter referred to as the reclamation law, shall have determined that the construction of a project or unit of a project for the reclamation of arid and semiarid lands is practical and advisable, or if he shall determine that any project for the drainage of any swamp lands is practicable and advisable, and shall have approved of the construction thereof under the provisions of this act, the Secretary of the Interior is authorized to enter into contract or contracts with an irrigation or drainage district or districts, including such lands, which are duly organized under the laws of the state or states in which such lands are located, and thereafter to provide for the construction of the necessary works under the provisions of this act for the reclamation of such lands.

SEC. 3. That when such district or districts shall have duly voted and issued bonds bearing interest at a rate to be fixed by the Secretary of the Interior not to exceed four per centum per annum, in sufficient amount to cover the cost of such project as estimated by the Secretary of the Interior, and the legality and validity of

such bond issue shall have been duly confirmed by the courts in the manner provided by the state laws and upon the execution of contract or contracts between the district or districts and the Secretary of the Interior he is hereby authorized to accept such district bonds and deposit the same with the Secretary of the Treasury, who shall collect the principal and interest thereof and apply the same to the payment of the principal and interest of the certificates of indebtedness hereinafter authorized: *provided*, that the total face value of such irrigation or drainage district bonds accepted by the Secretary of the Interior shall not for any one project exceed the sum of twenty-five million dollars.

SEC. 4. That upon the receipt by the Secretary of the Treasury of such district bonds he shall issue certificates of indebtedness of the United States in amount equal to the face value of such district bonds and bearing interest at the same rate in such form as he may prescribe and in denominations of fifty dollars or multiples thereof, the principal and interest to be payable in gold coin of the United States, the principal and interest thereof to become due not less than sixty days after the due date of the principal and interest of the corresponding district bonds respectively. Such certificates of indebtedness shall run for the same period as the corresponding district bonds.

SEC. 5. That from time to time, as funds may be required by the Secretary of the Interior for construction purposes such certificates of indebtedness shall be disposed of by the Secretary of the Interior under such rules and regulations as he may prescribe, giving all citizens of the United States an equal opportunity to subscribe therefor, but no commission shall be allowed, and the aggregate issue of such certificates shall not exceed the amount of the district bonds deposited with the Secretary of the Treasury and shall in no event exceed the sum of twenty-five million dollars for any one project, and the proceeds from the sale of such certificates of indebtedness shall be deposited in a special project fund to be used in carrying out the provisions of this act for said project.

SEC. 6. That the Secretary of the Interior is hereby authorized to expend the moneys in any such project fund for constructing the necessary works in the same manner and under the same conditions as expenditures are authorized for in the said reclamation law, which shall be applicable to the said works in all respects, except as herein specifically modified.

SEC. 7. That should a surplus remain from the proceeds of the sale of such certificates of indebtedness issued in connection with any project after the construction of the works provided for in the contract or contracts, such surplus may be used in the construction of additional works in connection with said project provided for by supplemental contract or contracts, or the same may be used in the operation and maintenance of the works of the project or applied as payment of interest on the district bonds issued on account of said project until exhausted. All contracts hereunder with such districts shall bear the expenditures made by the United States to the proceeds of the certificates of indebtedness issued in payment of bonds for such district or districts and may provide for the sale and disposal of additional bonds should the bonds originally deposited prove insufficient in amount. If in the opinion of the Secretary of the Interior sufficient funds are available in the reclamation fund, the construction of the proposed works for the reclamation of arid or semiarid lands within the states named in the reclamation law may be paid wholly or in part out of the reclamation fund, and the said reclamation fund shall be reimbursed for any sums so used therefrom.

SEC. 8. That the certificates of indebtedness herein authorized shall be exempt from taxes or duties of the United States as well as from taxation in any form by or under the state, municipal, or local authority, and a sum not exceeding one-tenth of one per centum of the amount of the certificates of indebtedness issued under this act is hereby appropriated out of the said reclamation fund to pay the expenses of preparing, advertising, and issuing the same: *provided*, that the reclamation fund shall be reimbursed for such expenditure out of the proceeds of the sale of such certificates of indebtedness, which expense shall be charged to the district or districts in the same manner as all other expenses in connection with the construction of the project works.

SEC. 9. That should the collections of principal or interest on any district bond issue deposited with the Secretary of the Treasury be insufficient to meet the payment of the principal or interest of the corresponding certificates of indebtedness, then the general funds of the treasury shall be reimbursed for any such deficiency out of the reclamation guaranty fund, and should any such defaulted bond, interest or principal, be collected after such reimbursement of the general fund, then such collection shall be credited to the said reclamation guaranty fund.

SEC. 10. That upon default of any installment of the principal and interest of any district bond so accepted and deposited, the Secretary of the Interior may declare the entire amount of such issue in default, and through the Attorney General of the United States may cause suit to be instituted for the collection of the amount in default of principal or interest or the entire amount of such bond issue, principal and interest, and the Attorney General shall, upon request of the Secretary of the Interior under this act, cause proceedings to be commenced for the recovery of said

amounts within ninety days from the receipt of the application at the Department of Justice.

SEC. 11. That unentered public lands of the United States proposed to be irrigated or drained under any project under the provisions of this act shall be divided into farm units of areas which in the opinion of the Secretary of the Interior, may be reasonably required for the support of a family upon the lands in question, and the Secretary of the Interior is hereby authorized to have such farm units appraised and from time to time to advertise and sell the same in such portions or units of the project as he shall deem advisable, at public auction for cash to the highest bidder at not less than the appraised value thereof, not more than one farm unit being sold to any one person and such sale shall be subject to the conditions hereinafter provided in regard to the reclamation and drainage thereof. Should any such land remain unsold at such public auction it may thereafter be sold at private sale for cash at not less than the appraised value, and should any such land remain unsold at private sale it may be reappraised from time to time at intervals of two years and sold at public auction or private sale, as in this section provided.

SEC. 12. That for lands so sold contracts of sale shall be issued subject to the condition that within two years after the date of notice by the Secretary of the Interior that water is available for the irrigation of such farm unit, or drainage capacity is available therefor, that the purchaser shall have cleared (where clearing is required), drained, cultivated, prepared for irrigation or agricultural uses, in the manner required by the Secretary of the Interior at least one-eighth of the irrigable or reclamable acreage of such farm unit and made proof of the irrigation or drainage thereof, satisfactory to the Secretary of the Interior; one-fourth of the irrigable or reclamable acreage shall be reclaimed and drained within three years, three-eighths within four years, and one-half within five years after the date of such notice by the Secretary of the Interior. Upon proof satisfactory to the Secretary of the Interior, of the reclamation and drainage of one-half the irrigable or reclamable acreage at any time before or after said period of two years, patent shall issue to the purchaser or his assignee holding an assignment duly filed in the local land office, but should such purchaser fail to make proof in any year of the irrigation, drainage, and reclamation of the acreage as herein required or to make proof of the irrigation, reclamation, and drainage of one-half the irrigable and reclamable acreage within a period of ten years, then such contract together with all payments made thereon, shall be subject to forfeiture by the Secretary of the Interior, and the land shall revert to the United States to be again appraised and sold in like manner as hereinbefore provided.

SEC. 13. That from the money received from such sales of land the expense of appraisement and sale paid from the reclamation or proper fund shall be deducted and the balance shall be turned into the reclamation fund, and may, in the discretion of the Secretary of the Interior be used in the construction of proposed projects either under this act or under the reclamation law.

SEC. 14. That the unappropriated lands of the United States within the limits of any district with which contracts is made by the Secretary of the Interior shall be subject to the provisions of the act entitled "An act to promote the reclamation of arid lands, approved August 11, 1916 (Thirty-nineth Statutes page five hundred-sixty)."

SEC. 15. That the Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this act into full force and effect.

AND WHEREAS, The passage of such bill would be of inestimable benefit to the State of California in aiding in the reclamation of its arid land:

Resolved, That the Senate and Assembly of the State of California respectfully request and urge the Congress of the United States to pass the said bill; and be it further

Resolved, That our Senators and Representatives in Congress be urged to use all reasonable means to secure the passage of this bill; and be it further

Resolved, That copies of this resolution be sent to the Senators and Representatives in Congress of California and to the President of the United States.

Resolution read.

The question being on the adoption of the resolution

The roll was called, and Assembly Joint Resolution No. 5 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Dennett, Evans, Flaherty, Gates, Hans, Inman, Irwin, Irwin, Kehoe, Kent, Marron, Nourse, Parker, Rigdon, Rominger, Rush, Scott, Shearer, Slater, Stuckenbruck, and Thompson—30.

NOES—None.

Assembly Joint Resolution No. 5 ordered transmitted to the Assembly.

INTRODUCTION AND FIRST READING OF BILLS, ETC. (RESUMED).

The following bills were introduced:

By Senator Scott (by request): Senate Bill No. 949—An act to amend section 594 of the Political Code, relating to the classification of insurance business and the capital stock of insurance companies.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 950—An act providing for the examination and certification of plumbers and prescribing penalties for violations of the provisions thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 951—An act to amend section 626*a* of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 952—An act to add a new section to the Civil Code of the State of California, to be known as section 1624*a*, relating to contracts in foreign languages and actions thereon.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 953—An act to amend section 1072 of the Penal Code of the State of California, relating to general causes of challenge.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 954—An act to provide compensation for state employees on certain legal holidays.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Burnett: Senate Bill No. 955—An act to amend section 869 of the Penal Code.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 956—An act to amend sections 269, 270 and 271 of the Code of Civil Procedure, relating to phonographic or shorthand reporters.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 957—An act to amend section 660 of the Code of Civil Procedure.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 958—An act to add to the Code of Civil Procedure a new section to be known as section 269*a*, relating to the appointment of a state board of shorthand examiners, and prescribing their appointment, powers and duties.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 959—An act to amend section 3713 of the Political Code of the State of California, relating to the levy of taxes.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 960—An act to amend section 791 of the Political Code, relating to notaries public.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 961—An act to amend section 640 of the Penal Code of the State of California, relating to telegraph and telephone lines and messages.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 962—An act to amend section 592 of the Code of Civil Procedure of the State of California, relating to trials by jury.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 963—An act to amend an act entitled "An act to regulate contracts on behalf of the state in relation to the erection, construction, alteration, repair or improvement of any kind and to repeal an act entitled 'An act to regulate contracts on behalf of the state in relation to erection and building,' approved March 28, 1876, approved March 22, 1909," by adding a new section to be known as section 4.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 964—An act to amend section 171 of the Civil Code of the State of California, relating to the liability of the wife's separate property for debts incurred in certain cases.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 965—An act to add a new section to the Code of Civil Procedure to be known as 1195*a*, relative to attorney fees in lien cases.

Bill read first time, and referred to Committee on Judiciary.

By Senator King: Senate Bill No. 966—An act to amend section 456 of the Political Code of the State of California, relating to employees in the office of the State Treasurer.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 967—An act to amend section 4237 of the Political Code, relating to the compensation of county and township officers of counties of the eighth class and to the number, appointment and salaries of their assistants and deputies.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 968—An act amending section 641 of the Civil Code of the State of California, relating to the reserve fund of building and loan associations.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 969—An act providing for cooperation between the state and the counties of the state in the gathering and platting of data upon which the valuation of real property may be established and equalized, and appropriating money for such purpose.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 970—An act to add a new section to the Political Code to be numbered 4041*a*, relating to the powers and duties of boards of supervisors in the gathering and platting and recording of data upon which the valuation of real property may be established and equalized.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 971—An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and providing for the issuance and payment of street improvement

bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Slater: Senate Bill No. 972.—An act to amend section 4013 of the Political Code, relating to county officers.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 973.—An act to create an office of county engineer in counties of the tenth class, provide for his appointment, to define his duties and to fix his compensation.

Bill read first time, and referred to Committee on County Government.

By Senator Brown: Senate Bill No. 974.—An act to amend that certain act of the Legislature of the State of California entitled "An act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," by amending section 54 thereof, relating to the definition and regulation of banking.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 975.—An act to amend section 1365 of the Code of Civil Procedure, relating to the order of persons entitled to administer upon estates.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 976.—An act amending an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the distributing government and municipal control of such annexed territory," approved June 11, 1913, and amended April 29, 1915, by amending sections 2, 4 and 5.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 977.—An act to amend an act entitled "An act to provide for the consolidation of municipal corporations," approved June 11, 1913, and amended April 29, 1915, by amending sections 3, 4 and 5.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 978.—An act to amend section 2806 of the Code of Civil Procedure, relating to admission to practice of graduates of law schools.

Bill read first time, and referred to Committee on Judiciary.

By Senator Kehoe: Senate Bill No. 979.—An act to amend an act known as the "Water Commission Act," approved July 16, 1913, by adding thereto three new sections to be numbered 40*a*, 40*b* and 40*c*, providing for the investigation of stream systems, reservoir sites, and irrigation district projects, the authorization and approval of issuance of irrigation district bonds therefor and providing for cooperation with federal authorities.

Bill read first time, and referred to Committee on Irrigation.

Also: Senate Bill No. 980.—An act to amend an act known as the "Water Commission Act," approved July 16, 1913, by adding thereto

three new sections to be numbered 40a, 40b and 40c, providing for the investigation of stream system, reservoir sites, and irrigation district projects, the authorization and approval of issuance of irrigation district bonds therefor and providing for cooperation with federal authorities.

Bill read first time, and referred to Committee on Irrigation.

Also: Senate Bill No. 981—An act to add a new section to Article VII, Chapter III, Title III of Part III of the Political Code of the State of California to be designated section 1617b, relating to power of trustees of elementary school districts.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 982—An act granting to the city of Arcata tide and submerged lands of the State of California, including the right to wharf out therefrom, to the city of Arcata, and regulating the management, use and control thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 983—An act to add a new section to the Civil Code, to be numbered 128a, providing for the service of summons and complaint on the district attorney in actions for divorce or annulment of marriage, and conditioning the courts' jurisdiction thereon.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 984—An act to add a new section to the Code of Civil Procedure to be numbered 1920, relating to the service of summons in actions for divorce or annulment of marriage.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 985—An act to add a new section to the Political Code to be numbered 4155a, providing for the powers and duties of district attorneys in actions for divorce or annulment of marriage, and to authorize the appointment of additional deputies by district attorneys in counties of the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth classes and providing for their compensation.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 986—An act appropriating money for the support of the Social Insurance Investigating Commission during the sixty-ninth and seventieth fiscal years.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 987—An act to repeal section 280g of the Code of Civil Procedure, relating to diplomas granted by Hastings College of Law.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 988—An act repealing section 1483 of the Political Code, relating to licenses to practice law.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 989—An act to amend section 1380 of the Code of Civil Procedure, relating to giving special notices to heirs, devisees, and legatees during the administration of estates of decedents.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 990—An act to amend section 1444 of the Code of Civil Procedure of the State of California, relating to appraisers of estates of deceased persons.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 991—An act to amend section 963 of the Code of Civil Procedure of the State of California, relating to cases in which an appeal may be taken.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 992—An act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under an act hereby repealed, to be known as the "Inheritance Tax Act"; and to repeal chapter 595 of the laws of the session of the Legislature of California of 1913, approved June 16, 1913, known as the "Inheritance Tax Act," and all amendments thereto, and to repeal all acts and parts of acts in conflict with this act.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Carr, W. J.: Senate Bill No. 993—An act to amend section 474 of the Political Code of the State of California, relating to the powers and duties of the Attorney General.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 994—An act to amend section 475 of the Political Code of the State of California, relating to clerks, stenographers, and service agent of the Attorney General's office.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 995—An act to provide for printing, binding, digesting and indexing the opinions of the Attorney General of this State and making an appropriation to pay the cost and expenses of the same.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 996—An act to appropriate money to pay the claim of W. A. Hammel on judgment against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 997—An act to appropriate money to pay the claim of W. A. Hammel on judgment against the State of California for costs incurred.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 998—An act appropriating money for the use of the Railroad Commission in the regulation of utilities within incorporated cities during the sixty-ninth and seventieth fiscal years.

Bill read first time, and referred to Committee on Finance.

By Senator Rush: Senate Bill No. 999—An act to amend an act entitled "An act to create a drainage district to be called Knight's Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knight's Landing Ridge, and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds," approved

April 30, 1913, by adding a new section thereto, to be known as section 7½, in reference to the payment of invalid assessments.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 1000—An act to amend section three and also section seven of an act entitled "An act to create a levee district, to be called and designated Sacramento River West Side Levee District; to prevent the overflow of flood waters from the Sacramento River from flooding onto the lands within said district by the construction of levees along the west bank of the Sacramento River and adjacent thereto and maintain the same; providing for the election and appointment of officers of said levee district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said levee district," approved May 18, 1915.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 1001—An act to amend section 24 of an act approved June 5, 1915, known as the Juvenile Court Law.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1002—An act making an appropriation for the purchase by the State Agricultural Society of a large tent and movable seats therefor.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1003—An act appropriating money for the enlargement of kitchen for hospital and additional equipment for same at the Veterans' Home.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1004—An act to amend sections 2, 4, 5, 9, 13, and to repeal section 11 of an act entitled "An act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California, to the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State home for United States soldiers, sailors and marines, and to provide for the government thereof by the State," approved March, 1907.

Bill read first time, and referred to Committee on Finance.

By Senator Purkitt: Senate Bill No. 1005—An act to repeal an act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing that said bonds may be investigated by an appointive board of three hydraulic engineers; providing for the approval of said bonds by the state superintendent of

banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased or received in pledge as security for any money or deposits or for the performance of any act by banks, banking institutions, insurance companies, trust companies guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; and providing for the dissolution of said districts for nonuser of corporate power, approved June 13, 1913.

Bill read first time, and referred to Committee on Irrigation.

By Senator Slater: Senate Bill No. 1006—An act to amend an act entitled "An act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain acts a felony and repealing an act entitled 'An act creating a commissioner of public works, defining his duties and powers and fixing his compensation,' approved February 9, 1900, and all acts or parts of acts amendatory thereof, also repealing an act entitled 'An act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897; also repealing an act entitled 'An act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this act,' approved March 17, 1897, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to provide for the appointment, duties and compensation of a debris commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such commissioner,' approved March 24, 1893, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this act,' approved April 1, 1897, and all acts or parts of acts amendatory thereof," approved March 11, 1907, and all acts or parts of acts amendatory thereof, by amending section 4 thereof.

Bill read first time, and referred to Committee on Judiciary.

By Senator Johnson: Senate Bill No. 1007—An act to amend section 1750 of the Political Code of the State of California, relating to high school courses of study.

Bill read first time, and referred to Committee on Education.

By Senator Luce: Senate Bill No. 1008—An act appropriating money for the support and payment of all salaries of the State Market Commission during the sixty-ninth and seventieth fiscal years.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1009—An act to amend sections 1, 2, 3, 4, and 7 of an act entitled "An act to promote the safety of employees and travelers upon railroads, by compelling common carriers by railroad to properly man their trains," approved February 20, 1911, as amended, and to add thereto two new sections, to be numbered 8 and 9.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 1010—An act to restrict all physicians in the service of the State who are regularly employed on a monthly salary.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 1011—An act to add a new section to the Penal Code of the State of California, to be numbered 633*a*, relating to the further protection of fish, making a violation of the terms of this act a misdemeanor.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 1012—An act regulating the manner in which attaches of either house of the legislature shall be appointed.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1013—An act to appropriate money to pay the claim of George F. Gray against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Lyon: Senate Bill No. 1014—An act to regulate the charges of hotels, inns, hostelries, boarding-houses, apartment houses and hotel apartment houses, and prohibiting the same from charging or collecting or receiving from any patron or customer for telephone or telegraph services, or connection, any sum in excess of the amount paid or to be paid by such hotels, inns, hostelries, boarding-houses, apartment houses and hotel apartment houses to the public service, person, firm or corporation furnishing such service or connection.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1015—An act to regulate the operation of factories, manufacturing or producing gunpowder, guncotton, dynamite, nitroglycerine or other high explosive substances and prohibiting the operation of such factories within certain distances of the right of way of any railroad or railway company engaged in the carriage of passengers.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 1016—An act to amend section 102*b* of the Code of Civil Procedure, relating to salaries of justices of the peace.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1017—An act to provide for the issuing of certificate of employment by employer to employee, and providing penalty for nonperformance thereof.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 1018—An act to amend section 276 of the Code of Civil Procedure of the State of California, relating to testimonials examination before District Court of Appeal.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1019—An act to amend section 854 of the Code of Civil Procedure, relating to demurrers to complaints in justice's court actions.

Bill read first time, and referred to Committee on Judiciary.

By Senator Breed: Senate Bill No. 1020—An act appropriating money to pay the claim of various counties and institutions, orphan aid.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1021—An act to amend an act entitled "An act to create a commission for the purpose of making a survey of local historical material in the State of California; defining the power and duties of said commission; and making an appropriation therefor," approved June 12, 1915, by amending sections 4 and 7 thereof, extending the purpose, power and duties of said commission and making an appropriation therefor.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1022—An act to create a commission for the purpose of assembling and permanently preserving accurate information concerning the buildings and structures used in connection with the Franciscan Missions of California and for their preservation and restoration, defining the powers and duties of said commission, and making appropriation therefor.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1023—An act relating to corporations and to the issue of shares by them without a nominal or par value.

Bill read first time, and referred to Committee on Corporations.

Also: Senate Bill No. 1024—An act to amend section 290 of the Civil Code of the State of California.

Bill read first time, and referred to Committee on Corporations.

Also (by request): Senate Bill No. 1025—An act to amend section 1723 of the Code of Civil Procedure of the State of California, relating to the disposition of life estates or homesteads or community property on owner's death in certain cases.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Senate Bill No. 1026—An act permitting post mortem examinations by physicians and surgeons of persons dying in public hospitals.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Duncan: Senate Bill No. 1027—An act to amend the Code of Civil Procedure by adding thereto a new section, to be numbered and known as section 1128, providing for the contesting of elections held under the initiative and referendum provisions of Article IV, section 1 of the Constitution of the State of California.

Bill read first time, and referred to Committee on Elections.

By Senator Crowley: Senate Bill No. 1028—An act regulating the sale and disposal of proprietary and patent medicines, providing for the registration of their ingredients with the State Board of Health, and prescribing penalties for violation thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Canepa: Senate Bill No. 1029—An act appropriating money for the support of the Historical Commission during the sixty-ninth and seventieth fiscal years.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1030—An act appropriating money for the equipment of vault, Secretary of State's office.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1031—An act to amend section 3765 of the Political Code, relating to delinquent taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 1032—An act regulating the width of tires used upon certain vehicles; providing for the equipment of motor trucks with rubber tires; regulating the width and length of commercial vehicles; providing for licenses therefor; regulating the weight of loads to be carried thereon, and the speed limit thereof.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Sharkey: Senate Bill No. 1033—An act making an appropriation to meet part of the expenses of maintaining the navigability of the San Rafael deep-water channel, and repealing an act entitled "An act to appropriate money to meet part of the expenses in maintaining the navigability of the San Rafael deep-water channel," approved June 9, 1915.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Lyon: Senate Bill No. 1034—An act to amend section 3 of an act entitled "An act regulating the cleaning, laundering, sale, offering for sale, and furnishing for use to employees, of wiping rags; authorizing counties, cities and counties, cities and towns, to enact ordinances prohibiting the cleaning, laundering, sterilizing, and sale of wiping rags without a permit, and to issue and revoke permits, to clean, launder, and sell wiping rags within their respective jurisdictions; authorizing peace and health officers to make inspections of wiping rags, and making violations of this act a misdemeanor," approved April 25, 1913.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Flaherty: Senate Bill No. 1035—An act to make lawful certain agreements between employers and laborers and to limit the issuing of injunctions in certain cases.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Luce: Senate Bill No. 1036—An act appropriating money to pay the claim of Annie Paul against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1037—An act appropriating money to pay the claim of Frank B. Perfield against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1038—An act appropriating money to pay the claim of William A. Anderson against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1039—An act appropriating money to pay the claim of Patrick Sullivan against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1040—An act appropriating money to pay the claim of C. D. Christoffersen against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1041—An act appropriating money to pay the claim of C. Schmidt Broderson against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1042—An act appropriating money to pay the claim of Thomas J. Stewart against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1043—An act appropriating money to pay the claim of S. I. Cozad against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1044—An act appropriating money to pay the claim of Bela Friedman against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1045—An act appropriating money to pay the claim of Fred Thonhoff against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1046—An act appropriating money to pay the claim of Harland Wehr against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1047—An act appropriating money to pay the claim of Nicholas Brier against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1048—An act appropriating money to pay the claim of Frank De La Piedra against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1049—An act appropriating money to pay the claim of Michael Smith against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1050—An act appropriating money to pay the claim of A. P. Prather against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1051—An act appropriating money to pay the claim of J. A. Cochran against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1052—An act appropriating money to pay the claim of Louisa Nichols against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1053—An act appropriating money to pay the claim of I. J. Hoover against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1054—An act appropriating money to pay the claim of William H. Boswell against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1055—An act appropriating money to pay the claim of Clarence Hall against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1056—An act appropriating money to pay the claim of George L. Makley against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1057—An act appropriating money to pay the claim of Joseph Fox against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1058—An act appropriating money to pay the claim of Mathilde da Conceidao D'Abreau Chulata against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1059—An act appropriating money to pay the claim of J. R. Summers against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1060—An act appropriating money to pay the claim of Matilda J. Osborn against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1061—An act appropriating money to pay the claim of W. H. Long against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1062—An act appropriating money to pay the claim of Robert A. Thomas against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1063—An act appropriating money to pay the claim of Louise J. Maier against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1064—An act appropriating money to pay the claim of William Bottini against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1065—An act appropriating money to pay the claim of Julius Keller against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1066—An act appropriating money to pay the claim of J. W. Arbulich against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1067—An act appropriating money to pay the claim of Melquiades Moreno against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1068—An act appropriating money to pay the claim of Julius W. Sands against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1069—An act appropriating money to pay the claim of H. C. Young against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1070—An act appropriating money to pay the claim of Alina Waara against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1071—An act appropriating money to pay the claim of Henry Behre against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1072—An act appropriating money to pay the claim of Simon Ilhero against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1073—An act appropriating money to pay the claim of I. Lutz against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1074—An act appropriating money to pay the claim of Manuel Da Silva against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1075—An act appropriating money to pay the claim of Ben Oswald against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Duncan: Senate Bill No. 1076—An act to repeal section 1324 of the Penal Code, relating to the testimony of witness refusing to answer on the ground that such answer will incriminate himself.

Bill read first time, and referred to Committee on Judiciary.

By Senator Gates: Senate Bill No. 1077—An act to amend section 3088 of the Civil Code, relating to negotiable instruments.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1078—An act providing for the leasing of certain state lands.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1079—An act to provide for the forfeiture of certain lands to the State in the event of the nonpayment of delinquent interest upon any part of the unpaid portion of the purchase price thereof, together with penalties and costs as herein provided, as well as for the forfeiture of all moneys previously paid thereon, whether for principal or interest; prescribing the duties of certain public officers with respect thereto; providing for the giving of notice thereof; prescribing certain remedies; and making an appropriation for the purposes of this act.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rigdon: Senate Bill No. 1080—An act to make an appropriation for repairing the buildings of the California Polytechnic School situated at San Luis Obispo, California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1081—An act to amend section 1891 of the Political Code, relating to school districts situated in two or more counties.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 1082—An act to amend section 1728 of the Political Code, relating to the formation of joint union high school districts.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 1083—An act to add a new section to the Political Code to be numbered section 1543*b*, relating to the jurisdiction of county superintendent of schools over joint and joint union school districts.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 1084—An act to amend sections 1745 and 1746, and to repeal section 1749 of the Political Code, all relating to the issuance of bonds by high school districts.

Bill read first time, and referred to Committee on Education.

By Senator Gates: Senate Bill No. 1085—An act to amend the Penal Code of the State of California by adding thereto a new section to be numbered 506*a*, relating to and defining who is guilty of embezzlement.

Bill read first time, and referred to Committee on Judiciary.

By Senator Chandler: Senate Bill No. 1086—An act to amend section 538 of the Code of Civil Procedure of the State of California, relating to affidavit for attachment.

Bill read first time, and referred to Committee on Judiciary.

By Senator Inman: Senate Bill No. 1087—An act to amend section 2283 of the Political Code, relating to appropriation for orphans.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1088—An act to amend the General Laws of the State of California, relating to motor vehicles, by adding a new section thereto to be numbered and known as act 2331c, proposing penalty for defacing identification mark.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 1089—An act to amend an act entitled "An act to regulate the public service of stallions and jacks in the State of California," approved May 1, 1911.

Bill read first time, and referred to Committee on Agriculture.

By Senator Scott: Senate Bill No. 1090—An act to amend sections 2, 3, 6, 7, 12 and 15, of an act entitled "An act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911.

Bill read first time, and referred to Committee on Military Affairs.

By Senator McDonald: Senate Bill No. 1091—An act to amend sections 2283, 2285 and 2289 of the Political Code, relating to the support and maintenance of orphans, half-orphans and abandoned children.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1092—An act to amend section 3423 of the Civil Code, in relation to injunctions.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1093—An act to amend section 526 of the Code of Civil Procedure, in relation to injunctions.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1094—An act to amend section 410 of the Political Code, relating to the distribution of the laws, resolutions and journals of the Legislature; of reports of Supreme Court.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1095—An act to amend section 224 of the Civil Code, relating to persons whose consent is necessary to the adoption of a minor child.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1096—An act to amend section 226 of the Civil Code, relating to proceedings on adoption.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1097—An act to amend section 1304 of the Code of Civil Procedure, relating to notice of time appointed for probate of will to be sent to heirs, legatees, and named executors.

Bill read first time, and referred to Committee on Judiciary.

By Senator Canepa: Senate Bill No. 1098—An act relative to the furnishing of drinking water and individual drinking cups on passenger trains of railroad corporations; and providing penalties therefor.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Flaherty: Senate Bill No. 1099—An act to amend section 226 of the Civil Code, relating to proceedings on adoption.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1100—An act to amend section 270 of the Penal Code, making failure of parent to provide necessaries for his minor child a crime, and conferring jurisdiction thereof upon the juvenile court.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1101—An act to amend section 224 of the Civil Code, relating to persons whose consent is necessary to the adoption of a minor child.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1102—An act to amend section 21 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years, and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes, and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915.

Bill read first time, and referred to Committee on Judiciary.

By Senator Lyon: Senate Bill No. 1103—An act to amend section 103 of the Code of Civil Procedure of the State of California, relating to justice's courts and justices, in counties, in cities of various classes, jurisdiction, qualifications, salaries, fees.

Bill read first time, and referred to Committee on Judiciary.

By Senator Gates: Senate Bill No. 1104—An act to amend section 3518 of the Political Code, relating to the issuance of duplicates for lost certificates of purchase.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1105—An act to amend section 3513 of the Political Code, relating to the payment of the purchase price of lands sold by the State on and after the first day of May, A. D. 1911.

Bill read first time, and referred to Committee on Judiciary.

RESOLUTIONS—OUT OF ORDER.

The following resolutions were introduced:

By Senator Luce:

Resolved, That the following named persons be stricken from the list of Senate attaches, and their names be stricken from the pay roll of the Senate:

Name and Position.	Per diem.
J. W. Kavanagh, Assistant Secretary	$9 00
J. A. Miller, Assistant Secretary	7 00
W. B. Coombs, Assistant Secretary	7 00
J. A. Beck, Minute Clerk	9 00
W. E. Wright, Assistant Minute Clerk	7 00
Donald Graham, Assistant Minute Clerk	7 00
John M. McDonald, Journal Clerk	7 00
Wellington Bowser, Assistant Journal Clerk	5 00
Mrs. Louise Healey, Assistant Journal Clerk	5 00
Mrs. Zoe B. Fuller, Assistant Journal Clerk	5 00
T. W. Bromley, Assistant Journal Clerk	5 00
Milo R. Robbins, Engrossing and Enrolling Clerk	7 00
A. O. Stuckenbruck, Assistant Engrossing and Enrolling Clerk	5 00
Maud Cottier, Assistant Engrossing and Enrolling Clerk	5 00
Mrs. Zoe Dobson, Assistant Engrossing and Enrolling Clerk	5 00
M. G. Riggs, Assistant Engrossing and Enrolling Clerk	5 00
John A. Williams, Assistant Engrossing and Enrolling Clerk	5 00
W. R. Edwards, History Clerk	7 00

Name and position.	Per diem.
G. M. Warren, Assistant History Clerk	5 00
E. J. Charlton, Assistant-at-the-Desk	5 00
William Vacher, Assistant Sergeant-at-Arms	5 00
E. M. Gilleran, Assistant Sergeant-at-Arms	5 00
Thos. F. Whalen, Assistant Sergeant-at-Arms	5 00
E. M. Plunkett, Assistant Sergeant-at-Arms	5 00
J. Diamond, Assistant Sergeant-at-Arms	5 00
Jos. Figoni, Jr., Assistant Sergeant-at-Arms	5 00
Theo. Lafayette, Assistant Sergeant-at-Arms	5 00
J. Bagley, Assistant Sergeant-at-Arms	5 00
Peter Dugan, Assistant Sergeant-at-Arms	5 00
John T. Young, Assistant Sergeant-at-Arms	5 00
W. H. Dexter, Assistant Sergeant-at-Arms	5 00
Walter Johnson, Assistant Sergeant-at-Arms	5 00
Andy Lavelle, Assistant Sergeant-at-Arms	5 00
W. H. Westphal, Assistant Sergeant-at-Arms	5 00
Marion Burnett, Assistant Sergeant-at-Arms	5 00
Wm. Flowers, Assistant Sergeant-at-Arms	5 00
Joseph Moore, Assistant Sergeant-at-Arms	5 00
J. Zimmerman, Assistant Sergeant-at-Arms	5 00
D. E. Keith, Assistant Sergeant-at-Arms	5 00
Stephen A. Byrne, Assistant Sergeant-at-Arms	5 00
J. G. Bishop, Assistant Sergeant-at-Arms	5 00
Florence Phillis, Stenographer	5 00
Lou Wall, Stenographer	5 00
Edna Jacobs, Stenographer	5 00
Mrs. M. L. Weisenhofer, Stenographer	5 00
G. A. Burnett, Stenographer	5 00
V. N. Thompson, Stenographer	5 00
Mae Mudd, Stenographer	5 00
Anna Abrams, Stenographer	5 00
Mrs. Rose A. Cromer, Stenographer	5 00
Mrs. Bertha Benjamin, Stenographer	5 00
Miss Dorothy Kyes, Stenographer	5 00
Miss Gladys Pomeroy, Stenographer	5 00
G. M. Seeley, Stenographer	5 00
Emeline Miller, Stenographer	5 00
Isadora Shurtz, Stenographer	5 00
Daisy Hanson, Stenographer	5 00
M. M. Lyon, Stenographer	5 00
F. W. Kant, Stenographer	5 00
Grace Davis, Stenographer	5 00
Miss F. B. Hatch, Stenographer	5 00
Josephine McCann, Stenographer	5 00
H. B. Duchand, Clerk, Finance Committee	6 00
Lillian Campbell, Clerk, Judiciary Committee	6 00
Mrs. V. Dixon, Committee Clerk	4 00
Edward J. Shedd, Committee Clerk	4 00
Mrs. A. Davenport Martin, Committee Clerk	4 00
B. J. Cohn, Committee Clerk	4 00
Daniel T. Crowley, Committee Clerk	4 00
F. C. Howe, Committee Clerk	4 00
Millie Richards, Committee Clerk	4 00
Al Carroll, Committee Clerk	4 00
Esto Braughton, Committee Clerk	4 00
J. F. Courtney, Committee Clerk	4 00
Wm. P. Ryan, Committee Clerk	4 00
Thos. H. Waters, Committee Clerk	4 00
Mrs. Virginia Albright, Stenographer to President	5 00
Rev. Isaac Dawson, Chaplain	4 00
Albert Cocke, Page	2 50
Erasmus Spurgeon, Page	2 50
Mark Jones, Page	2 50
C. Olivier, Cloakroom Clerk	4 00
W. Wilson, Cloakroom Clerk	4 00
Mrs. Hattie M. Gibbs, Postmistress	4 00
Mrs. J. Carter, Assistant Postmistress	4 00
Anna E. McMahon, Press Mailing Clerk	4 00
Mrs. M. Williams, Press Mailing Clerk	4 00
E. Herrmann, Clerk, Mailing Department	4 00
Everett Dearwater, Mail Carrier	3 00

Resolution read.

Senator Luce moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Irwin, Jones, King, Luce, Lyon, Maddux, Nealon, Rigdon, Rominger, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—None.

Also:

Resolved, That the Secretary of the Senate be and he is hereby authorized and directed to employ during the period of the constitutional recess at a compensation not exceeding the per diem fixed by law or by resolution of the Senate for similar services, and at an expenditure not exceeding four hundred dollars, such stenographers and additional help as may be necessary to carry out the business and directions of the Senate, and for that purpose he is hereby given complete authority over all employees necessary in such work, and the Controller is hereby directed to draw his warrant in favor of the Secretary of the Senate for the said sum of four hundred dollars payable out of the unexpended portion of the five hundred dollars per day allowed by law for the payment of officers and employees of the Senate, and the State Treasurer is hereby directed to pay the same.

The Secretary of the Senate is further directed to furnish the Controller with the vouchers and receipts for all expenditures made by him during the said constitutional recess.

Resolution read.

Senator Luce moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Crowley, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Irwin, Jones, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Also:

Resolved, That Mrs. F. Hovie be and she is hereby changed from the position of chief stenographer at $6 per diem to the position of stenographer at $5 per diem.

Resolution read.

Senator Luce moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Crowley, Evans, Gates, Hans, Ingram, Irwin, Irwin, Johnson, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(RESUMED).

The following bills, etc., were introduced:

By Senator Breed: Senate Bill No. 1106—An act appropriating money to pay the claim of ———— covering the funeral expenses of John M. Eshleman.

Bill read first time, and referred to Committee on Finance.

By Senator Tyrrell: Senate Bill No. 1107—An act to appropriate money to pay the expenses incurred in the publication of bond acts presented to the people at the election of November 7, 1916.

Bill read first time, and referred to Committee on Finance.

By Senator Scott: Senate Bill No. 1108—An act to amend section 5 of an act entitled "An act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to

repeal the act approved March 9, 1885, entitled 'An act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks,' also to repeal an act approved March 15, 1887, entitled 'An act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State,' " approved March 19, 1889, as amended.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 1109—An act to amend section 4 of an act entitled "An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements and regulating the acquisition, construction, or completion thereof," which became a law under constitutional provision without the Governor's approval February 15, 1901.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Benson: Senate Bill No. 1110—An act to promote the development of the California fruit industry and to protect the State's reputation in the fruit markets by establishing a standard for the packing of certain fresh fruits specified herein, prescribing penalties for violations of the provisions hereof, and repealing all acts inconsistent herewith.

Bill read first time, and referred to Committee on Agriculture.

By Senator Jones: Senate Bill No. 1111—An act amending section 330 of the Penal Code of the State of California, relative to games played with cards, dice, or any device for money in public places.

Bill read first time, and referred to Committee on Public Morals.

By Senator Benson: Senate Bill No. 1112—An act amending the Penal Code of the State of California by adding thereto a new section to be numbered section 321 *a*, relating to the punishment of persons having in their possession lottery tickets or tools or devices used in connection with any lottery.

Bill read first time, and referred to Committee on Public Morals.

The following resolutions were offered:

By Senator Luce: Senate Constitutional Amendment No. 30—A resolution to propose to the people of the State of California to amend section 21 of Article XX of the Constitution, relative to workmen's compensation.

Constitutional amendment ordered to print, and referred to Committee on Constitutional Amendments.

By Senator Benson: Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the Constitution by adding a new section 15 to Article XIII, relating to revenue and taxation.

Constitutional amendment ordered to print, and referred to Committee on Constitutional Amendments.

Also: Senate Constitutional Amendment No. 32—A resolution to propose to the people of the State of California an amendment to the Constitution by amending section 2 of Article XVII, relating to land

holdings and the imposing of a tax on land and the disposal of the proceeds therefrom.

Constitutional amendment ordered to print, and referred to Committee on Constitutional Amendments.

By Senator Hans: Senate Constitutional Amendment No. 33—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending section 7 of Article IX thereof, relating to free textbooks in the elementary and secondary schools of the State.

Constitutional amendment ordered to print, and referred to Committee on Constitutional Amendments.

By Senator Tyrrell: Senate Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending section 16½ of Article XI thereof, relating to the deposit of moneys belonging to the State or to any county or municipality within the State in any bank or banks.

Constitutional amendment ordered to print, and referred to Committee on Constitutional Amendments.

By Senator Inman (by request): Senate Constitutional Amendment No. 35—A resolution to propose to the people of the State of California to amend section 1 of Article IV of the Constitution of said State, relating to the legislative power.

Constitutional amendment ordered to print, and referred to Committee on Constitutional Amendments.

Also: Senate Constitutional Amendment No. 36—A resolution to propose to the people of the State of California an amendment to section 22, Article XI, of the Constitution of the State of California in relation to railroads and other transportation companies.

Constitutional amendment ordered to print, and referred to Committee on Constitutional Amendments.

Also: Senate Constitutional Amendment No. 37—A resolution to propose to the people of the State of California an amendment to section 14, and subdivision *a* of section 14 of Article XIII of the Constitution of the State of California, in relation to separation of state and local taxation of public service and other corporations.

Constitutional amendment ordered to print, and referred to Committee on Constitutional Amendments.

By Senator Luce: Senate Constitutional Amendment No. 38—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 17 of Article VI of said Constitution.

Constitutional amendment ordered to print, and referred to Committee on Constitutional Amendments.

By Senator Breed: Senate Constitutional Amendment No. 39—A resolution to propose to the people of the State of California to amend section 16½ of Article XI of the Constitution of the State, relating to the deposit of public moneys.

Constitutional amendment ordered to print, and referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SACRAMENTO, January 26, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 14—Approving three certain amendments to the charter of the city of Palo Alto, county of Santa Clara, State of California, voted for and ratified by the qualified electors of the said city of Palo Alto, at a special municipal election held therein for that purpose on the twenty-seventh day of November, 1916—and reports that the same has been correctly engrossed.

CANEPA, Chairman.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Breed, the following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 6—Relative to a federal measure before Congress introduced by Hon. John E. Raker, Second Congressional District of California, advocating a national defense military highway for the State of California over El Camino Sierra.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day adopted as amended, Senate Concurrent Resolution No. 15—Relative to visiting state institutions—and respectfully ask that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Concurrent Resolution No. 15—Relative to visiting state institutions.

ASSEMBLY AMENDMENT TO SENATE CONCURRENT RESOLUTION NUMBER FIFTEEN.

On page 1, lines 4 and 5, strike out the words "and chairman of the hospitals and asylums committees".

The question being, "Shall the Senate concur in Assembly amendments to Senate Concurrent Resolution No. 15?"

The roll was called, and Assembly amendments to Senate Concurrent Resolution No. 15 were concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Johnson, Jones, McDonald, Maddux, Nealon, Purkitt, Rigdon, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—None.

Senate Concurrent Resolution No. 15 ordered to enrollment.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following report of standing committee was received and read:

ON HOSPITALS AND ASYLUMS.

SACRAMENTO, January 26, 1917.

MR. PRESIDENT: Your Committee on Hospitals and Asylums, to which was referred Senate Bill No. 31—An act to establish a state hospital for the care, custody and maintenance of inebriates and drug habitues within the State of California, to be

known as the California State Hospital and to provide for the government and management thereof, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back and recommends that it do pass, and same be referred to Committee on Finance.

CROWLEY, Chairman.

Senate Bill No. 31 referred to Committee on Finance.

RECESS.

At eleven o'clock and twenty-five minutes a.m., on motion of Senator Breed, the President declared the Senate at recess until eleven o'clock and thirty-five minutes a.m.

RECONVENED.

At eleven o'clock and thirty-five minutes a.m. the Senate reconvened.

Lieutenant Governor William D. Stephens, President of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Breed, the following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency:

Senate Bill No. 493—An act appropriating money to meet additional expense for the support of orphans, half orphans and abandoned children for the sixty-seventh and sixty-eighth fiscal years;

Also: Senate Bill No. 494—An act appropriating money to meet additional expense of the State Purchasing Department for the sixty-seventh and sixty-eighth fiscal years;

Also: Senate Bill No. 495—An act appropriating money to meet additional expense of the Los Angeles State Normal School for the sixty-seventh and sixty-eighth fiscal years;

Also: Senate Bill No. 496—An act appropriating money to meet additional expense of the State Labor Commission for the sixty-seventh and sixty-eighth fiscal years;

Also: Senate Bill No. 497—An act appropriating money to meet additional expense of the State Corporation Commissioner for the sixty-seventh and sixty-eighth fiscal years;

Also: Senate Bill No. 498—An act appropriating additional funds for the transportation of prisoners and insane for the sixty-seventh and sixty-eighth fiscal years;

Also: Senate Bill No. 499—An act appropriating additional money for the Norwalk State Hospital for the sixty-seventh and sixty-eighth fiscal years;

Also: Senate Bill No. 500—An act appropriating money to meet additional expense of arresting criminals without the State, for the sixty-seventh and sixty-eighth fiscal years;

Also: Senate Bill No. 501—An act appropriating additional money for the emergency fund of the Board of Control for the sixty-seventh and sixty-eighth fiscal years.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 493, 494, 495, 496, 497, 498, 499, 500, 501, ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 11—Relative to the improvement of Crescent City Harbor.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

PRESIDENT PRO TEMPORE BREED IN THE CHAIR.

At eleven o'clock and thirty-six minutes a.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

CONSIDERATION OF RESOLUTIONS—(OUT OF ORDER).

Senator Kehoe asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 11, for consideration, out of order.

ASSEMBLY JOINT RESOLUTION NUMBER ELEVEN.

Relative to the improvement of Crescent City Harbor.

WHEREAS, There has been introduced in the Congress of the United States a bill carrying an appropriation of three hundred ninety thousand dollars for the improvement of Crescent City Harbor, and

WHEREAS, The shipping interests of the Pacific Coast greatly need a harbor midway between the Golden Gate and the mouth of the Columbia River and half way between Mexico on the south and Canada on the north, into which coastwise vessels may enter with safety in time of storm or in time of distress; and

WHEREAS, A large area of country in northern California and southern Oregon will be greatly benefited by such improvement and the commerce of the United States greatly increased from the now dormant natural resources in mines, horticultural products, agricultural products and the wonderful timber resources of that country; and

WHEREAS, One hundred forty thousand people who live in the territory to be benfited by it, are demanding the improvement of Crescent City Harbor; and

WHEREAS, Sixty thousand square miles of territory in northern California, northern Nevada, southern Oregon and southern Idaho will be directly benefited by the improvement of this harbor; and

WHEREAS, Rogue River Valley alone will enjoy a saving in freight rates of seven million dollars a year on eighteen million boxes of fruit when the present plantings are in full bearing and the harbor at Crescent City is improved; and

WHEREAS, Eighty four billion feet of merchantable lumber will find its way to Crescent City Harbor from the United States forest reserves, provided the harbor is improved, which would mean at least eighty four million dollars for the government from stumpage and eight hundred forty million dollars for the people who fell the timber, handle the logs and manufacture and move the lumber; and

WHEREAS, It is estimated that private parties and corporations own at least one hundred twenty billion feet of timber in this territory, which if manufactured and moved to market would mean over two hundred million dollars to the owners and the men who do the work; and

WHEREAS, One million tons of copper ore have been blocked out within sixty miles of Crescent City Harbor, which can be profitably moved only with harbor and railroad facilities, which would amount to a million dollar business, and as yet this section of country has not been thoroughly prospected for minerals; and

WHEREAS, When the seawalls have been completed, according to the engineers' report, the harbor will have an entrance forty feet deep at low water and a width of one thousand feet, there will be a strip of water from five hundred to two thousand feet wide and over a mile long, thirty feet deep and over; and

WHEREAS, Crescent City Bay, with the proposed seawalls completed, would be a harbor of refuge for all coastwise craft, and could be economically deepened and widened to make room for a large fleet of heavy draft vessels; and

WHEREAS, This bay is half way from San Francisco to the mouth of the Columbia River, and is midway between Canada on the north and Mexico on the south, its geographical location, therefore, especially fitting it for a naval base, and its close proximity to the Coast range of mountains to the south and east and the high islands two miles to the north admirably fitting it for inexpensive defense; and

WHEREAS, The Board of Engineers for Rivers and Harbors has reported favorably upon the project; and

WHEREAS, The resources of an empire await this harbor improvement; and

WHEREAS, The people of Del Norte County, California, have provided one hundred thousand dollars to be used by the government engineers in the proposed work; now, therefore be it

Resolved, by the Assembly and the Senate of the Legislature of the State of California, jointly, That our Representatives and Senators in Congress be and they are hereby urged and requested to use all honorable means to procure the passage of said bill providing for the improvement of Crescent City Harbor; and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to forward a certified copy of these resolutions to each of our Representatives and Senators in Congress.

Assembly Joint Resolution No. 11 read.

The question being on the adoption of the resolution

The roll was called, and Assembly Joint Resolution No. 11 adopted by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Caminetti, Cate, F. M., Cate, W. J., Chandler, Crowley, Duncan, Evans, Gates, Ingram, Johnson, Jones, Kehoe, Lane, McDonald, Maddux, Nealon, Parkitt, Rigdon, Rominger, Scott, Stanley, Sturtevant, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Assembly Joint Resolution No. 11 ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY—[OUT OF ORDER.]

On motion of Senator Benson, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, JANUARY 26, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Joint Resolution No. 3—Relative to the establishment of definite lines of division between federal and state taxes, and the calling of a convention of the states to consider conflicting jurisdictions of the federal and state governments.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Joint Resolution No. 3 ordered to enrollment.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

Senator Kehoe presented to the Senate the report of the Social Insurance Commission of the State of California.

MESSAGES FROM THE ASSEMBLY—[OUT OF ORDER.]

On motion of Senator Kehoe, the following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, JANUARY 26, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 12—Approving the charter of the city of Santa Barbara, State of California, voted for and ratified by the qualified electors of said city of Santa Barbara at a special municipal election held therein for that purpose on the twenty-first day of September, 1915.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, JANUARY 26, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 14—Approving certain amendments to the charter of the city of Palo Alto, county of Santa Clara, State of California, voted for and ratified by the qualified electors of the said city of Palo Alto, at a special municipal election held therein for that purpose on the twenty-seventh day of November, 1916.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Concurrent Resolutions Nos. 12 and 14 ordered to enrollment.

RECESS.

At eleven o'clock and thirty-seven minutes a.m., on motion of Senator Tyrrell, the President declared the Senate at recess until eleven o'clock and forty minutes a.m.

RECONVENED.

At eleven o'clock and forty minutes a.m. the Senate reconvened.

Lieutenant Governor William D. Stephens, President of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

INTRODUCTION AND FIRST READING OF BILLS, ETC. (OUT OF ORDER).

The following bills were introduced:

By Senator Lyon (by request): Senate Bill No. 1113—An act to add a new section to the Penal Code, to be numbered 680*a*, making it a misdemeanor to cash any check, draft, memorandum or other evidence of any indebtedness, issued in payment for wages or salary in any barroom, saloon or place where intoxicating liquors are sold at retail.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rominger: Senate Bill No. 1114—An act to amend section 1880 of the Code of Civil Procedure of the State of California, relating to witnesses.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1115—An act to amend section 1880 of the Code of Civil Procedure of the State of California, relating to witnesses, and an act adding a new section to said code relating to actions and proceedings against an executor or administrator upon a claim or demand against the estate of a deceased person, said new section to be numbered 1498*a*.

Bill read first time, and referred to Committee on Judiciary.

By Senator Breed: Senate Bill No. 1116—An act granting certain lands and validating certain state patents.

Bill read first time, and referred to Committee on Judiciary.

By Senator Sharkey: Senate Bill No. 1117—An act to appropriate money for electrification and rewiring at San Quentin State Prison.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1118—An act to appropriate money for electrification and rewiring at San Quentin State Prison.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1119—An act providing for investigations and reports by the State Hygienic Laboratory, regarding specimens having medical, legal bearing in criminal cases; and making an appropriation therefor.

Bill read first time, and referred to Committee on Finance.

By Senator Scott: Senate Bill No. 1120—An act to amend an act entitled "An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor and fixing a license fee," approved December 24, 1911.

Bill read first time, and referred to Committee on Insurance.

By Senator Crowley: Senate Bill No. 1121—An act to provide for the reselection by the State of lands heretofore selected and sold by the

State where the selection has been rejected because of the subsequent exclusion of the base lands from a public reservation.

Bill read first time, and referred to Committee on Judiciary.

By Senator Thompson: Senate Bill No. 1122—An act to appropriate money for a water system at the California School for Girls.

Bill read first time, and referred to Committee on Finance.

By Senator Rigdon: Senate Bill No. 1123—An act appropriating the sum of ten thousand dollars for scholarships in the San Luis Obispo Polytechnic School during the years 1917-1918.

Bill read first time, and referred to Committee on Finance.

By Senator Inman: Senate Bill No. 1124—An act to amend sections 2, 5, 6, 9, 12, 30, and 31 and to repeal section 17 of an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board and defining its powers," approved December 24, 1911, as amended by an act approved May 26, 1913, and as further amended by an act approved June 9, 1915, and to add thirty-seven new sections to said act to be numbered 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, and 68, relating to the organization, powers and duties of said reclamation board, reducing said board to three members paid by the State and changing its name to State Flood Control Board and appropriating money for salaries and expenses of said board, providing for early completion of the Sacramento Flood Control Project, and of the San Joaquin Flood Control Project when adopted, and the issuance of bonds of the Sacramento and San Joaquin Drainage District therefor, and a new method of assessment for payment of such bonds.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 1125—An act to amend an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a reclamation board and defining its powers," approved December 24, 1911, as amended, by adding thereto two new sections to be known as section 69 and section 70, giving certain supervisory power to the Reclamation Board.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Brown: Senate Bill No. 1126—An act providing for the establishment and maintenance of a state nursery under the jurisdiction and management of the State Forester for the growing of stock for reforestation and the planting of trees along highways and in public places, and making an appropriation therefor.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 1127—An act to amend section 4028 of the Political Code, relating to qualifications and election of supervisors.

Bill read first time, and referred to Committee on County Government.

By Senator Irwin (by request): Senate Bill No. 1128—An act to amend section 925 of the Penal Code of the State of California, relating to proceedings before grand juries.

Bill read first time, and referred to Committee on Judiciary.

By Senator Purkitt: Senate Bill No. 1129—An act to amend section 702 of the Code of Civil Procedure, relating to the redemption of property.

Bill read first time, and referred to Committee on Judiciary.

By Senator McDonald: Senate Bill No. 1130—An act to add a new section to the Code of Civil Procedure to be numbered 1001, relating to books of account.

Bill read first time, and referred to Committee on Judiciary.

By Senator Scott: Senate Constitutional Amendment No. 40—A resolution to propose to the people of the State of California an amendment to section 16½ of Article XI of the Constitution of the State of California, relative to the deposit of public moneys.

Constitutional amendment ordered to print, and referred to Committee on Constitutional Amendments.

RECESS.

At eleven o'clock and forty-four minutes a.m., on motion of Senator Breed, the President declared the Senate at recess until eleven o'clock and forty-five minutes a.m.

RECONVENED.

At eleven o'clock and forty-five minutes a.m., the Senate reconvened.

Lieutenant Governor William D. Stephens, President of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(OUT OF ORDER).

The following bill was introduced:

By Senator Crowley: Senate Bill No. 1131—An act making an appropriation to pay the claim of Ellis W. Burns against the State of California.

APPROVAL OF JOURNALS.

On motion of Senator Breed, the Journals of Monday, January 8; Tuesday, January 9; Wednesday, January 10; Thursday, January 11; Friday, January 12; Monday, January 15; Tuesday, January 16; Wednesday, January 17; Thursday, January 18; Friday, January 19;

Monday, January 22; Tuesday, January 23; Wednesday, January 24; Thursday, January 25, were approved as corrected.

RESOLUTION.

By Senator Breed:

Resolved, That a committee of three be appointed by the President of the Senate to notify the Governor that the Senate is ready to adjourn for the constitutional recess and ask if he has any further communications to transmit to the Senate.

Resolution read, and on motion of Senator Breed adopted.

APPOINTMENTS BY THE PRESIDENT.

In accordance with the above resolution, Senators Breed, Crowley and Slater were named as the committee to notify the Governor that the Senate was ready to adjourn for the constitutional recess.

RESOLUTION.

By Senator Gates:

Resolved, That a committee of three be appointed to notify the Assembly that the Senate is ready to adjourn for the constitutional recess and ask if the Assembly has any further communications to transmit to the Senate.

Resolution read, and on motion of Senator Gates adopted.

APPOINTMENTS BY THE PRESIDENT.

In accordance with the above resolution, Senators Gates, Evans and Stuckenbruck were named by the President as the committee to notify the Assembly that the Senate was ready to adjourn for the constitutional recess.

REPORT OF COMMITTEE.

Senator Breed, as chairman of the committee appointed to wait upon the Governor and inform him of the Senate's readiness to adjourn for the constitutional recess, reported that his Excellency had informed the committee that he had no further communication to transmit to the Senate.

REPORT OF COMMITTEE.

Senator Gates, as chairman of the committee appointed to notify the Assembly that the Senate was ready to adjourn for the constitutional recess, reported that they had notified the Assembly according to their instructions, and that the Assembly would shortly convey a message to the Senate through their committee.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SACRAMENTO, January 26, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 178—An act validating the formation and organization, and determining the boundaries of Drainage Improvement District No. 1 of the county of Merced, State of California;

Also: Senate Bill No. 179—An act validating the formation and organization, and determining the boundaries of Drainage Improvement District No. 2 of the county of Merced, State of California;

Also: Senate Joint Resolution No. 4—Relative to amending the act of Congress, approved February 28, 1891, providing for an exchange of lands between the United States and the State of California;

Also: Senate Concurrent Resolution No. 10—Relative to amendments to the charter of the city of Berkeley, after due ratification by the qualified electors of said city at a city election properly held;

Also: Senate Concurrent Resolution No. 9—Approving two certain amendments to the charter of the city of Santa Rosa, county of Sonoma, State of California, voted for and ratified by a majority of the qualified electors of the said city of Santa Rosa, at the general municipal election held therein on Tuesday, April 4, 1916;

Also: Senate Concurrent Resolution No. 6—Approving the charter of the county of Butte, State of California, which was submitted to the qualified electors of the said county, voted for, and ratified at a general election held therein on the seventh day of November, 1916;

Also: Senate Concurrent Resolution No. 15—Relative to visiting state institutions;

Also: Senate Bill No. 493—An act appropriating money to meet additional expense for the support of orphans, half-orphans and abandoned children for the sixty-seventh and sixty-eighth fiscal years;

Also: Senate Bill No. 494—An act appropriating money to meet additional expense of the State Purchasing Department for the sixty-seventh and sixty-eighth fiscal years;

Also: Senate Bill No. 495—An act appropriating money to meet additional expense of the Los Angeles State Normal School for the sixty-seventh and sixty-eighth fiscal years;

Also: Senate Bill No. 496—An act appropriating money to meet additional expenses of the State Labor Commissioner for the sixty-seventh and sixty-eighth fiscal years;

Also: Senate Bill No. 497—An act appropriating money to meet additional expense of the State Corporation Commissioner for the sixty-seventh and sixty-eighth fiscal years;

Also: Senate Bill No. 498—An act appropriating additional funds for the transportation of prisoners and insane for the sixty-seventh and sixty-eighth fiscal years;

Also: Senate Bill No. 499—An act appropriating additional money for the Norwalk State Hospital for the sixty-seventh and sixty-eighth fiscal years;

Also: Senate Bill No. 500—An act appropriating money to meet additional expense of arresting criminals without the State, for the sixty-seventh and sixty-eighth fiscal years;

Also: Senate Bill No. 501—An act appropriating additional money for the emergency fund of the Board of Control for the sixty-seventh and sixty-eighth fiscal years;

Also: Senate Joint Resolution No. 3—Relative to the establishment of definite lines of division between federal and state taxes, and the calling of a congress of the states to consider conflicting jurisdictions of the federal and state governments;

Also: Senate Concurrent Resolution No. 12—Approving the charter of the city of Santa Barbara, State of California, voted for and ratified by the qualified electors of said city of Santa Barbara at a special municipal election held therein for that purpose on the twenty-first day of September, 1915;

Also: Senate Concurrent Resolution No. 14—Approving three certain amendments to the charter of the city of Palo Alto, county of Santa Clara, State of California, voted for and ratified by the qualified electors of the said city of Palo Alto, at a special municipal election held therein for that purpose on the twenty-seventh day of November, 1916;

And report that the same have been correctly enrolled, and presented the same to the Governor on this twenty-sixth day of January, 1917, at 11 o'clock and forty-five minutes a.m.

STUCKENBRUCK, Acting Chairman.

MESSAGE FROM ASSEMBLY.

At eleven o'clock and fifty-nine minutes a.m., a committee from the Assembly (Mr. Ambrose, chairman) appeared at the bar of the Senate and announced that the Assembly had no further communication to transmit to the Senate, and now was prepared for adjournment for the constitutional recess.

MESSAGE TO ASSEMBLY.

Upon receipt of the foregoing message from the Assembly, the President announced that the Senate had no further communication to

Also:

CALPELLA, CALIFORNIA, February 12, 1917.

Secretary of Senate, Sacramento, Cal.

DEAR SIR: The Redwood Valley Improvement Club at its regular meeting (Feb. 10th) went on record as being opposed to any increase in the salaries of the county officers of Mendocino County.

At the same meeting the work of Col. Harry Westcott as Market Commissioner, was strongly commended and confidence was expressed in Col. Westcott and his methods.

Respectfully yours,

TOM JAMESON,
Secretary.

Also:

OAKLAND, CALIFORNIA, February 2, 1917.

To the Members of the Senate, Session of 1917:

The California League of Justice respectfully petitions the California Legislature for enactment or amendment of the following [illegible] and additions to the Codes of the State of California and the same are hereby submitted as beneficent and just and consonant with the needs of the people of this State and in harmony with the objects of this organization:

1. That a new, accurate and reliable cross-reference index [illegible] be [illegible] to each of the official Codes of this State.

2. That a new penal statute should be enacted [illegible] marital status, in the seduction of the wife, or enticement of the husband, and making illicit sexual relation with married persons a [illegible].

3. That subdivision 5 of Section 581 of the Code of Civil Procedure be amended so as to preclude nonsuit, or dismissal of an action by the court until the party against whom nonsuit or dismissal is asked is permitted to [illegible] party, or witnesses upon the facts necessary to support the cause of action.

4. That Section 832 of the Code of Civil Procedure be amended so as to permit Justices of the Peace to transfer for trial in the proper county, actions, embraced in the provisions of the section.

5. That the right of redemption under Section 702 of the Code of Civil Procedure shall apply to deeds of trust as well as mortgages.

6. That Sections 13 and 16 of Act No. 2859, General Laws of this State, relating to public health and safety, be amended so as to provide [illegible] incipient, or advanced, stages, among the infectious and contagious diseases therein provided against.

7. That restrictions and penalties be applied by amendment to the Penal Code so as to prevent speculative gambling in foodstuffs and necessities and that any form of speculation in potatoes, corn, wheat, or dairy products [illegible] prohibited.

Respectfully submitted.

THE CALIFORNIA LEAGUE OF JUSTICE,
L. ERNEST PHILLIPS, President.

Also:

GILROY, CALIFORNIA, February 16, 1917.

State Senators and Assemblymen of California:

DEAR SIRS: At the meeting of the Gilroy W. C. T. U. today it was moved and carried unanimously that while we are highly in favor of universal physical training for children, we are bitterly opposed to, and exert a great influence against compulsory military training, and therefore ask your honorable body to take proper measures to establish the former, but use your influence against the latter.

Respectfully submitted,

SARAH J. ROSS, Secretary Gilroy W. C. T. U.

RESOLUTION.

WHEREAS, The State Commission of Immigration and Housing of California invited the city of Riverside, together with the other thirteen largest cities in the State, to participate in a State Housing Institute, to hold a series of conferences for the purpose of studying the housing problem in all its phases, and of discussing the best methods of not only remedying present conditions but of providing for the welfare of our future citizens; and

WHEREAS, Several meetings have been held during the past year in various parts of the State, in which meetings the several cities have participated, together with organizations having to do with architecture, housing, building, realty, engineering, city planning, and the operation of hotels and tenements, and in which meetings health and building commissioners, social workers, and others interested have also taken part; and

WHEREAS, As a result of these various meetings, three uniform reasonable and logical housing bills have been carefully and scientifically drawn up, and have been

introduced in the Legislature as Senate Bills 403, 433 and 457, to be acted upon at the second session of the said Legislature, during the months of March and April of this year; and

WHEREAS, The enactment of these three proposed bills into law will unquestionably subserve the best interests of the people of not only this city, but of the State of California; therefore, be it

Resolved, That the Common Council of the city of Riverside, in regular session assembled February 13, 1917, does heartily endorse the work of the State Housing Institute and earnestly recommends and urges the California Legislature to enact the said three proposed housing bills into law at the very earliest possible date; be it further

Resolved, That a copy of this resolution be spread on the minutes of the Common Council, and that copies hereof be sent to the State Housing Institute, the Governor of the State of California, and the presiding officer of the Senate and the presiding officer of the Assembly; also that a copy hereof be sent to the Chairman of the Committee on Public Health and Quarantine of the Senate and of the Assembly, one to the Senator and one to the Assemblyman from this district.

I, H. C. Cree, the duly elected, acting and qualified Clerk of the city of Riverside, California, do hereby certify that the foregoing is a full, true and correct copy of a resolution adopted by the Common Council of the said city of Riverside, at its meeting held on the 13th day of February, 1917.

Dated February 15, 1917.

[SEAL] H. C. CREE, Clerk of the City of Riverside.

LONG BEACH, CALIFORNIA, February 17, 1917.

The Presiding Officer of the Senate, Sacramento, California.

DEAR SIR: I am enclosing herewith copy of resolution which was adopted by the legislative body of the city of Long Beach, under date of February 16, 1917.

Yours truly,

H. C. WAUGHOP, City Clerk.

RESOLUTION NUMBER B THREE HUNDRED SEVENTY-EIGHT.

WHEREAS, The State Commission of Immigration and Housing of California invited the city of Long Beach, California, together with the other thirteen largest cities in the State, to participate in a State Housing Institute, to hold a series of conferences for the purpose of studying the housing problem in all its phases, and of discussing the best methods of not only remedying present conditions but of providing for the welfare of our future citizens; and

WHEREAS, Several meetings have been held during the past year in various parts of the State, in which meetings the several cities have participated, together with organizations having to do with architecture, housing, building, realty, engineering, city planning, and the operation of hotels and tenements, and in which meetings health and building commissioners, social workers, and others interested have also taken part; and

WHEREAS, As a result of these various meetings, three uniform reasonable and logical housing bills have been carefully and scientifically drawn up, and have been introduced in the Legislature as Senate Bills 403, 433 and 457, to be acted upon at the second session of the said Legislature, during the months of March and April of this year; and

WHEREAS, The enactment of these three proposed bills into law will unquestionably subserve the best interests of the people of not only this city, but of the State of California; therefore, be it

Resolved, That the legislative body of the city of Long Beach, in regular session assembled February 16, 1917, does heartily endorse the work of the State Housing Institute and earnestly recommends and urges the California Legislature to enact the said three proposed housing bills into law at the very earliest possible date; be it further

Resolved, That copies hereof be sent to the State Housing Institute, the Governor of the State of California, and the presiding officer of the Senate and the presiding officer of the Assembly; also that a copy hereof be sent to the Chairman of the Committee on Public Health and Quarantine of the Senate and of the Assembly.

I hereby certify that the foregoing resolution was adopted by the legislative body of the city of Long Beach at its meeting of February 16, 1917, by the following vote:

AYES—Commissioners Hargis, Williams, Cates, Lisenby, Riley.

NOES—Commissioners None.

ABSENT—Commissioners None.

[SEAL] H. C. WAUGHOP, City Clerk.

PETITION.

GLENDALE, CALIFORNIA, February, 1917.

We, the undersigned members of the Parent-Teacher Association of the Colorado School, Glendale, California, respectfully petition the Legislature of the State of California to pass the following bills:

1. Assembly Bill No. 621, providing an increase in the state apportionment for elementary schools to a minimum of $20 per unit of average daily attendance.

2. Assembly Bill No. 625, providing an increase in the county apportionment for elementary schools to a minimum of $25 per unit of average daily attendance.

3. Senate Bill No. 426, providing a district tax for building purposes with a maximum of 15c on the $100 of assessed valuation.

4. Senate Bill amending section 1574, providing for annual conventions of elementary school principals.

5. Bill No. ——, providing for a farm school at Riverside.

We feel that the provisions of these bills are necessary to the welfare of the children of the State, and we therefore urge their passage.

IDA M. WAITE and 235 Others.

RESOLUTION.

The following resolution was offered:

By Senator Nealon:

WHEREAS, The reputed scarcity of the necessary foodstuffs in the State of California has brought about a condition of affairs almost unbearable and heretofore unknown; and

WHEREAS, By reason of said condition the people of the State of California are compelled to pay most unreasonable and exorbitant prices for the said foodstuffs, thus working a very great and most unjust hardship on our people; and

WHEREAS, We believe that there are large quantities of these foodstuffs stored in the various warehouses in the State of California, which if released would immediately bring about such a condition of affairs as would relieve the conditions herein referred to; therefore be it

Resolved, That the Senate of the State of California, in regular session assembled respectfully request the State Board of Equalization to immediately request the assessors of the various counties of this State to ascertain the amount of foodstuffs stored in their respective territories and to immediately present a report of their findings to said State Board of Equalization and that the latter board without unnecessary delay transmit to this body the information obtained by it.

Resolution referred to Committee on Rules.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following resolution was offered:

By Senators Duncan and Irwin:

Senate Concurrent Resolution No. 16—Relative to expressing an approval of the course of the President of the United States in severing diplomatic relations with Germany, and pledging to the President the loyal support of the people of California in the protection of American interests in dealing with the nations engaged in war.

Concurrent Resolution ordered to print and referred to Committee on Federal Relations.

MESSAGE FROM THE ASSEMBLY.

On motion of Senator Breed, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 456, an act to make an appropriation to pay the salaries and mileage of Assemblymen for the forty-second session of the Legislature of the State of California during the sixty-eighth fiscal year.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 456 read first time, and referred to Committee on Finance.

RESOLUTION.

The following resolution was offered:

By Senator Scott:

WHEREAS, An unusual increase in the cost of the necessaries of life has come to the people of the State of California; and

WHEREAS, It appears to the people of this State that large quantities of the necessaries of life have been withdrawn from the channels of commerce by persons

endeavoring thereby to create an unnatural and abnormal shortage in the public markets of such necessaries of life, with the ultimate purpose of great profit to the persons causing the withdrawals aforesaid; and

WHEREAS, It likewise appears to the people of this State that the aforesaid withdrawals of the necessaries of life from the channels of trade was the result of a concerted agreement among the persons causing such withdrawals, part of which said agreement and the purpose and plan thereof were the increase in the prices of such necessaries and the consequent enormous profits resulting to the people causing such withdrawals—all of which is in violation of the antitrust laws of the State of California; now therefore be it

Resolved, That a committee of seven Senators be appointed by the President of the Senate to conduct an investigation into the unusual cost of the necessaries of life now existing; and be it further

Resolved, That said committee be and it hereby is given the power for a period not to exceed twenty days after the passage of this resolution to hold sessions thereof in such part of this State as the committee by a majority vote may decide; and that said committee be and it is hereby directed, authorized and empowered to take and obtain any testimony or evidence, oral or written, relating to or bearing upon said increase in the cost of the necessaries of life, and said committee is hereby directed, authorized and empowered to summon witnesses, send for persons and papers, to issue subpoenas and take all necessary means to compel the attendance of witnesses and procure testimony; and the members of said committee are, and each of them is, hereby authorized to administer oaths and all the provisions of Article VIII of Chapter II, Title I, part third of the Political Code of this State relative to the attendance and examination of witnesses before the Legislature or committees therefore shall apply to the committee appointed under this resolution, and the Sergeant-at-Arms of the Senate is hereby authorized and directed to serve any and all subpoenas and orders, or other process that may be issued by said committee, when directed so to do by the chairman thereof; and be it further

Resolved, That said committee is hereby authorized and empowered to employ such clerical, expert or other assistance as may be found necessary; and be it further

Resolved, That the sum of $2,500 out of the Contingent Fund of the Senate be and the same is hereby made available for the purpose of defraying the expenses of said committee in said investigation, including the necessary traveling expenses of the members of said committee and the contingent expenses of said committee in said investigation, and the State Controller is hereby authorized and directed to draw his warrants in favor of the chairman of said committee for said expenditures as such may be certified to said Controller by the chairman of said committee, and the State Treasurer is hereby authorized and directed to pay the same; and be it further

Resolved, That said committee report back at the earliest possible date to the Senate its findings and recommendations as to the need of legislation or such action as will guarantee to the people of the State of California a substantial reduction in the cost of the necessaries of life.

Resolution referred to Committee on Rules.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(OUT OF ORDER).

The following resolution was offered by Senator Scott:

SENATE CONCURRENT RESOLUTION NUMBER SEVENTEEN.

Relative to the death of Frederick Funston, Major General of the United States Army.

CONSIDERATION OF RESOLUTION—(OUT OF ORDER).

Senator Scott asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 17 for consideration out of order.

SENATE CONCURRENT RESOLUTION NUMBER SEVENTEEN.

Relative to the death of Frederick Funston, Major General of the United States Army.

WHEREAS, The State and nation have suffered a serious loss in the death of Frederick Funston, Major General of the United States Army, who has served the nation long and ably, and who was held by those in his chosen profession to be a man of splendid character and great ability; therefore, be it

Resolved, by the Senate, the Assembly concurring, That when the respective houses of the Legislature of California adjourn this day they adjourn in respect to the memory of the late Major General Frederick Funston; and be it further

Resolved, That the Secretary of the Senate and the Chief Clerk of the Assembly be and they are hereby directed to convey to the family of General Funston this expression of tribute from the Senate and Assembly of California.

Resolution read.

The question being on the adoption of the resolution

The roll was called, and Senate Concurrent Resolution No. 17 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—35.

NOES—None.

Senate Concurrent Resolution No. 17 ordered to print and transmitted to the Assembly.

REQUEST FOR INTRODUCTION OF BILL.

Senator Scott requested permission to introduce a Senate bill entitled "An act to establish a nautical school at the port of San Francisco, to provide for the conduct and maintenance thereof, to make an appropriation therefor, and to authorize the Governor to request and to receive aid from the United States in compliance with the provisions of an act of Congress approved March 4, 1911."

Request referred to Committee on Rules.

ADJOURNMENT.

At twelve o'clock and fifty minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Tuesday, February 27, 1917.

The Senate met at ten o'clock a.m.

Lieutenant Governor William D. Stephens, President of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—38.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, February 26, 1917, the further reading was dispensed with, on motion of Senator Slater.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At ten o'clock and five minutes a. m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, February 27, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred the following appointments by the Governor since the recess of the forty-second session of the Legislature was taken on the 26th day of January, 1917:

January 30, 1917. T. M. Putnam, of Berkeley, a member of the Board of Directors of the California School for the Deaf and the Blind, vice David P. Barrows, resigned.

February 8, 1917. James Curran, of Bakersfield, a member of the Board of Trustees of the Fresno State Normal School, vice self, term expired.

February 8, 1917. M. B. Harris, of Fresno, a member of the Board of Trustees of the Fresno State Normal School, vice self, term expired.

February 8, 1917. H. Graff, of Fresno, a member of the Board of Trustees of the Fresno State Normal School, vice self, term expired.

February 8, 1917. Irving Martin, of Stockton, a member of the Board of Trustees of the Fresno State Normal School, vice self, term expired.

February 8, 1917. William H. Langdon, of Modesto, a member of the Board of Trustees of the Fresno State Normal School, vice self, term expired.

February 15, 1917. Alfred Greenebaum, of San Francisco, a member of the Board of Pilot Commissioners for the ports of San Francisco, Mare Island and Benicia, vice Charles Mayo, deceased.

February 15, 1917. Arthur Arlett, of Berkeley, a member of the State Board of Harbor Commissioners, vice J. J. Dwyer, resigned.

Has had the same under consideration, and respectfully reports the same back and recommends that the Senate advise and consent to the several appointments.

BREED, Chairman.

MOTION CONFIRMING APPOINTMENTS OF GOVERNOR.

Senator Benson moved that the Senate advise and consent to the several appointments of the Governor.

The President put the question, "Will the Senate advise and consent to the appointment of T. M. Putnam, of Berkeley, a member of the board of directors of the California School for the Deaf and the Blind, vice David P. Barrows, resigned?"

The roll was called, with the following result:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chandler, Duncan, Flaherty, Gates, Ingram, Irwin, Johnson, Jones, Kehoe, Maddux, Nealon, Rominger, Rush, Slater, Stuckenbruck, Thompson, and Tyrrell—23.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of T. M. Putnam of Berkeley a member of the board of directors of the California School for the Deaf and the Blind, vice David P. Barrows, resigned.

The President put the question, "Will the Senate advise and consent to the appointment of James Curran of Bakersfield a member of the board of trustees of the Fresno State Normal School, vice self, term expired?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, Jones, Kehoe, Maddux, Nealon, Rominger, Rush, Slater, Stuckenbruck, Thompson, and Tyrrell—24.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of James Curran of Bakersfield a member of the board of trustees of the Fresno State Normal School, vice self, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of M. B. Harris of Fresno a member of the board of trustees of the Fresno State Normal School, vice self, term expired?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Ingram, Irwin, Jones, Kehoe, Maddux, Nealon, Rigdon, Rominger, Rush, Slater, Stuckenbruck, Thompson, and Tyrrell—23.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of M. B. Harris of Fresno a member of the board of trustees of the Fresno State Normal School, vice self, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of H. Graff of Fresno a member of the board of trustees of the Fresno State Normal School, vice self, term expired?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, Jones, Kehoe, Maddux, Nealon, Rigdon, Rominger, Rush, Shearer, Slater, Thompson, and Tyrrell—24.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of H. Graff of Fresno a member of the board of trustees of the Fresno State Normal School, vice self, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of Irving Martin of Stockton a member of the board of trustees of the Fresno State Normal School, vice self, term expired?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, Luce, Lyon, Maddux, Nealon, Rominger, Rush, Starkey, Shearer, Slater, Stuckenbruck, and Thompson—28.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Irving Martin of Stockton a member of the board of trustees of the Fresno State Normal School, vice self, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of William H. Langdon of Modesto a member of the board of trustees of the Fresno State Normal School, vice self, term expired?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Rominger, Rush, Starkey, Slater and Thompson—28.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of William H. Langdon of Modesto a

member of the board of trustees of the Fresno State Normal School, vice self, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of Alfred Greenebaum of San Francisco a member of the Board of Pilot Commissioners for the ports of San Francisco, Mare Island and Benicia, vice Charles Mayo, deceased?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rominger, Rush, Shearer, Slater, Stuckenbruck, and Thompson—30.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Alfred Greenebaum of San Francisco a member of the Board of Pilot Commissioners for the ports of San Francisco, Mare Island and Benicia, vice Charles Mayo, deceased.

The President put the question, "Will the Senate advise and consent to the appointment of Arthur Arlett of Berkeley a member of the State Board of Harbor Commissioners, vice J. J. Dwyer, resigned?"

The roll was called with the following result:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Shearer, Stuckenbruck, and Thompson—29.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Arthur Arlett of Berkeley a member of the State Board of Harbor Commissioners, vice J. J. Dwyer, resigned.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON RULES.

SACRAMENTO, February 27, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Scott to introduce a bill entitled: "An act to establish a nautical school at the port of San Francisco, to provide for the conduct and maintenance thereof, to make an appropriation therefor, and to authorize the Governor to request and to receive aid from the United States in compliance with the provisions of an act of Congress approved March 4, 1911," has had the same under consideration, and respectfully reports the same back and recommends that the request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Irwin, Jones, Kehoe, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bill was introduced:

By Senator Scott: Senate Bill No. 1132—An act to establish a nautical school at the port of San Francisco, to provide for the conduct

and the maintenance thereof, to make an appropriation therefor, and to authorize the government to request and to receive aid from the United States in compliance with the provisions of an act of Congress approved March 4, 1911.

Bill read first time, and referred to Committee on Commerce and Navigation.

MESSAGE FROM THE ASSEMBLY—COPY OF ORDER.

On motion of Senator Breed, the following message from the Assembly was taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 9. Resolution to pay tribute in respect to the memory of General Frederick Funston.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION—COPY OF ORDER.

Senator Scott asked for and was granted unanimous consent to take up for consideration Assembly Concurrent Resolution No. 9 out of the regular order, and without reference to committee.

ASSEMBLY CONCURRENT RESOLUTION NUMBER NINE.

Introduced by Mr. Wishard, February 27, 1917. Relative to resolutions in respect to the memory of General Frederick Funston.

WHEREAS, In the death of General Frederick Funston the Supreme Ruler of the Universe has seen fit to muster out of service one of our most loyal citizens, and

WHEREAS, The nation at large has thereby lost one of its most patriotic citizens and dauntless defenders; now, therefore, be it

Resolved by the Assembly, the Senate concurring, That when the assembly house of the Legislature of the State of California this day adjourns, they shall do so in respect to the memory of the late General Frederick Funston; and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to convey to the family of the deceased and to the Legislature of the State of Kansas this expression of tribute from the Assembly and Senate of California.

Resolution read.

The question being on the adoption of the resolution

The roll was called, and Assembly Concurrent Resolution No. 9 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Bunce, Cate, T. M., Cate, W. L., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Irwin, Jones, Johnson, Jones, Kehoe, Luce, Lyon, McDonald, Mallory, Nevins, Parker, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Stuckenbruck, Thompson, and Ferrell—34.
NOES—None.

Assembly Concurrent Resolution No. 9 ordered transmitted to the Assembly.

WITHDRAWAL OF CONCURRENT RESOLUTION.

Senator Scott asked for and was granted unanimous consent to withdraw Senate Concurrent Resolution No. 17.

Senate Concurrent Resolution No. 17 ordered withdrawn and stricken from the file.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 27, 1917.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 750—An act to add a new section to the Political Code, to be numbered sec-

tion 3804*b*, relating to the payment of taxes on property assessed by two or more counties and to cancellation of erroneous assessments;

Also: Senate Bill No. 451—An act conveying certain tidelands and lands lying under inland navigable waters, situate in the bay of San Diego to the city of National City, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof;

Also: Senate Bill No. 135—An act to amend section 4300*g* of the Political Code, relating to witness fees;

Has had same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 17—An act to amend section 340 of the Penal Code, relating to the use of the national flag for advertising purposes;

Also: Senate Bill No. 130—An act to amend sections 337 and 339 of the Code of Civil Procedure of the State of California, relating to limitation for the commencement of actions;

Also: Senate Bill No. 887—An act to amend section 1 of an act entitled "An act granting certain tide lands and submerged lands of the State of California to the city of Oakland, and regulating the management, use and control thereof," approved May 1, 1911;

Also: Senate Bill No. 30—An act to amend sections 1 and 9 of an act entitled "An act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records," approved June 16, 1906, by extending the application of said act to real property, when the records covering the period when said real property was in another county, have been destroyed among the records of such other county, and to provide for notice of the pendency of actions brought under the provisions hereof;

Also: Senate Bill No. 96—An act to amend section 850 of the Code of Civil Procedure, relating to notice in justices' courts;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass as amended.

KEHOE, Chairman.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, February 27, 1917.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 7—An act to amend section 4235 of the Political Code of the State of California, relating to the compensation and fees of officers of counties of the sixth class and their assistants, deputies and clerks—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

INMAN, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 27, 1917.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 456—An act to make an appropriation to pay the salaries and mileage of Assemblymen for the forty-second session of the Legislature of the State of California during the sixty-eighth fiscal year—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

CHANDLER, Chairman.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 459—An act to make an appropriation to pay the salaries of Senators for the forty-second session of the Legislature of the State of California during the sixty-eighth fiscal year—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

CHANDLER, Chairman.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, February 27, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 149—An act providing for the maintenance and care by cemetery trustees and associations of the graves of honorably discharged soldiers of the United States of America or of the Confederate States of America, or of any veterans of the Civil War or of the Spanish-American War, and providing the manner of payment therefor;

Also: Senate Concurrent Resolution No. 17—Relative to death of Frederick Funston, Major General of the United States Army;

And reports that the same have been correctly engrossed.

ROMINGER, Acting Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 27, 1917.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 747—An act to add a new section to the Penal Code, to be numbered 1157a, relating to the giving of evidence of mitigating circumstances after verdict in cases of homicide;

Also: Senate Bill No. 748—An act to amend section 190 of the Penal Code, relating to the punishment for murder;

Has had the same under consideration, and respectfully reports the same back and recommends that they do not pass. Minority report, do pass.

KEHOE, Chairman.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, February 27, 1917.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 22—An act to amend section 637l of the Penal Code, relating to the protection of game;

Also, Senate Bill No. 60—An act to amend section 637a of the Penal Code, relating to killing of birds other than game;

Also: Senate Bill No. 308—An act to add a new section to the Penal Code, to be numbered 628j, relating to the protection of sale water eels;

Also: Senate Bill No. 354—An act to regulate the vocation of mounting or preparing the skins for mounting of any animal, or part of animal, for profit, and to provide therefrom revenue for the protection of game;

Also: Senate Bill No. 375—An act to amend section 635 of the Penal Code, relating to the pollution of streams and the use of explosives in streams and public waters;

Also: Senate Bill No. 578—An act to amend section 626j of the Penal Code;

Also: Senate Bill No. 650—An act empowering and authorizing the Board of Fish and Game Commissioners to insure the employees of the Fish and Game Commission with the Industrial Accident Commission while in the discharge of their duties;

Also: Senate Bill No. 701—An act empowering and authorizing the Board of Fish and Game Commissioners to insure against loss or damage by fire the property of the State of California;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

SLATER, Chairman.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 765—An act to appropriate money to reimburse the Fish and Game Preservation Fund for compensation benefits paid out of said fund to the officers and employees of the Fish and Game Commission, while performing services accruing out of and incidental to their employment, has had the same under consideration, and respectfully reports the same back and recommends that it do pass, and be re-referred to the Finance Committee.

SLATER, Chairman.

RESOLUTIONS.

The following resolutions were offered:

By Senator Luce:

Resolved, That the following named persons be and they are hereby appointed to the respective positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants for the said respective amounts and the Treasurer is directed to pay the same:

Name	Position	Amount
John T. Macdonald,	Journal Clerk	$7 00
Wellington Bowser,	Assistant Journal Clerk	5 00
Mrs. Zoe B. Fuller,	Assistant Journal Clerk	5 00
Mrs. Zoe Dobson,	Assistant Engrossing and Enrolling Clerk	5 00
E. A. Charlton,	Assistant at the Desk	5 00
E. M. Plunkett,	Assistant Sergeant-at-Arms	5 00
J. Diamond,	Assistant Sergeant-at-Arms	5 00
Jos. Figoni, Jr.,	Assistant Sergeant-at-Arms	5 00
Mrs. V. Dixon,	Committee Clerk	4 00
Edward J. Shedd,	Committee Clerk	4 00
Mrs. A. Davenport Martin,	Committee Clerk	4 00
B. J. Cohn,	Committee Clerk	4 00
J. F. Courtney,	Committee Clerk	4 00
W. Wilson,	Cloakroom Clerk	4 00
W. R. Edwards,	File Clerk	7 00
W. W. VanPelt,	Assistant Engrossing and Enrolling Clerk	5 00
Hal Angus,	Assistant Minute Clerk	7 00
Frank Rouse,	Assistant History Clerk	5 00
Daniel T. Crowley,	Committee Clerk	4 00
Stephen A. Byrne,	Assistant Sergeant-at-Arms	5 00
J. Bagley,	Assistant Sergeant-at-Arms	5 00

Resolution read.

Senator Luce moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, F. M., Carr, W. J., Chandler, Crowley, Evans, Flaherty, Ingram, Inman, Johnson, Jones, Kehoe, Luce, Lyon, Maddux, Nealon, Rigdon, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—None.

Also:

By Senator Luce:

Resolved, That the following named persons be allowed the amounts set opposite their respective names, for services rendered to the Senate during the Constitutional recess, and the Controller is hereby directed to draw his warrants in favor of the respective persons, for the several amounts, and the Treasurer is directed to pay the same:

Name	Position		Amount
Joseph A. Beck,	Minute Clerk	2 days at $9 00	$18 00
J. W. Kavanagh,	Assistant Secretary	2 days at 9 00	18 00
Mrs. H. M. Gibbs,	Postmistress	3 days at 4 00	12 00
Stephen A. Byrne,	Assistant Sergeant-at-Arms	3 days at 5 00	15 00
E. Herman,	Mailing Clerk	8 days at 4 00	32 00
W. R. Edwards,	History Clerk	1 day at 7 00	7 00
G. M. Warren,	Assistant History Clerk	1 day at 5 00	5 00
J. Zimmerman,	Assistant Sergeant-at-Arms	2 days at 5 00	10 00
Frank Rouse,	Assistant Minute Clerk	2 days at 7 00	14 00

Resolution read.

Senator Luce moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, Luce, Lyon, McDonald, Maddux, Nealon, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—33.

NOES—None.

Also:

By Senator Nealon:

Resolved, That the State Controller be and he is hereby directed and ordered to draw his warrant upon the proper fund in favor of the following named Senators and officers of the Senate for the amount set opposite each of their names, and the State Treasurer is hereby directed and ordered to pay the same, being the mileage due them by law.

Officers	Address	Miles	Amount
President, William D. Stephens	Los Angeles	[illegible]	[illegible]
Minute Clerk, Joseph A. Beck	Pasadena	[illegible]	[illegible]

District	Senators	Address	Miles	Amount
38	Ballard, John W.	Los Angeles	[illegible]	[illegible]
15	Breed, A. H.	Alameda	[illegible]	16 80
37	Brown, William H.	Los Angeles	[illegible]	[illegible]
19	Burnett, Lester G.	San Francisco	[illegible]	[illegible]
18	Canepa, Victor J.	San Francisco	[illegible]	[illegible]
13	Carr, Frank M.	Alameda	168	[illegible]
36	Carr, William J.	Los Angeles	[illegible]	[illegible]
31	Chamberlin, Harry A.	Los Angeles	[illegible]	[illegible]
26	Chandler, W. F.	Fresno	[illegible]	[illegible]
22	Crowley, John Jos.	San Francisco	[illegible]	[illegible]
6	Duncan, W. E., Jr.	Eureka	[illegible]	[illegible]
39	Evans, S. C.	Riverside	[illegible]	[illegible]
24	Flaherty, Lawrence J.	San Francisco	[illegible]	[illegible]
35	Gates, Egbert J.	Los Angeles	[illegible]	[illegible]
14	Hans, George J.	Alameda	[illegible]	16 80
3	Ingram, Thomas	Nevada	154	[illegible]
7	Inman, J. M.	Sacramento	[illegible]	[illegible]
32	Irwin, J. L. C.	Kings	[illegible]	[illegible]
11	Johnson, M. B.	San Mateo	[illegible]	[illegible]
28	Jones, Herbert C.	Santa Clara	[illegible]	[illegible]
1	Kehoe, William	Humboldt	[illegible]	[illegible]
30	King, Lyman M.	San Bernardino	[illegible]	[illegible]
40	Luce, Edgar A.	San Diego	[illegible]	114 60
29	Lyon, Henry H.	Los Angeles	[illegible]	[illegible]
23	McDonald, Walter A.	San Francisco	[illegible]	18 00
12	Maddox, L. J.	Modesto	154	15 40
21	Nealon, James C.	San Francisco	[illegible]	18 00
4	Punkitt, Claude F.	Colusa	[illegible]	[illegible]
17	Rigdon, E. S.	San Luis Obispo	[illegible]	75 80
33	Rominger, Joseph A.	Los Angeles	[illegible]	[illegible]
5	Rush, Beni. F.	Solano	[illegible]	8 00
20	Scott, William S.	San Francisco	180	18 00
9	Sharkey, Will R.	Contra Costa	124	12 40
2	Shearer, William B.	Yreka	[illegible]	[illegible]
8	Slater, Herbert W.	Sonoma	180	[illegible]
10	Stuckenbruck, J. W.	San Joaquin	[illegible]	[illegible]
25	Thompson, J. R.	Santa Barbara	[illegible]	[illegible]
16	Tyrrell, Edward J.	Alameda	[illegible]	[illegible]
27	Benson, Frank	Santa Clara	256	2 [illegible]

NEALON, Chairman.

Resolution read.

Senator Nealon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Thompson, and Tyrrell—31.

NOES—None.

MESSAGE FROM THE ASSEMBLY.

On motion of Senator Breed, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 8—Relative to expressing an approval of the course of the President of the United States in severing diplomatic relations with Germany, and pledging to the President the loyal support of the people of California in the protection of American interests in dealing with the nations engaged in war.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Concurrent Resolution No. 8 referred to Committee on Federal Relations.

REPORT OF JOINT LEGISLATIVE COMMITTEE.

Senator Gates presented the Senate with the report of the joint legislative committee appointed pursuant to Assembly Concurrent Resolution No. 26, 1915, relating to the furnishing of free textbooks to students in secondary schools of the State.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER.

The following reports of standing committees were received and read:

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, February 27, 1917.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Senate Bill No. 57—An act making an appropriation for the purchase of lands in Marin County, State of California, for the use of the National Guard of California, for target, range, and camping purposes—has had the same under consideration, and respectfully reports the same back and recommends that it do pass and that it be re-referred to the Committee on Finance.

SCOTT, Chairman.

Senate Bill No. 57 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Senate Bill No. 373—An act to amend an act entitled "An act to amend an act entitled 'An act to provide for the burial of ex-Union soldiers, sailors and marines in this State who may hereafter die without leaving sufficient means to defray burial expenses,' approved March 15, 1889, and to extend the operation of said act to all honorably discharged soldiers, sailors and marines who served in the Army and Navy of the United States, approved March 23, 1901, by extending the operation of said act to widows of all such honorably discharged soldiers, sailors and marines who served in the Army or Navy of the United States," approved March 24, 1911, by designating who shall be appointed by boards of supervisors to carry out the terms of said act—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

SCOTT, Chairman.

Senate Bill No. 373 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Senate Bill No. 604—An act to provide for the partial completion and partial equipment of the armory for the National Guard at San Francisco, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back and recommends that it do pass, and that it be re-referred to the Finance Committee.

SCOTT, Chairman.

Senate Bill No. 604 re-referred to Committee on Finance.

REQUEST FOR INTRODUCTION OF BILL.

Senator Lyon requested permission to introduce a Senate bill entitled: An act to amend section four thousand two hundred ninety of the Political Code, relating to fees and salaries of county officers.

Request referred to Committee on Rules.

CONSIDERATION OF DAILY FILE.

Senate Bill No. 222 passed on file.

Senate Bill No. 149 passed on file.

ADJOURNMENT.

At eleven o'clock a.m., on motion of Senator Benson, the President declared the Senate adjourned this day out of respect to the memory of the late Major General Frederick Funston.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Wednesday, February 28, 1917.

The Senate met at ten o'clock a.m.

Lieutenant Governor William D. Stephens, President of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Jones, Kehoe, Luce, Lyon, McDonald, Maddux, Nealon, Parkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stackenbruck, Thompson, and Tyrrell—36.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, February 27, 1917, the further reading was dispensed with, on motion of Senator Lyon.

LEAVES OF ABSENCE.

Senator King was, on motion of Senator Evans, granted leave of absence for this day.

Senator Johnson was, on motion of Senator F. M. Carr, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Breed, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Messrs. J. E. Brenton, J. T. Hunsaker, L. Rowland, and W. D. Heron of the University Farm at Davis.

PETITIONS.

The following petitions were presented and ordered printed in the Journal:

At a union meeting of the First Baptist Church of Hermosa Beach and the Methodist Church of the same place the following resolution was adopted:

That the united churches desire to enter their protest against the adoption of certain bills now pending before the State Legislature looking toward the teaching and training in military tactics in the schools of California.

We believe, in the first place, that the teaching and educating the youths of our land in the use of deadly weapons for the maiming and killing of their fellow man is in direct opposition to the teachings of the Lord Jesus Christ.

And secondly, we believe that the schools of the State have all at the present that they can successfully carry.

Done by order of the churches this 27th day of February, 1917.

A. G. H. HODGES, Clerk of the Baptist Church.

Also:

WHEREAS, The people of California sought many years to have a practical Torrens' Land Title Act and were prevented until the women's clubs, by initiative, placed the amended Torrens' Title Act on the statutes, and

WHEREAS, A campaign of intimidation and announcements by bankers of their refusal to loan money on a Torrens' title, causing people to refrain from availing themselves of its provisions results in the virtual annulment of this valuable legislation, and

WHEREAS, Senate Bill No. 628 provides for a Superintendent of Land Title Registration who has authority to investigate such discriminations and to use all proper means for the prevention of annulment of the law by unfair means, and

WHEREAS, We believe public funds could be expended to no better advantage than for the purpose of making titles to property secure, conveyancing inexpensive, and promoting successful operation of laws which are the popularly expressed will of the people; now, therefore be it

Resolved, That The Monday Evening Club of Chico, Cal., requests you and your colleagues in Senate and Assembly to work for the enactment into law of Senate Bills Nos. 628, 791, 792, and 793.

MONDAY EVENING CLUB.
(MRS. L. V.) MERLE GRAVES, President.

ANNA G. MARVIN, Secretary.

P. S. The Monday Evening Club was most enthusiastic in its endorsement of this measure, even wishing to add an original word of assent:

MERLE GRAVES, President.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 13—An act to amend section 4265 of the Political Code of the State of California, relating to the compensation of officers of counties of the thirty-sixth class.

Also: Assembly Bill No. 114—An act to add a new section to the Political Code, to be numbered 4252*a*, relating to the compensation of jurors in counties of the twenty-third class.

Also: Assembly Bill No. 8—An act to increase the number of judges of the Superior Court of the County of Fresno, and to provide for the appointment of an additional judge.

Also: Assembly Bill No. 137—An act to provide for the care of the graves of soldiers, sailors and marines of the United States of America whose remains are buried in certain cemeteries.

Also: Assembly Bill No. 4—An act to amend section 12 of an act entitled "An act to [illegible] a [illegible] relief, [illegible], and life insurance and relief fund, in the several counties, cities and counties, cities, and towns of the State," approved March 20, 1905.

Also: Assembly Bill No. 328—An act to amend section 626*f* of the Penal Code, relating to the protection of fish and game.

Also: Assembly Bill No. 287—An act to amend section 3 of an act entitled "An act to regulate and license the hunting of wild birds and animals, and to provide revenue therefrom, for game and fish preservation and restoration," approved March 22, 1909.

Also: Assembly Bill No. 286—An act to amend section 3 of an act entitled "An act to regulate and license the taking and catching of game fishes and to define game fish and to provide revenue therefrom, for fish preservation and restoration," approved June 16, 1913.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 43 read first time, and referred to Committee on County Government.

Assembly Bill No. 111 read first time, and referred to Committee on County Government.

Assembly Bill No. 8 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 137 read first time, and referred to Committee on Military Affairs.

Assembly Bill No. 4 read first time, and referred to Committee on Insurance.

Assembly Bill No. 328 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 287 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 286 read first time, and referred to Committee on Fish and Game.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 28, 1917.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 226—An act to amend section 1207 of the Civil Code, relating to defectively acknowledged instruments;

Also: Senate Bill No. 746—An act to add a new section to the Code of Civil Procedure, to be numbered 1381, relating to joint administration of estates under the value of one thousand five hundred dollars, where the property is required by law to pass through several persons who have died;

Also: Senate Bill No. 918—An act to amend section 2093 of the Code of Civil Procedure, relating to who shall be authorized to administer oaths or affirmations.

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Senate Bills Nos. 226, 746 and 918 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 73—An act to amend section 1445 of the Code of Civil Procedure, relating to the duties of special administrators;

Also: Senate Bill No. 74—An act to add a new section to the Code of Civil Procedure, to be numbered 1418, relating to payment of secured debts by special administrators;

Also: Senate Bill No. 809—An act to amend section 103a of the Code of Civil Procedure, relating to the authority of clerks of justices of the peace;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended.

KEHOE, Chairman.

Senate Bills Nos. 73, 74 and 809 ordered on file for second reading.

ON RULES.

SENATE CHAMBER, SACRAMENTO, February 28, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred Senate Resolution introduced by Senator Nealon, relating to the scarcity of certain foodstuffs in the State of California, to wit:

SENATE RESOLUTION BY SENATOR NEALON.

Relating to the scarcity of certain foodstuffs in the State of California.

WHEREAS, The scarcity of certain necessary foodstuffs in the State of California has brought about a condition of affairs extremely onerous and oppressive; and

WHEREAS, By reason of said condition the people of the State of California are compelled to pay unreasonable and exorbitant prices for the said foodstuffs, thus working a very great hardship on our people; and

WHEREAS, It is reported that there are large quantities of these foodstuffs stored in the various warehouses in the State of California, which, if released, would tend to relieve the conditions herein referred to; therefore be it

Resolved, That the Senate of the State of California, in regular session assembled, respectfully requests the State Board of Equalization to immediately instruct the assessors of the various counties of this State to ascertain the amount of foodstuffs so stored in their respective territories and to immediately present a report of their findings to said State Board of Equalization, and that the latter board, without unnecessary delay, transmit to this body the information obtained by it; Has had the same under consideration, and respectfully reports the same back as amended and recommends that it be adopted as amended.

BREED, Chairman.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Lyon to introduce a bill entitled: An act to amend section 4290 of the Political Code, relating to fees and salaries of county officers, has had the same under consideration, and respectfully reports the same back and recommends that the request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Jones, Kehoe, Luce, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(OUT OF ORDER).

The following bill was introduced:

By Senator Lyon: Senate Bill No. 1133—An act to amend section 4290 of the Political Code, relating to fees and salaries of county officers.

Bill read first time, and referred to Committee on County Government.

PRESIDENT PRO TEMPORE BREED IN THE CHAIR.

At eleven o'clock and fifteen minutes a.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, February 28, 1917.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 772—An act appropriating money for the purpose of acquiring an additional watershed for the use of the California Polytechnic School at San Luis Obispo;

Also: Senate Bill No. 773—An act appropriating money for the purpose of constructing new school and farm buildings to be used in connection with the California Polytechnic School at San Luis Obispo.
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass, and be re-referred to the Committee on Finance.

GATES, Chairman.

Senate Bills Nos. 772 and 773 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 45—An act to amend section 1529 of the Political Code, relating to school elections;

Also: Senate Bill No. 95—An act to amend section 1765 of the Political Code, relating to the teachers' library fund;

Also: Senate Bill No. 138—An act to amend section 1713 of the Political Code, relating to library funds in rural school districts;
Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass, as amended.

GATES, Chairman.

Senate Bills Nos. 45, 95 and 138, ordered on file for second reading.

ON FEDERAL RELATIONS.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 5—Memorializing the Senate and House of Representatives of the United States to authorize the franking of reports of births, deaths and communicable diseases to the proper officer and all printed matter of an educational character issued by the State Board of Health to the people of the State;

Also: Senate Joint Resolution No. 6—Relative to the construction and maintenance of a military highway along the Pacific coast from the Canadian border to the Mexican border;

Also: Assembly Joint Resolution No. 6—Relative to a federal measure before Congress introduced by Hon. John E. Raker, Second Congressional District of California, advocating a national defense military highway for the State of California over El Camino Sierra;

Also: Assembly Concurrent Resolution No. 8—Relative to expressing an approval of the course of the President of the United States in severing diplomatic relations with Germany, and pledging to the President the loyal support of the people of California in the protection of American interests in dealing with the nations engaged in war;
Has had the same under consideration, and respectfully reports the same back and recommends that they be adopted.

RUSH, Chairman.

CONSIDERATION OF RESOLUTIONS—ORDER OF ORDER.

Senator Benson asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 5, Senate Joint Resolution No. 6, Assembly Joint Resolution No. 6, and Assembly Concurrent Resolution No. 8, previously reported from committee this day.

SENATE JOINT RESOLUTION NUMBER FIVE.

Memorializing the Senate and House of Representatives of the United States to authorize the franking of reports of births, deaths and communicable diseases to the proper officer and all printed matter of an educational character issued by the State Board of Health to the people of the State.

WHEREAS, The importance of prompt and accurate record of births, deaths and communicable diseases is now recognized by all civilized countries as of direct benefit to the nation; and

WHEREAS, The reporting of these births, deaths and communicable diseases is now required by federal and state laws, and it being for the general welfare of the public, your memorialists believe that this expense, in so far as postage is involved, should be borne by the public; and

WHEREAS, The education of the people by means of printed matter pertaining to the preservation of health is conducive to the general public welfare; therefore be it

Resolved by the Senate, the Assembly concurring, That we memorialize the Congress of the United States to authorize the franking of all reports of births, deaths and communicable diseases to the proper officer, and all printed matter of an edu-

cational character issued by the State Board of Health to the people of the state in which such matter is issued; and, be it further

Resolved, That a copy of this resolution be sent to the President of the Senate, to our United States Senators, to the Speaker and to each member of the House of Representatives from the State of California.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 5 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Chamberlin, Duncan, Flaherty, Gates, Ingram, Jones, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—24.

NOES—None.

Senate Joint Resolution No. 5 ordered transmitted to the Assembly.

SENATE JOINT RESOLUTION NUMBER SIX.

Relative to the construction and maintenance of a military highway along the Pacific Coast from the Canadian border to the Mexican border.

WHEREAS, The building and maintaining of a military highway along the Pacific Coast from the Canadian border to the Mexican border would be of the greatest benefit to the United States government and to the states on the Pacific Coast in supplying coast forts with guns and ammunition, and in the handling of artillery and ammunition; and

WHEREAS, Such a highway would be of incalculable benefit in mobilizing troops in the event of an attempted invasion, and all other incidents appertaining thereto; and

WHEREAS, The people of the Pacific Coast states realize the necessity of such a highway and urgently request the building and maintaining of such a highway; now, therefore, be it

Resolved by the Senate and the Assembly, jointly, That the Legislature of the State of California memorializes the Congress of the United States to take such steps as may be necessary to provide for the building and maintaining of such a highway, and to make an appropriation of sufficient size to carry out said work; and be it further

Resolved, That the Senators and Representatives in Congress from the State of California be requested to use all honorable means to secure the action desired in this matter for the purpose aforesaid; and be it further

Resolved, That a copy of these resolutions be forwarded to the President of the United States, the Secretary of the Interior, the President of the Senate, the Speaker of the House of Representatives and to each of the Senators and representatives in Congress from the State of California, including those to assume office on March 4, 1917.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 6 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Jones, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—29.

NOES—None.

Senate Joint Resolution No. 6 ordered transmitted to the Assembly.

ASSEMBLY JOINT RESOLUTION NUMBER SIX.

Relative to a Federal measure before Congress introduced by Hon. John E. Raker, Second Congressional District of California, advocating a National defense military highway for the State of California over El Camino Sierra.

WHEREAS, The Hon. John E. Raker, on the fifth day of July, 1916, did introduce a measure for the building of national defense highways and post roads for the general good of the State of California over the El Camino Sierra; therefore, be it

Resolved by the Assembly and Senate, jointly, That our Senators in Congress be instructed and our representatives requested to use all reasonable means to secure the passage of said measure establishing a military national defense highway and post road for the general good that will be accomplished.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 6 adopted by the following vote:

AYES—Senators Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Jones, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.
NOES—None.

Assembly Joint Resolution No. 6 ordered transmitted to the Assembly.

ASSEMBLY CONCURRENT RESOLUTION NUMBER EIGHT.

Relative to expressing an approval of the course of the President of the United States in severing diplomatic relations with Germany, and pledging to the President the loyal support of the people of California in the protection of American interests in dealing with the nations engaged in war.

WHEREAS, The President of the United States, in the performance of his solemn duty to the people of this republic and in behalf of humanity everywhere, has deemed it necessary to sever the diplomatic relations heretofore existing between this country and the Imperial German Government; and

WHEREAS, It abundantly appears that this stern action is justified by the willful disregard by the Imperial German Government of the Law of Nations, a disregard which has already inflicted upon the people of neutral nations incalculable unjustifiable wrong and damage;

Resolved by the Assembly, the Senate concurring, That we express our confidence in Woodrow Wilson, our President, in this crisis in the history of our country and respectfully convey to him, as the Chief Executive of the United States of America, the pledge of loyal support of the people of California in whatsoever course he may adopt for the protection of American interests in dealing with the nations now engaged in war; and be it further

Resolved, That a copy of this resolution be sent to the secretary of the President for transmission to President Wilson.

AMENDMENT FROM THE FLOOR.

During the reading of the resolution the following amendment was offered, and its adoption moved by Senator McDonald:

Nothing contained therein shall be construed as an endorsement of England's repeated violations of international law against this country or as approving the deliberate murder of Irishmen engaged in an attempt to obtain the freedom of their country.

POINT OF ORDER.

Senator Duncan raised the point of order that the subject matter of the amendment was not germane to the resolution before the Senate.

DECISION ON POINT OF ORDER.

The President pro tempore announced his decision and declared the point of order well taken.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 8 adopted by the following vote:

AYES—Senators Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Jones, Luce, Lyon, Maddux, Nealon, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—28.
NOES—None.

Assembly Concurrent Resolution No. 8 ordered transmitted to the Assembly.

RESOLUTIONS.

The following resolutions were offered:

By Senator Scott:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate for the sum of two hundred dollars for postage stamps, the same to be paid out of the contingent fund of the Senate, and the Treasurer is hereby directed to pay the same.

Resolution referred to Committee on Contingent Expenses.

Also:

By Senator Luce:

Resolved, That the following named persons be and they are hereby appointed to the respective positions hereinafter set forth as provided by law with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants for the said respective amounts and the Treasurer is directed to pay the same:

Name.	Position.	Per diem.
Mrs. Lois J. Healey,	Assistant Journal Clerk	$5 00
T. W. Bromley,	Assistant Journal Clerk	5 00
A. O. Stuckenbruck,	Assistant Engrossing and Enrolling Clerk	5 00
John A. Williams,	Assistant Engrossing and Enrolling Clerk	5 00
Peter Dugan,	Assistant Sergeant-at-Arms	5 00
John T. Young,	Assistant Sergeant-at-Arms	5 00
Walter Johnson,	Assistant Sergeant-at-Arms	5 00
Marion Burnett,	Assistant Sergeant-at-Arms	5 00
Wm. Flowers,	Assistant Sergeant-at-Arms	5 00
Al Carroll,	Committee Clerk	4 00
Wm. P. Ryan,	Committee Clerk	4 00
Thos. H. Waters,	Committee Clerk	4 00
Arthur H. Pratt,	Committee Clerk	4 00
Secondi Minetti,	Assistant Sergeant-at-Arms	5 00
Harry Ward,	Assistant Sergeant-at-Arms	5 00
F. H. Owen,	Stenographer	5 00
Maude Cottier,	Assistant Engrossing and Enrolling Clerk	5 00
D. E. Keith,	Assistant Sergeant-at-Arms	5 00
J. G. Bisbee,	Assistant Sergeant-at-Arms	5 00
Esto Broughton,	Committee Clerk	4 00
M. M. Crowley,	Committee Clerk	4 00
Joseph Moore,	Assistant Sergeant-at-Arms	5 00
Anna E. McMahon,	Press Mailing Clerk	4 00

Resolution read.

Senator Luce moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Evans, Flaherty, Gates, Ingram, Inman, Jones, Kehoe, Luce, Lyon, McDonald, Maddux, Neelon, Rigdon, Rominger, Rush, Sharkey, Thompson, and Tyrrell—26.

NOES—None.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 222—An act to amend section 4248 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the nineteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 222 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Jones, Kehoe, Luce, Lyon, McDonald, Maddux, Neelon, Rigdon, Rominger, Rush, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 149—An act providing for the maintenance and care of cemetery trustees and associations of the graves of honorably discharged soldiers of the United States of America or of the Confederate States of America, or of any veterans of the Civil War or of the Spanish-American War, and providing the manner of payment therefor.

On motion of Senator Duncan, Senate Bill No. 149 was passed on file.

SECOND READING OF SENATE BILLS.

Senate Bill No. 750—An act to add a new section to the Political Code, to be numbered 3804*b*, relating to the payment of taxes on property assessed by two or more counties and to cancellation of erroneous assessments.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 451—An act conveying certain tide lands and lands lying under inland navigable waters, situate in the bay of San Diego to the city of National City, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 135—An act to amend section 4300*g* of the Political Code, relating to witness fees.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 17—An act to amend section 310 of the Penal Code, relating to the use of the national flag for advertising purposes.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 10, after the word "regulations" strike out the period and insert in lieu thereof the following ": *provided, further*, that this act shall not apply to banners or flags carried by military or patriotic organizations existing under the laws of the State of California and the United States."

Amendment adopted.

Bill read second time and ordered to print, engrossment and third reading.

Senate Bill No. 130—An act to amend sections 337 and 339 of the Code of Civil Procedure, relating to limitation for the commencement of actions.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 3, after the figures "337" insert the words: "Within four years".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 6, strike out the period after the word "account" and insert in lieu thereof the following: "or upon an account stated."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 9, after the figures "339" insert the words: "Within two years:".

Amendment adopted.

Bill read second time and ordered to print, engrossment and third reading.

Senate Bill No. 887—An act to amend section 1 of an act entitled "An act granting certain tide lands and submerged lands of the State of California to the city of Oakland, and regulating the management, use and control thereof," approved May 1, 1911.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 27, after the comma following the word "periods" insert the following: "but in no event exceeding fifty years.".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 28, after the word "thereof," insert the following: ", for limited periods, but in no event exceeding fifty years."

Amendment adopted.

Bill read second time and ordered to print, engrossment and third reading.

Senate Bill No. 30—An act to amend sections 1 and 9 of an act entitled "An act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records," approved June 16, 1906, by extending the application of said act to real property, when the records covering the period when said real property was in another county, have been destroyed among the records of such other county, and to provide for notice of the pendency of actions brought under the provisions hereof.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 5 of the title after the comma following the figures "1906" insert the following: "and acts amendatory thereof or supplemental thereto,".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 7 of the title after the word "county" strike out the comma.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 4, after the comma following the figures "1906", insert the following: "and acts amendatory thereof or supplemental thereto,".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 26, after the word "is" insert the word "still."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 26, after the words "in the" strike out the word "this" and insert in lieu thereof the word "same."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, lines 26 and 27, after the word "county" strike out the words "mentioned in" in line 26, and the words "section one of this act" in line 27, and insert the following in lieu thereof "in which the records were destroyed."

Amendment adopted.

Bill read second time and ordered to print, engrossment and third reading.

SENATOR KEHOE IN THE CHAIR.

At eleven o'clock a.m., Senator Kehoe of the first district was called to the chair.

SECOND READING OF SENATE BILLS—RESUMED.

Senate Bill No. 7—An act to amend section 4235 of the Political Code of the State of California, relating to the compensation and fees of officers of counties of the sixth class and their assistants, deputies and clerks.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 3 of the title, strike out the words "of the State of California".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, in line 2, strike out the words "of the State of California".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, in line 14, after the word "annum" insert the word "each".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, in line 15, after the word "annum" insert the word "each".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, strike out all of lines 1 to 12, inclusive, and all of line 13 to and including the period following the word "employed", and insert in lieu thereof the following: "one deputy county clerk, who shall be the registrar of voters, two thousand one hundred dollars per annum; one deputy county clerk, who shall be the assistant registrar of voters, one thousand five hundred dollars per annum; two deputy county clerks, for the purpose of registering electors in the registration office, and to be appointed and employed only in even numbered years when a general state election is to be held throughout the state, from the first day of January to the first day of November of such even numbered year, at a salary of one hundred dollars per month; such deputy county clerks as may be needed for the

registration of electors in precincts outside of the corporate limits of municipalities containing twenty-five thousand or more inhabitants, who shall be paid ten cents per name for each person legally registered by said deputies; such deputies as may be needed for the registration of electors in precincts inside the corporate limits of municipalities containing twenty-five thousand or more inhabitants, who shall be appointed and who shall serve only in even numbered years when a general election is held throughout the state and who shall be paid the sum of five cents per name for each person legally registered by said deputies, deputy county clerks not to exceed five for a period not to exceed sixty days preceding any municipal, special county, special state, general state, primary or county election, whose salary shall not exceed the sum of four dollars per diem each for the days actually employed."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 5 of the printed bill, in line 10, strike out the word "two" and insert in lieu thereof the word "one".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 5 of the printed bill, in line 10, strike out the word "deputies" and insert in lieu thereof the word "deputy".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 7 of the printed bill, in line 25, strike out all of said line after the semicolon following the word "made" and down to and including the word "practice" in line 30.

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 9 of the printed bill, in line 35, strike out all after "14" and all of line 36, and all of pages 10, 11 and 12, and insert in lieu thereof the following:

"For the purpose of regulating the compensation of justices of the peace and constables, townships in counties of this class are hereby classified according to their registered voting population as shown by the great register of the county in the office of the county clerk on the first day of January one thousand nine hundred seventeen, and said registered voting population as shown by said register of the several judicial townships is hereby declared to be as follows: Sacramento township, twenty-eight thousand five hundred forty-six; Granite township, one thousand one hundred thirteen; San Joaquin township, one thousand three; Mississippi township, nine hundred nine; American township, seven hundred twenty-one; Dry Creek township, six hundred thirty-six; Franklin township, six hundred seventeen; Georgiana township, five hundred sixty-three; Natoma township, five hundred forty-seven; Sutter township, four hundred eighty-six; Center township, three hundred eighty-five; Alabama township, two hundred sixty; Brighton township, two hundred twenty-nine; Riverside township, two hundred twenty-one; Lee township, two hundred fourteen; Cosumnes township, one hundred two. Townships having a registered voting population of twenty-eight thousand five hundred forty-six shall belong to and be known as townships of the first class; townships having a registered voting population of one thousand one hundred thirteen shall belong to and be known as townships of the second class; townships having a registered voting population of one thousand three shall belong to and be known as townships of the third class; townships having a registered voting population of nine hundred nine shall belong to and be known as townships of the fourth class; townships having a registered voting population of seven hundred twenty-one shall belong to and be known as townships of the fifth class; townships having a registered voting population of six hundred thirty-six shall belong to and be known as townships of the sixth class; townships having a registered voting population of six hundred seventeen shall belong to and be known as townships of the seventh class; townships having a registered voting population of five hundred sixty-three shall belong to and be known as townships of the eighth class; townships having a registered voting population of five hundred forty-seven shall belong to and be known as townships of the ninth class; townships having a registered voting population of four hundred eighty-six shall belong to and be known as townships of the tenth class; townships having a registered voting population of three hundred eighty-five shall belong to and be known as townships of the eleventh class; townships having a registered voting population of two hundred sixty shall

belong to and be known as townships of the twelfth class; townships having a registered voting population of two hundred twenty nine shall belong to and be known as townships of the thirteenth class; townships having a registered voting population of two hundred twenty-one shall belong to and be known as townships of the fourteenth class; townships having a registered voting population of two hundred fourteen shall belong to and be known as townships of the fifteenth class; townships having a registered voting population of one hundred two shall belong to and be known as townships of the sixteenth class.

"14*a*. Salaries of justices of the peace shall be paid each month in the same manner as the salaries of county officers are paid. Justices of the peace shall receive the following monthly salaries, which shall be in full compensation for all services rendered by them, to wit: In townships of the first class, three hundred dollars per month; in townships of the second class, sixty dollars per month; in townships of the third class, sixty dollars per month; in townships of the fourth class, sixty dollars per month; in townships of the fifth class, sixty dollars per month; in townships of the sixth class, forty dollars per month; in townships of the seventh class, forty dollars per month; in townships of the eighth class, forty dollars per month; in townships of the ninth class, thirty-five dollars per month; in townships of the tenth class, sixty dollars per month; in townships of the eleventh class, thirty-five dollars per month; in townships of the twelfth class, twenty-five dollars per month; in townships of the thirteenth class, sixty dollars per month; in townships of the fourteenth class, sixty dollars per month; in townships of the fifteenth class, ten dollars per month; in townships of the sixteenth class, ten dollars per month. Each justice of the peace must pay into the county treasury each month all fees and fines collected by him.

"14*b*. Constables shall receive the following monthly salaries, to be paid each month in the same manner as the salaries of county officers are paid, in full compensation for all services rendered by them in criminal cases, to wit: In townships of the first class, one hundred twenty-five dollars per month; in townships of the second class, one hundred dollars per month; in townships of the third class, fifty dollars per month; in townships of the fourth class, fifty dollars per month; in townships of the fifth class, forty dollars per month; in townships of the sixth class, forty dollars per month; in townships of the seventh class, forty dollars per month; in townships of the eighth class, fifty dollars per month; in townships of the ninth class, thirty-five dollars per month; in townships of the tenth class, fifty dollars per month; in townships of the eleventh class, thirty-five dollars per month; in townships of the twelfth class, twenty dollars per month; in townships of the thirteenth class, fifty dollars per month; in townships of the fourteenth class, fifty dollars per month; in townships of the fifteenth class, ten dollars per month; in townships of the sixteenth class, ten dollars per month. In addition to the monthly salaries herein allowed, each constable shall receive fifteen cents per mile actually traveled in conveying prisoners to the county jail."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 459. An act to make an appropriation to pay the salaries of Senators for the forty-second session of the Legislature of the State of California during the sixty-eighth fiscal year.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2 of the title, after the word "salaries" insert the words "and mileage".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 1 of the printed bill, strike out the words "one thousand four hundred eighty" and insert in lieu thereof the words "two thousand two hundred eighty".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 4 of the printed bill, after the word "salaries" insert the words "and mileage".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 747—An act to add a new section to the Penal Code, to be numbered 1157*a*, relating to the giving of evidence of mitigating circumstances after verdict in cases of homicide.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 748—An act to amend section 190 of the Penal Code, relating to the punishment for murder.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 22—An act to amend section 637*j* of the Penal Code, relating to the protection of game.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 60—An act to amend section 637*a* of the Penal Code, relating to killing of birds other than game.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 308—An act to add a new section to the Penal Code, to be numbered 628*j*, relating to the protection of salt water eels.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 354—An act to regulate the vocation of mounting or preparing the skins for mounting of any animal, or part of animal, for profit, and to provide therefrom revenue for the protection of game.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 375—An act to amend section 635 of the Penal Code, relating to the pollution of streams and the use of explosives in streams and public waters.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 578—An act to amend section 626*j* of the Penal Code.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 659—An act empowering and authorizing the Board of Fish and Game Commissioners to insure the employees of the Fish and Game Commission with the Industrial Accident Commission while in the discharge of their duties.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 701—An act empowering and authorizing the Board of Fish and Game Commissioners to insure against loss or damage by fire the property of the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 373—An act to amend an act entitled "An act to amend an act entitled 'An act to provide for the burial of ex-Union soldiers, sailors and marines in this State who may hereafter die without leaving sufficient means to defray burial expenses,' approved March 15, 1889, and to extend the operation of said act to all honorably discharged soldiers, sailors and marines who served in the army and navy of the United States, approved March 23, 1901, by extending the operation of said act to widows of all such honorably discharged soldiers, sailors and marines who served in the army or navy of the United States," approved March 24, 1911, by designating who shall be appointed by boards of supervisors to carry out the terms of said act.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 96—An act to amend section 850 of the Code of Civil Procedure, relating to notice in justices' courts.

COMMITTEE AMENDMENT

During second reading of the bill the following committee amendment was offered:

AMENDMENT NUMBER ONE

On page 1 of printed bill strike out all of lines 14 and 15 and on page 2, line 1 of said bill the words "by mail" and insert in lieu thereof the following: "*Provided further*, that such notice shall be personally served in said county if he can be found at said address, but in case said person can not, after due diligence, be found at said address and such fact appears by affidavit to the satisfaction of the court or a judge thereof, then the service of such notice may be by registered mail and in the manner hereinafter provided for service of notice by mail."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senator Breed asked for and was granted unanimous consent for the second reading at this time, under suspension of the rules, of the bills previously reported from committee on this legislative day.

Senate Bill No. 226—An act to amend section 1207 of the Civil Code, relating to defectively acknowledged instruments.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 746—An act to add a new section to the Code of Civil Procedure, to be numbered 1381, relating to joint administration of estates under the value of one thousand five hundred dollars, where the property is required by law to pass through several persons who have died.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 918—An act to amend section 2093 of the Code of Civil Procedure, relating to who shall be authorized to administer oaths or affirmations.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 73—An act to amend section 1415 of the Code of Civil Procedure, relating to the duties of special administrators.

COMMITTEE AMENDMENTS

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE

On page 1, line 19, after the comma following the word "code" insert the following: "in the same manner and".

Amendment adopted.

Bill read second time and ordered to print, engrossment, and third reading.

Senate Bill No. 74—An act to add a new section to the Code of Civil Procedure, to be numbered 1418, relating to payment of secured debts by special administrators.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, after the figures "1418," strike out the rest of the line.

Amendment adopted.

Bill read second time, and ordered to print engrossment and third reading.

Senate Bill No. 809—An act to amend section 103*a* of the Code of Civil Procedure, relating to the authority of clerks of justices of the peace.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 14, after the word "processes" insert the words: "in civil actions".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 16, after the word "records" insert the words: "in civil actions".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 45—An act to amend section 1599 of the Political Code, relating to school elections.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 14, strike out the word "voters", and insert in lieu thereof the word "electors".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 16, after the word "form" insert the following, "and number".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 18, after the word "laws", insert a new sentence as follows: "On said ballot there shall be printed, in addition to the names on said ballot as many blank spaces as there are positions to be filled, on which the voter may write in the names of any persons for whom he desires to vote."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 21, strike out the word "twenty", and insert in lieu thereof the word "five".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 21, after the word "election", strike out the period and insert in lieu thereof a comma, and the following, "or by consent in writing to his nomination filed by any other person with the clerk at least five days before the day of election."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 95—An act to amend section 1565 of the Political Code, relating to the teachers' library fund.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 11, after the word "received", insert the following, "by the county treasurer".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 12, after the word "section", insert the following, "and credited by the county treasurer to the teachers library fund".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 138—An act to amend section 1713 of the Political Code, relating to library funds in rural school districts.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 16, after the word "may", insert the following, "when so requested by the board of trustees".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

MESSAGE FROM THE ASSEMBLY—OUT OF ORDER.

On motion of Senator Tyrrell, the following message from the Assembly was taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 42—An act to amend section 2972 of the Civil Code, relating to the continuance of a lien of mortgage on a crop;

Also: Assembly Bill No. 205—An act to amend section 628, of the Penal Code;

Also: Assembly Bill No. 86—An act granting certain tide lands and submerged lands of the State of California to the city of Santa Monica upon certain trusts and conditions.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 42, 205 and 86 referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON CONTINGENT EXPENSES.

SENATE CHAMBER, SACRAMENTO, February 28, 1917.

MR. PRESIDENT: Your Committee on Contingent Expenses, to which was referred the following resolution:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate for the sum of two hundred dollars for

postage stamps, the same to be paid out of the contingent fund of the Senate, and the Treasurer is hereby directed to pay the same;

Has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

NEALON, Chairman.

Report and resolution read.

Senator Nealon moved that the report and resolution be adopted.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Jones, Kehoe, Luce, Nealon, Purkitt, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—None.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, February 28, 1917.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 108—An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

JOHNSON, Chairman.

Senate Bill No. 108 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 71—An act for the acquisition, location, survey and construction of a highway beginning at or near Oxnard, in Ventura County, California, and extending to a point near San Juan, in Orange County, California, and making an appropriation therefor;

Also: Senate Bill No. 72—An act making an appropriation for the location, survey and construction of a highway to connect the State of California with the state of Nevada;

Also: Senate Bill No. 109—An act making an appropriation to pay any assessment that may be imposed against the State of California under the provisions of an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California";

Also: Senate Bill No. 118—An act making an appropriation for the construction of a state highway from Cisco in Placer County to Nevada City in Nevada County;

Also: Senate Bill No. 136—An act making an appropriation for the location, survey and construction of a proposed state road from the junction of the counties of San Joaquin, Calaveras, and Amador to Jackson, Amador County;

Also: Senate Bill No. 172—An act to provide for the completion, construction and maintaining of a State highway from the Jackson Ranch near Pescadero, in the county of San Mateo, to Governor's Camp in California Redwood Park, in Santa Cruz County, and making an appropriation therefor;

Also: Senate Bill No. 353—An act to authorize the conveyance to the State of California of a certain road, situate in Boulder Creek township, in the county of Santa Cruz, State of California, and to provide for the acceptance, maintenance and improvement of said road by the State of California, as a State road and to appropriate money for the maintenance and improvement thereof;

Also: Senate Bill No. 393—An act making an appropriation for the construction of the Yolo and Lake highway;

Also: Senate Bill No. 456—An act to establish the Yolo and Lake highway; to define its course; to provide for its survey and construction; and to make an appropriation therefor;

Also: Senate Bill No. 481—An act making an appropriation for the construction of a State highway from Carmel in Monterey County to San Simeon in San Luis Obispo County, and a certain lateral State highway from a point most feasible thereon to Jolon in Monterey County;

Also: Senate Bill No. 586—An act making an appropriation for the extension of the Trinity-Humboldt State road from its westerly end, in a westerly direction, to the town of Bridgeville, in Humboldt County;

Also: Senate Bill No. 607—An act making an appropriation to provide for the survey, location and estimate of cost of a State highway from Carmel in Monterey County, to San Simeon in San Luis Obispo County, and a certain lateral State highway from a point most feasible thereon to Jolon in Monterey County;

Also; Senate Bill No. 699—An act providing for a State road in Sonoma County, and making an appropriation therefor.
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass and be re-referred to the Finance Committee.

JOHNSON, Chairman.

Senate Bills Nos. 71, 72, 109, 118, 136, 172, 353, 393, 456, 481, 586, 607, and 699 re-referred to Committee on Finance.

CONSIDERATION OF BILL.

Senator Chandler asked for, and was granted, unanimous consent to take up for consideration Assembly Bill No. 456—An act to make an appropriation to pay the salaries and mileage of Assemblymen for the forty-second session of the Legislature of the State of California during the sixty-eighth fiscal year.

Bill read second time, ordered engrossed, and on file for third reading.

ADJOURNMENT.

At eleven o'clock and thirty-five minutes a.m., on motion of Senator Breed, the acting President declared the Senate adjourned.

IN SENATE

SENATE CHAMBER,
SACRAMENTO, Thursday, March 1, 1917.

The Senate met at ten o'clock a.m.

Lieutenant Governor William D. Stephens, President of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M. Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Faulkner, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, Kent, Lee, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigden, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—38.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, February 28, 1917, the further reading was dispensed with, on motion of Senator Slater.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, March 1, 1917.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 262—An act amending section 636 of the Penal Code, relating to the regulation of use of nets, lines and seines in the waters of the State of California, and providing a penalty for the violation thereof;

Also: Senate Bill No. 333—An act to amend section 643 of the Political Code, relating to the compensation of fish and game commissioners;

Also: Senate Bill No. 351—An act to amend section 626 of the Penal Code, relating to the protection of fish and game;

Also: Senate Bill No. 588—An act to amend section 628 of the Penal Code, relating to the protection of fish;

Also: Senate Bill No. 768—An act to amend "An act to regulate the vocation of fishing and to provide therefrom revenue for the propagation, restoration and conservation of fish in the waters of the State of California," approved March 13, 1909;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

SLATER, Chairman.

Senate Bills Nos. 262, 333, 351, 588 and 768 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 1, 1917.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 81—An act to provide for the creation of a bureau of vocational information, defining its powers and duties and making an appropriation for carrying out the provisions thereof;

Also: Senate Bill No. 321—An act to amend section 1662 of the Political Code relating to elementary schools and kindergartens, school age, kindergarten age, deaf children, exclusion of children, and special classes of the elementary school;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended.

GATES, Chairman.

Senate Bills Nos. 81 and 321 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 312—An act confirming and validating the organization of school districts;

Also: Senate Bill No. 313—An act to validate bonds of school districts and high school districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Senate Bill No. 946—An act to amend sections 1611, 1613, 1614, 1615, 1616 and 1617 of the Political Code; to add thereto ten new sections, to be numbered 1603, 1603*a*, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1612, and to repeal sections 1617*a*, 1617*b*, 1617*c* and 1617*d* of the Political Code, relating to boards of school trustees and city boards of education;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

GATES, Chairman.

Senate Bills Nos. 312, 313 and 946 ordered on file for second reading.

REQUESTS FOR INTRODUCTION OF BILLS.

Senator Scott requested permission to introduce a Senate bill entitled: An act to amend section 131 of the Civil Code of the State of California which relates to judgment in an action for divorce, and repealing section 132 of said Civil Code which relates to the same subject.

Request referred to Committee on Rules.

Also:

Senator Maddux asked permission to introduce a Senate bill entitled: An act making an appropriation for the survey, location and construction of a state highway from the city of Madera to a point on the boundary line separating the county of Madera from the county of Mariposa near Summerdale.

Request referred to Committee on Rules.

PRESIDENT PRO TEMPORE BREED IN THE CHAIR.

At ten o'clock and fifteen minutes a.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 149—An act providing for the maintenance and care by cemetery trustees and associations of the graves of honorably discharged soldiers of the United States of America or of the Confederate States of America, or of any veterans of the Civil War or of the Spanish-American War, and providing the manner of payment therefor.

On motion of Senator Duncan, Senate Bill No. 149 was passed on file.

SECOND READING OF SENATE BILLS.

Senate Bill No. 108—An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California.

Bill read second time, ordered engrossed and on file for third reading.

CONSIDERATION OF THIRD READING FILE OF ASSEMBLY BILLS (OUT OF ORDER).

Senator Benson asked for and was granted unanimous consent to take up the third reading file of Assembly bills.

Assembly Bill No. 456—An act to make an appropriation to pay the salaries and mileage of Assemblymen for the forty-second session of the Legislature of the State of California during the sixty-eighth fiscal year.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 456 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Inman, Irwin, Jones, Kehoe, King, Luce, Maddux, Nealon, Pockat, Rigdon, Rominger, Scott, Sharkey, Slater, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

At ten o'clock and twenty minutes a.m., on motion of Senator Benson, the President pro tempore declared the Senate at recess until ten o'clock and thirty minutes a.m.

RECONVENED.

At ten o'clock and thirty minutes a.m. the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 1, 1917.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 148—An act to add a new section to the Code of Civil Procedure to be numbered 1723½, relating to termination of life estates and evidence thereof;

Also: Senate Bill No. 473—An act to amend the Code of Civil Procedure by adding thereto a new section to be numbered 2055, relating to the examination of an adverse party;

Also: Senate Bill No. 690—An act to amend section 1238 of the Code of Civil Procedure, relating to the public uses in behalf of which the right of eminent domain may be exercised;

Also: Senate Bill No. 29—An act to amend the Code of Civil Procedure, by adding thereto a new section to be numbered and known as section 1871, relating to experts, their appointment by the court, or a judge thereof, and providing for their compensation and manner of examination as witnesses;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Senate Bills Nos. 148, 473, 690 and 29 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 93—An act to amend sections 2, 6, 17, 32, and 43 of an act entitled, "An act to establish a standard of weights and measures in the State of California, to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, and known as the "Weights and Measures Act," and amended June 8, 1915, and to add a new section thereto to be designated 32*a*, regulating sales and providing penalties—has had the same under consideration, and respectfully reports the same back and recommends that it do pass, and be re-referred to Committee on Finance.

KEHOE, Chairman.

Senate Bill No. 93 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 123—An act to amend section 156 of the Code of Civil Procedure, relating to qualifications of justices of supreme court and of the district courts of appeal;

Also: Senate Bill 124—An act to amend section 157 of the Code of Civil Procedure, relating to qualification of superior judges;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended.

KEHOE, Chairman.

Senate Bills Nos. 123 and 124 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 245—An act to amend an act entitled "An act to repeal an act entitled 'An act relating to revenue and taxation, providing for a license tax upon corporations and making an appropriation for the purpose of carrying out the objects of this act,' approved March 20, 1905, and all acts amendatory thereof or supplemental thereto, and to provide upon what conditions any corporation which has failed to pay any license tax imposed by the provisions of any of the acts hereby repealed may pay the same and be restored to its former corporate status and rights, and also to provide for settling the affairs of any corporation which by reason of failure to pay any tax imposed by any of said acts, has forfeited either its charter or right to do business in this State," approved June 10, 1913, by adding a new section thereto to be numbered 3¼, relating to the appointment of directors or managers of corporations whose franchise has been forfeited;

Also: Senate Bill No. 590—An act to amend section 19o of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for

such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith.
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Senate Bills Nos. 245 and 590 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 757—An act providing for the giving of notice of time and place of sale under deed of trust, mortgage or other instrument containing a power of sale, to any person having a lien upon or interest in the real property to be sold thereunder, and giving such person the right of redemption where no such notice is given—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

KEHOE, Chairman.

Senate Bill No. 757 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT

SENATE CHAMBER, SACRAMENTO, February 28, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined—
Senate Joint Resolution No. 5—Memorializing the Senate and House of Representatives of the United States to authorize the franking of reports of births, deaths and communicable diseases to the proper officer, and all printed matter of an educational character issued by the State Board of Health to the people of the State;
Also: Senate Joint Resolution No. 6—Relative to the construction and maintenance of a military highway along the Pacific coast from the Canadian border to the Mexican border;
And reports that the same have been correctly engrossed.

ROMINGER, Vice-Chairman.

Also:

SACRAMENTO, March 1, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined—
Senate Bill No. 750—An act to add a new section to the Political Code, to be numbered 3804*b*, relating to the payment of taxes on property assessed by two or more counties and to cancellation of erroneous assessments;
Also: Senate Bill No. 451—An act conveying certain tide lands and lands lying under inland navigable waters, situate in the bay of San Diego to the city of National City, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof;
Also: Senate Bill No. 135—An act to amend section 4300*g* of the Political Code, relating to witness fees;
Also: Senate Bill No. 747—An act to add a new section to the Penal Code, to be numbered 1157*a*, relating to the giving of evidence of mitigating circumstances after verdict in cases of homicide;
Also: Senate Bill No. 748—An act to amend section 190 of the Penal Code, relating to the punishment for murder;
Also: Senate Bill No. 22—An act to amend section 637½ of the Penal Code, relating to the protection of game;
Also: Senate Bill No. 60—An act to amend section 637*a* of the Penal Code, relating to killing of birds other than game;
Also: Senate Bill No. 308—An act to add a new section to the Penal Code, to be numbered 628*b*, relating to the protection of salt water eels;
Also: Senate Bill No. 354—An act to regulate the vocation of mounting or preparing the skins for mounting of any animal, or part of animal, for profit, and to provide therefrom revenue for the protection of game;
Also: Senate Bill No. 375—An act to amend section 635 of the Penal Code, relating to the pollution of streams and the use of explosives in streams and public waters;
Also: Senate Bill No. 578—An act to amend section 626*b* of the Penal Code;
Also: Senate Bill No. 650—An act empowering and authorizing the Board of Fish and Game Commissioners to insure the employees of the Fish and Game Commission with the Industrial Accident Commission while in the discharge of their duties;
Also: Senate Bill No. 701—An act empowering and authorizing the Board of Fish and Game Commissioners to insure against loss or damage by fire the property of the State of California;

Also: Senate Bill No. 373—An act to amend an act entitled "An act to amend an act entitled 'An act to provide for the burial of ex-Union soldiers, sailors and marines in the State who were unable to provide for burial having sufficient means to defray burial expenses,' approved March 15, 1889, and to extend the operation of said act to and honorably discharged soldiers, sailors and marines who served in the army and navy of the United States approved March 23, 1901, by extending the operation of said act to widows of all such honorably discharged soldiers, sailors and marines who served in the army or navy of the United States," approved March 24, 1911, by designating who shall be entitled to bounds of supervisors to carry out the terms of said act;

Also: Senate Bill No. 226—An act to amend section 1207 of the Civil Code, relating to defectively acknowledged instruments;

Also: Senate Bill No. 749—An act to add a new section to the Code of Civil Procedure, to be numbered 1381, relating to local administration of estates under the value of $1,500 where the property is required by law to pass through several persons who have died;

Also: Senate Bill No. 918—An act to amend section 2003 of the Code of Civil Procedure, relating to who shall be authorized to administer oaths or affirmations;

And report that the same have been correctly engrossed.

ROMINGER, Vice Chairman.

THIRD READING OF SENATE BILLS.

Senate Bill No. 750—An act to add a new section to the Political Code, to be numbered 3844, relating to the payment of taxes on property assessed by two or more counties and to cancellation of erroneous assessments.

Read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 750 passed by the following vote:

AYES—Senators Ballard, Beasore, Breed, Brown, Campbell, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Jones, Kehoe, King, Lane, Leon, McDonald, Maddux, Nordon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shaw, Stockebrock, and Thompson—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 451—An act conveying certain tide lands and lands lying under inland navigable waters, situate in the bay of San Diego to the city of National City, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof.

Read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 451 passed by the following vote:

AYES—Senators Beasore, Breed, Brown, Campbell, Carr, F. M., Carr, W. J., Crowley, Evans, Flaherty, Gates, Hans, Ingram, Kehoe, King, Lane, Leon, Nordon, Rigdon, Rominger, Scott, Shaw, Sharkey, Stockebrock, Thompson and Tyrrell—25.

NOES—Senators Chamberlin, Chandler, Duncan, Irwin, Irwin, McDonald, Maddux, and Purkitt—8.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR SCOTT IN THE CHAIR.

At eleven o'clock and twenty minutes a.m., Senator Scott of the Twentieth District was called to the chair.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 135—An act to amend section 4300*g* of the Political Code, relating to witness fees.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 135 passed by the following vote:

AYES—Senators Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Flaherty, Hans, Ingram, Inman, Irwin, Jones, Kehoe, Kenz, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Stuckenbruck, and Thompson—24.

NOES—Senators Ballard, Benson, Breed, Carr, W. J., Gates, Lane, Shankey, and Tyrrell—8.

Title read and approved.

Bill ordered transmitted to the Assembly.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m. the hour of recess was extended until twelve o'clock and forty-five minutes p.m.

PRESIDENT PRO TEMPORE BREED IN THE CHAIR.

At twelve o'clock and forty minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Senate Bill No. 747—An act to add a new section to the Penal Code, to be numbered 1157*a*, relating to the giving of evidence of mitigating circumstances after verdict in cases of homicide.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 747 refused passage by the following vote:

AYES—Senators Benson, Carr, W. J., Duncan, Flaherty, Inman, Kehoe, Lyon, McDonald, Rigdon, Scott, Stuckenbruck, and Thompson—12.

NOES—Senators Ballard, Breed, Brown, Burnett, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Evans, Gates, Hans, Ingram, Irwin, Jones, Kenz, Lane, Maddux, Nealon, Purkitt, Rominger, Shankey, Shearer, Slater, and Tyrrell—25.

Senate Bill No. 748—An act to amend section 190 of the Penal Code, relating to the punishment for murder.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 748 refused passage by the following vote:

AYES—Senators Benson, Carr, W. J., Duncan, Flaherty, Inman, Kehoe, Lyon, McDonald, Rigdon, Scott, Stuckenbruck, and Thompson—12.

NOES—Senators Ballard, Breed, Brown, Burnett, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Evans, Gates, Hans, Ingram, Irwin, Jones, Kenz, Lane, Maddux, Nealon, Purkitt, Rominger, Shankey, Shearer, Slater, and Tyrrell—25.

RECESS.

At twelve o'clock and forty-five minutes p.m., on motion of Senator Benson, the President pro tempore declared the Senate at recess until two o'clock and thirty minutes p.m.

RECONVENED.

At two o'clock and thirty minutes p.m., the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 22—An act to amend section 637½ of the Penal Code, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 22 passed by the following vote:

AYES—Senators Benson, Breed, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Ingram, Inman, Irwin, Jones, Kehoe, Maddux, Nealon, Purkitt, Rominger, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 60—An act to amend section 637*a* of the Penal Code, relating to killing of birds other than game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 60 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Chamberlin, Chandler, Crowley, Evans, Flaherty, Ingram, Inman, Johnson, Kehoe, Nealon, Purkitt, Rominger, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—22.

NOES—Senators Carr, W. J., Jones, and Luce—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR BENSON IN THE CHAIR.

At two o'clock and fifty minutes p.m., Senator Benson of the Twenty-seventh District was called to the chair.

Senate Bill No. 308—An act to add a new section to the Penal Code, to be numbered 628*j*, relating to the protection of salt water eels.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 308 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, Luce, Lyon, Nealon, Rominger, Scott, Slater, Thompson, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 354—An act to regulate the vocation of mounting or preparing the skins for mounting of any animal, or part of animal, for profit, and to provide therefrom revenue for the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 354 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Carr, W. J., Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Luce, Lyon, Nourse, Rigdon, Rominger, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—22.

NOES—Senators Ballard, Chamberlin, Hans, Kehoe, Purkitt, and Shearer—6.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 375—An act to amend section 635 of the Penal Code, relating to the pollution of streams and the use of explosives in streams and public waters.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 375 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, Luce, Lyon, Nourse, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 578—An act to amend section 626½ of the Penal Code.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Luce moved to refer Senate Bill No. 578 to Senator Crowley as a Special Committee of One, to amend as follows:

On page 1, line 8, of the printed bill, strike out the word and figure "Sec. 2."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 1, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 578, with instructions to amend, respectfully reports the same back, amended as per instructions.

CROWLEY, Committee.

Report read, and on motion of Senator Luce, adopted.

Senate Bill No. 578 ordered to print and re-engrossment.

Senate Bill No. 650—An act empowering and authorizing the Board of Fish and Game Commissioners to insure the employees of the Fish and Game Commission with the Industrial Accident Commission while in the discharge of their duties.

On motion of Senator Stuckenbruck, Senate Bill No. 650 was passed on file, to retain its place.

Senate Bill No. 701—An act empowering and authorizing the Board of Fish and Game Commissioners to insure against loss or damage by fire the property of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 701 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe,

Lyon, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 373—An act to amend an act entitled "An act to amend an act entitled 'An act to provide for the burial of ex-Union soldiers, sailors and marines in this State who may hereafter die without leaving sufficient means to defray burial expenses,' approved March 15, 1889, and to extend the operation of said act to all honorably discharged soldiers, sailors and marines who served in the army and navy of the United States, approved March 23, 1901, by extending the operation of said act to widows of all such honorably discharged soldiers, sailors and marines who served in the army or navy of the United States," approved March 24, 1911, by designating who shall be appointed by boards of supervisors to carry out the terms of said act.

On motion of Senator Scott, Senate Bill No. 373 was passed on file, to retain its place.

Senate Bill No. 226—An act to amend section 1207 of the Civil Code, relating to defectively acknowledged instruments.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 226 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, Lyon, Nealon, Rigdon, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 746—An act to add a new section to the Code of Civil Procedure, to be numbered 1381, relating to joint administration of estates under the value of one thousand five hundred dollars, where the property is required by law to pass through several persons who have died.

On motion of Senator Kehoe, Senate Bill No. 746 was passed on file, to retain its place.

Senate Bill No. 918—An act to amend section 2093 of the Code of Civil Procedure, relating to who shall be authorized to administer oaths or affirmations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 918 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, Lyon, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 1, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 17—An act to amend section 310 of the Penal Code, relating to the use of the national flag for advertising purposes.

Also, Senate Bill No. 130—An act to amend sections 337 and 339 of the Code of Civil Procedure, relating to limitation for the commencement of actions.

And reports that the same have been correctly engrossed.

ROMINGER, Vice Chairman.

THIRD READING OF SENATE BILLS—RESUMED.

Senate Bill No. 17—An act to amend section 310 of the Penal Code, relating to the use of the national flag for advertising purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 17 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, Nealon, Rigdon, Rominger, Scott, Sharkey, Slater, Stuckenbruck, and Thompson—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 130—An act to amend sections 337 and 339 of the Code of Civil Procedure, relating to limitation for the commencement of actions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 130 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Maddux, Nealon, Rigdon, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 1, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Scott to introduce a bill entitled: "An act to amend section 131 of the Civil Code of the State of California, which relates to judgment in an action for divorce";

Also: The request of Senator Maddux to introduce a bill entitled: "An act making an appropriation for the survey, location and construction of a state highway from the city of Madera to a point on the boundary line separating the county of Madera from the county of Mariposa near Summerdale":

Has had the same under consideration, and respectfully reports the same back and recommends that each of such requests be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kelley, King, Luce, Lyon, Nealon, Parkitt, Rigdon, Rominger, Scott, Sharkey, Slater, Stackenbruck, Thompson, and Tyrrell—32.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(OUT OF ORDER).

The following bills were introduced:

By Senator Scott: Senate Bill No. 1134—An act to amend section 131 of the Civil Code of the State of California, which relates to judgment in an action for divorce, and repealing section 132 of said Civil Code, which relates to the same subject.

Bill read first time, and referred to Committee on Judiciary.

By Senator Maddux: Senate Bill No. 1135—An act making an appropriation for the survey, location and construction of a state highway from the city of Madera to a point on the boundary line separating the county of Madera from the county of Mariposa near Summerdale.

Bill read first time, and referred to Committee on Roads and Highways.

REQUEST FOR INTRODUCTION OF BILL—(OUT OF ORDER).

Senator Carr, W. J., requested permission to introduce a Senate bill, entitled:

An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; providing for the issue by incorporated cities and towns, cities and counties, and counties of permits for the operation of such automobiles, jitney busses, auto trucks, stages and auto stages; empowering incorporated cities and towns, cities and counties, and counties to enact ordinances for the supervision and regulation of automobiles, jitney busses, auto trucks, stages and auto stages and providing penalties for the violation of such ordinances; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts and parts of acts inconsistent with the provisions of this act.

Request referred to Committee on Rules.

RESOLUTIONS.

The following resolutions were offered:

By Senator Luce:

Resolved, That the following named persons be and they are hereby appointed to the respective positions hereinafter set forth as provided by law with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants for the said respective amounts and the Treasurer is directed to pay the same:

Name.	Position.	Per diem
W. H. Dexter,	Assistant Sergeant-at-Arms	$5 00
W. H. Westphal,	Assistant Sergeant-at-Arms	5 00
M. Johnson,	Stenographer	5 00
Thos. F. Whalen,	Assistant Sergeant-at-Arms	5 00

Resolution read.

Senator Luce moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Evans, Flaherty, Gates, Hans, Inman, Irwin, Jones, Kehoe, King, Luce, Lyon, Nealon, Rigdon, Rominger, Scott, Shurtleff, Stockenbreck, Thompson, and Tyrrell—27.

NOES—None.

Also:

By Senator Luce:

Resolved, That W. Wilson be transferred from the position of enrolling clerk to that of press mailing clerk at ten dollars per diem, complete journal, and the Controller is hereby directed to draw his warrant for the said amount and the Treasurer is directed to pay the same.

Resolution read.

Senator Luce moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Inman, Jones, Kehoe, King, Luce, Lyon, Nealon, Parkitt, Rigdon, Rominger, Scott, Shurtleff, Stockenbreck, Thompson, and Tyrrell—28.

NOES—None.

MESSAGES FROM THE ASSEMBLY—OUT OF ORDER.

On motion of Senator Breed, the following messages from the Assembly were taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1917.

MR. PRESIDENT—I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 67—An act to amend section 3 of an act entitled "An act to create a police relief, health, and life insurance, and pension fund in the several counties, cities and counties, cities and towns of the State," approved March 4, 1889, as amended;

Also: Assembly Bill No. 395—An act extending the Mono Lake Basin State Road easterly to a junction with the county road from Mono Lake post office to Mono Mills;

Also: Assembly Bill No. 36—An act to amend section 4206 of the Political Code, relating to salaries and fees of officers, and fees and mileage of jurors in counties of the thirty-seventh class;

Also: Assembly Bill No. 206—An act to amend section 1 and to repeal section 2 of an act entitled "An act granting to the city of Alameda the salt marsh, tide and submerged lands of the State of California, including the right to wharf out thereof, to the city of Alameda, and regulating the management, use and control thereof," approved June 11, 1913;

Also: Assembly Bill No. 254—An act to amend section 4285 of the Political Code, relating to the salaries and fees of officers of counties of the fifty-sixth class;

Also: Assembly Bill No. 701—An act to definitely establish and permanently locate, a portion of the boundary line between the county of Lake and the county of Mendocino, State of California;

Also: Assembly Bill No. 702—An act to definitely establish and permanently locate the boundary line between the counties of Mendocino and Sonoma, State of California.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 67 read first time and referred to Committee on Insurance.

Assembly Bill No. 395 read first time and referred to Committee on Roads and Highways.

Assembly Bill No. 36 read first time and referred to Committee on County Government.

Assembly Bill No. 206 read first time and referred to Committee on Judiciary.

Assembly Bill No. 254 read first time and referred to Committee on County Government.

Assembly Bill No. 701 read first time and referred to Committee on Judiciary.

Assembly Bill No. 702 read first time and referred to Committee on Judiciary.

Also:

SACRAMENTO, March 1, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Joint Resolution No. 1 (Relative to the work of the California Debris Commission.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Joint Resolution No. 1 ordered to enrollment.

REQUESTS FOR USE OF SENATE CHAMBER FOR PUBLIC HEARINGS.

Senator King asked for and was granted unanimous consent for the use of the Senate Chamber at 8 o'clock p.m., on March 8, for a public hearing on Senate Bills Nos. 86 and 106.

Senator Sharkey asked for and was granted unanimous consent for the use of the Senate Chamber at 8 o'clock p.m., on March 12 for a public hearing on Senate Bill No. 723.

Senator Slater asked for and was granted unanimous consent for the use of the Senate Chamber at 8 o'clock p.m., on March 14, for a public hearing on Senate Bills Nos. 79 and 683. (Nonsale of trout.)

Senator Scott asked for and was granted unanimous consent for the use of the Judiciary Chamber at 4 o'clock p.m., on March 5, for a public hearing on Senate Bills Nos. 1090, 762, 723 and 331.

ADJOURNMENT.

At three o'clock and forty-five minutes p.m., on motion of Senator Breed, the acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Friday, March 2, 1917.

The Senate met at ten o'clock a.m.

Lieutenant Governor William D. Stephens, President of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—36.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, March 1, 1917, the further reading was dispensed with, on motion of Senator Slater.

Secretary Clifton E. Brooks at the desk.

LEAVES OF ABSENCE.

Senator Maddux was, on motion of Senator Slater, granted leave of absence for this day.

Senator Rush was, on motion of Senator Kehoe, granted leave of absence for this day.

PETITION.

The following petition was presented and ordered printed in the Journal:

To the Legislature of California in forty-second session assembled:

WHEREAS, The cost of living during the past twenty years has increased eighty-three per cent; and

WHEREAS, That this unfair and unreasonable increase has been and is now largely due to foodselling combines organized on [illegible] and in restraint of trade; and

WHEREAS, We believe that a remedy for this evil exists in the provisions of the Brown-McPherson State Market Act, now a law of this State; and

WHEREAS, The present State Market Director is not in sympathy with the act and is not carrying out its provisions; and

WHEREAS, Said director, instead of carrying out the intent of the act, insists on spending the time and money of the State in formulating foodselling combines; and

WHEREAS, Said director is presenting to the Legislature a bill repealing the present market law and authorizing him to continue his misinterpretation of the market law; therefore, be it

Resolved, That we, the undersigned, The Citizens' Committee of Berkeley, being citizens and taxpayers of this State, do hereby petition you our representatives to take the necessary steps to preserve and enforce the present market law, to the end that the producer may receive a more just recompense, and that the consumer may be privileged to buy at reasonable prices; and furthermore, be it

Resolved, That you, our representatives, be instructed to oppose passage to Senate Bill No. 86 and Assembly Bill No. 325; and furthermore, be it

Resolved, That we request that copies of these resolutions be printed in the Journals of the Senate and Assembly.

Yours to reduce the high cost of living.

THE CITIZENS' COMMITTEE OF BERKELEY
By MRS. W. T. CLEVERDON, Chairman.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 2, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator W. J. Carr to introduce a bill entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney buses, auto trucks, stages and auto stages, providing for the issue by incorporated cities and towns, cities and counties and counties of permits for the operation of such automobiles, etc.", has had the same under consideration, and respectfully reports the same back and recommends that the request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

[illegible] [illegible] [illegible] [

The roll was called and Senate Bill No. 373 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, Jones, King, Lyon, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 262—An act amending section 636 of the Penal Code, relating to the regulation of use of nets, lines and seines in the waters of the State of California, and providing a penalty for the violation thereof.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 333—An act to amend section 643 of the Political Code, relating to the compensation of Fish and Game Commissioners.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 351—An act to amend section 626 of the Penal Code, relating to the protection of fish and game.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 588—An act to amend section 628 of the Penal Code, relating to the protection of fish.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 768—An act to amend "An act to regulate the vocation of fishing and to provide therefrom revenue for the propagation, restoration and conservation of fish in the waters of the State of California," approved March 13, 1909.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 81—An act to provide for the creation of a bureau of vocational information, defining its powers and duties and making an appropriation for carrying out the provisions thereof.

Senate Bill No. 81 ordered re-referred to Committee on Finance.

Senate Bill No. 321—An act to amend section 1662 of the Political Code, relating to elementary schools and kindergartens, school age, kindergarten age, deaf children, exclusion of children, and special classes of the elementary school.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 20, strike out the word "for", and insert in lieu thereof the word "at".

Amendment adopted.

Bill read second time and ordered to print, engrossment and third reading.

Senate Bill No. 312—An act confirming and validating the organization of school districts.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 313—An act to validate bonds of school districts and high school districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 946—An act to amend sections 1611, 1613, 1614, 1615, 1616 and 1617 of the Political Code; to add thereto ten new sections, to be numbered 1603, 1603*a*, 1604, 1605, 1606, 1607, 1608, 1609, 1610 and 1612 and to repeal sections 1617*a*, 1617*b*, 1617*c* and 1617*d* of the Political Code, relating to boards of school trustees and city boards of education.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 148—An act to add a new section to the Code of Civil Procedure to be numbered 1723½, relating to terminations of life estates and evidence thereof.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 473—An act to amend the Code of Civil Procedure by adding thereto a new section to be numbered 2055, relating to the examination of an adverse party.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 690—An act to amend section 1238 of the Code of Civil Procedure, relating to the public uses in behalf of which the right of eminent domain may be exercised.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 29—An act to amend the Code of Civil Procedure, by adding thereto a new section to be numbered and known as section 1871, relating to experts, their appointment by the court, or a judge thereof, and providing for their compensation and manner of examination as witnesses.

Bill read second time, ordered engrossed and on file for third reading.

SENATOR TYRRELL IN THE CHAIR.

At ten o'clock and thirty-five minutes a.m., Senator Tyrrell of the Sixteenth district was called to the chair.

SECOND READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 123—An act to amend section 156 of the Code of Civil Procedure, relating to qualifications of Justices of Supreme Court and of District Courts of Appeal.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 9, after the word "than" strike out the word "ten" and insert in lieu thereof the word "five".

Amendment adopted.

Bill read second time and ordered to print, engrossment, and third reading.

Senate Bill No. 124—An act to amend section 157 of the Code of Civil Procedure, relating to qualification of superior judges.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 7, after the word "than" strike out the word "ten" and insert in lieu thereof the word "five".

Amendment adopted.

Bill read second time and ordered to print, engrossment, and third reading.

Senate Bill No. 245—An act to amend an act entitled "An act to repeal an act entitled 'An act relating to revenue and taxation, providing for a license tax upon corporations and making an appropriation for the purpose of carrying out the objects of this act,' approved March 20, 1905, and all acts amendatory thereof or supplemental thereto, and to provide upon what conditions any corporation which has failed to pay any license tax imposed by the provisions of any of the acts hereby repealed may pay the same and be restored to its former corporate status and rights, and also to provide for settling the affairs of any corporation which by reason of failure to pay any tax imposed by any of said acts, has forfeited either its charter or right to do business in this State," approved June 10, 1913, by adding a new section thereto to be numbered 34, relating to the appointment of directors or managers of corporations whose franchise has been forfeited.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 590—An act to amend section 196 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith."

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 757—An act providing for the giving of notice of time and place of sale under deed of trust, mortgage or other instrument containing a power of sale, to any person having a lien upon or interest in the real property to be sold thereunder, and giving such person the right of redemption where no such notice is given.

Bill read second time, ordered engrossed, and on file for third reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 2, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 108—An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California—and reports that the same has been correctly engrossed.

ROMINGER, Vice Chairman.

Senate Bill No. 108 ordered on file for third reading.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 887—An act to amend section 1 of an act entitled "An act granting certain tide lands and submerged lands of the State of California to the city of Oakland, and regulating the management, use and control thereof," approved May 1, 1911;

Also: Senate Bill No. 30—An act to amend sections 1 and 9 of an act entitled "An act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records," approved June 16, 1906, and acts amendatory thereof or supplemental thereto, by extending the application of said act to real property, when the records covering the period when said real property was in another county have been destroyed among the records of such other county, and to provide for notice of the pendency of actions brought under the provisions hereof;

Also: Senate Bill No. 96—An act to amend section 850 of the Code of Civil Procedure, relating to notice in justices' courts;

Also: Senate Bill No. 7—An act to amend section 4235 of the Political Code, relating to the compensation and fees of officers of counties of the sixth class and their assistants, deputies and clerks;

Also: Senate Bill No. 459—An act to make an appropriation to pay the salaries and mileage of Senators for the forty-second session of the Legislature of the State of California during the sixty-eighth fiscal year;

Also: Senate Bill No. 73—An act to amend section 1415 of the Code of Civil Procedure, relating to the duties of special administrators;

Also: Senate Bill No. 74—An act to add a new section to the Code of Civil Procedure, to be numbered 1418, relating to payment of secured debts by special administrators;

Also: Senate Bill No. 809—An act to amend section 103*a* of the Code of Civil Procedure, relating to the authority of clerks of justices of the peace;

Also: Senate Bill No. 45—An act to amend section 1599 of the Political Code, relating to school elections;

Also: Senate Bill No. 95—An act to amend section 1565 of the Political Code, relating to the teachers' library fund;

Also: Senate Bill No. 138—An act to amend section 1713 of the Political Code, relating to library funds in rural school districts;

And reports that the same have been correctly engrossed.

ROMINGER, Vice Chairman.

Senate Bills Nos. 887, 30, 96, 7, 459, 73, 74, 809, 45, 95, and 138 ordered on file for third reading.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Scott, the following message from the Assembly was taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 1367—An act to amend section 1925 of the Political Code, relating to the composition of the National Guard of California.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1367 referred to Committee on Military Affairs.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 149—An act providing for the maintenance and care by cemetery trustees and associations of the graves of honorably discharged soldiers of the United States of America or of the Confederate States of America, or of any veterans of the Civil War or of the Spanish-American War, and providing the manner of payment therefor.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During the third reading of the bill, Senator Duncan moved to refer Senate Bill No. 149 to Senator Thompson as a Special Committee of One, to amend as follows:

On page 2, line 1, of the printed bill, strike out all of the bill after the period and insert in lieu thereof the following: "A verified statement by the owner, trustees or agent of every cemetery showing the names of the soldiers of the United States of America and of the Confederate States of America who were veterans of the Civil War, or of the Spanish-American War, buried in such cemetery and whose graves have under the provisions of this chapter been kept in the same manner that well kept private plots in said cemetery are cared for, must be presented to the board of supervisors of the county in which such cemetery is located, in the month of August of each year. The cost of such care and maintenance is hereby made a county charge."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

The following report of Special Committee of One was received and read:

SACRAMENTO, March 2, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 149, with instructions to amend, respectfully reports the same back, amended as per instructions.

THOMPSON, Committee.

Report read, and on motion of Senator Thompson, adopted.

Senate Bill No. 149 ordered to print and re-engrossment.

Senate Bill No. 96—An act to amend section 850 of the Code of Civil Procedure, relating to notice in justices' courts.

On motion of Senator Carr, F. M., Senate Bill No. 96 was passed on file, to retain its place.

Senate Bill No. 7—An act to amend section 4235 of the Political Code of the State of California, relating to the compensation and fees of officers of counties of the sixth class and their assistants, deputies and clerks.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 7 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, Luce, Nealon, Purkitt, Rigdon, Rominger, Slater, Stuckenbruck, Thompson, and Tyrrell—26.

NOES—Flaherty, McDonald, and Scott—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 459—An act to make an appropriation to pay the salaries of Senators for the forty-second session of the Legislature of the State of California during the sixty-eighth fiscal year.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 459 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chamberlin, Duncan, Evans, Flaherty, Gates, Ingram, Irwin, Jones, Kehoe, McDonald, Nealon, Rigdon, Rominger, Scott, Shearer, Slater, Stuckenbruck, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, March 2, 1917.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Assembly Bill No. 1367—An act to amend section 1925 of the Political Code, relating to the composition of the National Guard of California—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

SCOTT, Chairman.

CASE OF URGENCY.

The following resolution was offered:

By Senator Lyon:

Resolved, That Assembly Bill No. 1367 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, Jones, Kehoe, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Thompson, and Tyrrell—27.

NOES—None.

Whereupon the President declared the provision of section 15 of Article IV of the Constitution suspended for the purpose of considering at this time Assembly Bill No. 1367.

Bill read second time, and ordered on third-reading file.

Bill read third time.

Section 2, setting forth the urgency clause, read.

The question being "Shall this section, setting forth the urgency feature of this bill, be passed?"

The roll was called and the urgency section passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, Jones, Kehoe, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1367 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Juman, Irwin, Johnson, Jones, Kehoe, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 2, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 578—An act to amend section 626 of the Penal Code—and reports that the same has been correctly re-engrossed.

ROMINGER, Vice Chairman.

Senate Bill No. 578 ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER.

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 2, 1917.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 882—An act relating to baling of hay, defining hay baler, providing regulations governing the baling of hay; providing for indicating the weight of bales; fixing a tolerance and providing penalties for any violation of the provisions of this act;

Also: Senate Bill No. 901—An act to amend the title and section 5 of an act entitled "An act to provide for the indicating of the net quantity of foodstuffs and stuffs intended to be used or prepared for use as food for human beings when sold, offered, or exposed for sale in containers, and providing penalties for the violation thereof," approved May 24, 1913, and amended June 7, 1915;

Also: Senate Bill No. 681—An act to determine and to declare the effect of state land patents in certain cases;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Senate Bills Nos. 882, 901 and 681 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 1121—An act to provide for the reselection by the State of lands heretofore selected and sold by the State where the selection has been rejected because of the subsequent exclusion of the base lands from a public reservation;

Also: Senate Bill No. 714—An act to amend section 1 of an act entitled "An act for the relief of purchasers of school lands," approved June 3, 1913;

Also: Senate Bill No. 1078—An act providing for the leasing of certain state lands;

Also: Senate Bill No. 1105—An act to amend section 3513 of the Political Code, relating to the payment of the purchase price of lands sold by the State on and after the first day of May, A.D. 1911;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended.

KEHOE, Chairman.

Senate Bills Nos. 1121, 714, 1078 and 1105 ordered on file for second reading.

ON HOSPITALS AND ASYLUMS.

SENATE CHAMBER, SACRAMENTO, March 2, 1917.

MR. PRESIDENT: Your Committee on Hospitals and Asylums, to which was referred Senate Bill No. 896—An act to add a new section to the Penal Code, to be numbered 109*a*, relating to escapes from state hospitals;

Also: Senate Bill No. 897—An act to amend section 2187 of the Political Code, relating to the transfer of patients from one state hospital to another;

Also: Senate Bill No. 898—An act to amend section 1 of an act entitled "An act to provide for the asexualization of inmates of state hospitals for the insane, the Sonoma State Home, of convicts in the state prisons, and of idiots, and repealing an act entitled 'An act to permit asexualization of inmates of the state hospitals and the California Home for the Care and Training of Feeble-minded Children, and of convicts in the state prisons,' approved April 26, 1909," approved June 13, 1913;

Also: Senate Bill No. 886—An act to amend section 2141 of the Political Code, relating to the powers of the Lunacy Commission;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

CROWLEY, Chairman.

Senate Bills Nos. 896, 897, 898 and 886 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 1, 1917.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 289—An act to amend section 4288 of the Political Code;

Also: Senate Bill No. 185—An act to amend section 4279 of the Political Code, relating to salaries of county officers in counties of the fiftieth class;

Also: Assembly Concurrent Resolution No. 6—Approving the charter of the county of Tehama, State of California;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

INMAN, Chairman.

Senate Bills Nos. 289 and 185 ordered on file for second reading.

Assembly Concurrent Resolution No. 6 ordered on file.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 15—An act to amend section 4273 of the Political Code, relating to salaries of county officers in counties of the forty-fourth class—has had the same under consideration, and respectfully reports the same back with amendment and recommends that it do pass as amended.

INMAN, Chairman.

Senate Bill No. 15 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 2, 1917.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 587—An act to add a new section to the Political Code to be numbered 2983, relating to the office of attorney for the State Board of Health, and repealing all acts inconsistent therewith—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

CARR, Chairman.

Senate Bill No. 587 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 99—An act to amend an act entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled 'An act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the

Board of Regents of the University of California, and to provide penalties for violation thereof,'" approved June 12, 1913, amended May 19, 1915, by adding a new section to be numbered section 4½ and by amending section 11.

Also: Senate Bill No. 107—An act to amend section 2 of an act entitled "An act to protect public health from infection caused by exhumation and removal of the remains of deceased persons," approved April 1, 1878;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

CARR, Chairman.

Senate Bills Nos. 99 and 107 ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, March 1, 1917.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 1033—An act making an appropriation to meet part of the expenses of maintaining the navigability of the San Rafael deep-water channel" and repealing an act entitled "An act to appropriate money to meet part of the expenses in maintaining the navigability of the San Rafael deep-water channel," approved June 9, 1915—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

McDONALD, Chairman.

Senate Bill No. 1033 ordered on file for second reading.

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 2, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Lyon to introduce a bill entitled "An act to amend section 3266 of the Political Code, relative to the powers of boards of supervisors, city councils and town trustees, in their respective counties, cities and towns to impose a license tax—has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Campe, Carr, F. M. Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, Luce, Lyon, McDonald, Nealon, Parkin, Rigdon, Rominger, Sharkey, Shearer, Slater, Stuckenbruck, Thompson and Tyrrell—32.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bill was introduced:

By Senator Lyon: Senate Bill No. 1137—An act to amend section 3266 of the Political Code, relative to the powers of boards of supervisors, city councils and town trustees, in their respective counties, cities and towns to impose a license tax.

Bill read first time, and referred to Committee on Military Affairs.

THIRD READING OF SENATE BILLS—RESUMED.

Senate Bill No. 650—An act empowering and authorizing the Board of Fish and Game Commissioners to insure the employees of the Fish and Game Commission with the Industrial Accident Commission while in the discharge of their duties.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Stuckenbruck moved to refer Senate Bill No. 650 to Senator Irwin as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 3 of the title, strike out the words "the employees of the Fish and Game Commission", and all of lines 4 and 5 of the title, and insert in lieu thereof the following: "against liability for accidents occurring to its employees."

AMENDMENT NUMBER TWO.

On page 1, line 2 of the printed bill, strike out the words "its assistants and", and all of lines 3 and 4, and insert in lieu thereof the following: "with the State Compensation Insurance Fund against its liability for compensation for accidents occurring to its employees while in the discharge of their duties."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

The following report of Special Committee of One was received and read:

SACRAMENTO, March 2, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 650, with instructions to amend, respectfully reports the same back, amended as per instructions.

IRWIN, Committee.

Report read, and on motion of Senator Stuckenbruck, adopted.

Senate Bill No. 650 ordered to print and re-engrossment.

Senate Bill No. 578—An act to amend section 626*j* of the Penal Code.

Bill read third time.

On motion of Senator Luce, Senate Bill No. 578 was passed on file, to retain its place.

Senate Bill No. 73—An act to amend section 1415 of the Code of Civil Procedure, relating to the duties of special administrators.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 73 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY KAVANAGH AT THE DESK.

Senate Bill No. 74—An act to add a new section to the Code of Civil Procedure, to be numbered 1418, relating to payment of secured debts by special administrators.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 74 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman,

Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—31.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 809—An act to amend section 103*a* of the Code of Civil Procedure, relating to the authority of clerks of justices of the peace.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 809 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Rigdon, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECRETARY CLIFTON E. BROOKS AT THE DESK

Senate Bill No. 45—An act to amend section 1599 of the Political Code, relating to school elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 45 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Nealon, Purkitt, Rigdon, Rominger, Sharkey, Shearer, Slater, Thompson, and Tyrrell—31.
NOES—Senator Duncan—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 95—An act to amend section 1565 of the Political Code, relating to the teachers' library fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 95 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—33.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 138—An act to amend section 1713 of the Political Code, relating to library funds in rural school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 138 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 108—An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 108 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Rominger, Scott, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., the hour of recess was extended until twelve o'clock and fifty-five minutes p.m.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 746—An act to add a new section to the Code of Civil Procedure, to be numbered 1381, relating to joint administration of estates under the value of one thousand five hundred dollars, where the property is required by law to pass through several persons who have died.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Kehoe moved to refer Senate Bill No. 746 to Senator Breed as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 4, strike out the words "it shall appear by a petition, that".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, in line 6, after the comma following the word "less", insert the following: "as shown by the inventory and appraisement,".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, in line 6, strike out the word "that".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, in line 7, strike out the word "that".

AMENDMENT NUMBER FIVE.

On page 1 of the printed bill, in line 9, strike out the words "it shall appear that".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

The following report of Special Committee of One was received and read:

SENATE CHAMBER, SACRAMENTO, March 2, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 746, with instructions to amend, respectfully reports the same back, amended as per instructions.

BREED, Committee.

Report read, and on motion of Senator Kehoe, adopted.

Senate Bill No. 746 ordered to print and re-engrossment.

REQUESTS FOR INTRODUCTION OF BILLS.

Senator McDonald requested permission to introduce a Senate bill entitled:

An act to provide for the establishment of public medical centers for the care of the health of the children of the State of California; prescribing penalties for violations of the provisions hereof and repealing an act entitled "An act to provide for health and development supervision in the public schools of the State of California," approved April 15, 1909, and all acts and parts of acts inconsistent herewith.

Request referred to Committee on Rules.

Senator Sharkey requested permission to introduce a Senate bill entitled:

An act to amend section 2 of an act entitled "An act providing for the disposition of certain property," passed April 21, 1851, relating to tide lands covered by the waters of Carquinez Straits.

Request referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER.

The following reports of standing committees were received and read:

ON PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, March 2, 1917.

MR. PRESIDENT: Your Committee on Public Morals, to which was referred Senate Bill No. 3—An act to amend an act entitled "An act to provide for the regulation of the traffic in alcoholic liquors by establishing local option; authorizing the filing of petitions praying for elections to vote upon the question whether the sale of alcoholic liquors shall be licensed within the territory described in such petitions, providing for the calling and holding of such elections, making it the duty of the proper governing body to declare such territory to be no license territory unless a majority of votes is cast in favor of license; providing that no licenses, permits or other authority to sell or distribute alcoholic liquors in no-license territory shall be granted; forfeiting and declaring void all such licenses or permits theretofore issued and in force; making it a penal offense to sell, give away or dispense alcoholic liquors within such territory, with certain exceptions; and providing penalties for such offenses," approved April 4, 1911, by amending sections 1, 2, 3, 4, 5, 6, 8, 10, 11, 13 and 14 thereof, by repealing section 7 thereof, and by adding thereto a new section to be known and numbered as section 20a—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

LUCE, Chairman.

Senate Bill No. 3 ordered on file for second reading.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 1, 1917.

MR. PRESIDENT: Your Committee on Corporations, to which was referred Senate Bill No. 802—An act to amend section 4 of an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance," approved May 10, 1915,

relating to the procurement of a license and the tax therefor—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

SHARKEY, Chairman.

Senate Bill No. 802 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Corporations, to which was referred Senate Bill No. 90—An act to amend section 290½ of the Civil Code, relating to corporations—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

SHARKEY, Chairman.

Senate Bill No. 90 ordered on file for second reading.

RESOLUTIONS.

The following resolutions were offered:

By Senator Luce:

Resolved, That all officers and employees heretofore appointed by resolution of the Senate and those hereafter appointed, shall draw their salaries on and after the day on which they shall take their oath of office and sign the pay roll, and the Controller is hereby directed to draw his warrants for the payment of the salaries of such officers and employees, commencing upon the day on which the said oath is taken and said pay roll is signed by such officers and employees.

Resolution read, and on motion of Senator Luce, adopted.

Also:

Resolved, That J. G. Bisbee be and is hereby transferred from the position of Assistant Sergeant-at-Arms at $5 per diem to that of Gatekeeper at $3 per diem, payable weekly, and the Controller is hereby directed to draw his warrant for the said amount and the Treasurer is directed to pay the same.

Resolution read.

Senator Luce moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Crowley, Evans, Flaherty, Gates, Hans, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Rominger, Scott, Slater, Stuckenbruck, and Tyrrell—26.

NOES—Senators Purkitt and Shearer—2.

Also:

Resolved, That Carrie Garrison be and she is hereby appointed to the position of Committee Clerk, at four dollars per diem, payable weekly, and the Controller is hereby directed to draw his warrant for the said amount and the Treasurer is directed to pay the same.

Resolution read.

Senator Luce moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Evans, Flaherty, Gates, Hans, Ingram, Johnson, Kehoe, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—None.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Breed, the following messages from the Assembly were taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 744—An act to amend section 4149 of the Political Code relating to county fish and game wardens.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 744 read first time and referred to Committee on Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 129—An act to add a new section to the Penal Code, to be numbered 62c, relating to the printing and distribution of circulars attacking political candidates;

Also: Assembly Bill No. 183—An act granting to the city of Venice the tide lands and submerged lands of the State of California within the boundaries of the said city;

Also: Assembly Bill No. 870—An act to amend section 4276 of the Political Code, relating to salaries and fees of officers in counties of the forty-seventh class;

Also: Assembly Bill No. 1159—An act to amend section 4286 of the Political Code, relating to counties of the fifty-seventh class, and salaries of officers thereof;

Also: Assembly Bill No. 332—An act to amend section 627a of the Penal Code, relating to the transportation of game;

Also: Assembly Bill No. 361—An act to amend section 626a of the Penal Code, of the State of California, relating to the protection of fish and game.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 129 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 183 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 870 read first time, and referred to Committee on County Government.

Assembly Bill No. 1159 read first time, and referred to Committee on County Government.

Assembly Bill No. 332 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 361 read first time, and referred to Committee on Fish and Game.

USE OF SENATE CHAMBER GRANTED.

Senator Lyon asked for, and was granted, unanimous consent for the use of the Senate Chamber at eight o'clock p.m., on March 8th, for a public hearing on Senate Bill No. 69 (Sunday Closing Bill).

Senator King asked for, and was granted, unanimous consent for the use of the Senate Chamber at eight o'clock on March 15th, for a public hearing on Senate Bills Nos. 86 and 106.

ADJOURNMENT.

At twelve o'clock and fifty-five minutes p.m., on motion of Senator Breed, the Acting President declared the Senate adjourned until Monday, March 5, 1917, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Monday, March 5, 1917.

The Senate met at eleven o'clock a. m.

Lieutenant Governor William D. Stephens, President of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—37.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, March 2, 1917, the further reading was dispensed with, on motion of Senator Lyon.

LEAVES OF ABSENCE.

Senator Hans was, on motion of Senator F. M. Carr, granted leave of absence for this day.

Senator W. J. Carr was, on motion of Senator Benson, granted leave of absence for this day.

PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

To the Honorable Members of the Legislature of the State of California:

We, the undersigned, housewives and consumers residing in your district, earnestly request that you oppose any legislation prohibiting the manufacturers of standard articles of merchandise from redeeming their own labels, trade-marks, wrappers, coupons, or other similar tokens, for the reason that this cooperative advertising and merchandising is entirely in the interest of the consumer, and such a law would deprive us of a valuable discount on purchases, which discount is received without any increase in cost, or depreciation in value, of the standard articles purchased.

We respectfully and earnestly urge that the following amendment be incorporated in any bill, prohibiting or taxing premium advertising:

"Provided, however, that this act shall not prohibit the manufacturer or packer from issuing and redeeming, in any manner, for any goods, wares, or merchandise, his, its, or their own labels, trade-marks, wrappers, coupons, or other similar tokens which are attached to, included within, or form a part of the package of his, its, or their own goods, wares, or merchandise, nor the sale of such goods, wares, or merchandise."

MISS EMILY ZANDER, and 800 others.

Also:

To the Hon. Members of the Legislature of the State of California:

We, the undersigned, retail grocers of this State, your constituents, earnestly request you to oppose any legislation prohibiting the manufacturers of standard articles of merchandise from redeeming their own labels, trade-marks, wrappers, coupons, or other similar tokens, for the reason that this cooperative advertising and merchandising is distinctly beneficial, and in no manner detrimental, to the dealer and the consumer.

Furthermore, we particularly direct your attention to the important fact that such a prohibitory State law would very injuriously discriminate against the grocers in this State, in favor of the powerful, foreign, direct-to-consumer and interstate concerns, which would not be subject thereto. Such a law would operate to drive trade from our stores directly into the hands of these foreign concerns, our most powerful competitors.

In addition, trading stamps should not be confused with the manufacturers' redeemable tokens, as they are entirely different in character and effect, and whatever may be the evils which the retail grocer complains of in the trading stamp system, these evils are not present, to any degree, in the premium advertising employed by the manufacturers, where the tokens are directly issued by the manufacturer to and redeemed from the consumer, without any expense or burden, in the slightest degree upon the dealer.

We respectfully and earnestly urge that the following amendment be incorporated in any bill seeking to prohibit or tax premium advertising:

"Provided, however, that this act shall not prohibit the manufacturer or packer from issuing and redeeming, in any manner, for any goods, wares, or merchandise, his, its, or their own labels, trade-marks, wrappers, coupons, or other similar tokens which are attached to, included within, or form a part of the package of his, its, or their own goods, wares, merchandise, nor the sale of such goods, wares, or merchandise."

MRS. E. R. BAVIS, and 888 others.

Also:

Senator Slater presented a petition addressed to the Senate from the Northern California Hotel Association in opposition to the "non-sale of trout law" (petition on file with the Fish and Game Commission), signed by E. Turpin and thirty-one others. The same petition was signed by one hundred Washoe Indians.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 5, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined:

Senate Bill No. 149—An act providing for the permanent care fund by cemetery trustees and associations of the graves of honorably discharged soldiers of the United States of America or of the Confederate States of America, or of any veterans of the Civil War or of the Spanish-American War, and prescribing the manner of payment therefor;

Also: Senate Bill No. 650—An act empowering and authorizing the Board of Fish and Game Commissioners to insure against liability for accidents occurring to its employees;

Also: Senate Bill No. 746—An act to add a new section to the Code of Civil Procedure, to be numbered 1381, relating to joint administration of estates under the value of $1,500, where the property is required by law to pass through several persons who have died;

And reports that the same have been correctly engrossed.

ROMINGER, Vice-Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined:

Senate Bill No. 321—An act to amend section one thousand six hundred seven two of the Political Code relating to elementary schools and kindergartens, school age, kindergarten age, deaf children, exclusion of children, and special classes of the elementary school.

Also: Senate Bill No. 123—An act to amend section one hundred thirty-six of the Code of Civil Procedure, relating to qualifications of justices of supreme court and of the district courts of appeal.

Also: Senate Bill No. 124—An act to amend section one hundred thirty-seven of the Code of Civil Procedure, relating to qualification of superior judges.

And report that the same have been correctly engrossed.

ROMINGER, Acting Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined:

Senate Bill No. 262—An act amending section 636 of the Penal Code, relating to the regulation of use of nets, lines and seines in the waters of the State of California, and providing a penalty for the violation thereof;

Also: Senate Bill No. 333—An act to amend section 643 of the Political Code, relating to the compensation of Fish and Game Commissioners;

Also: Senate Bill No. 351—An act to amend section 626c of the Penal Code, relating to the protection of fish and game;

Also: Senate Bill No. 588—An act to amend section 628 of the Penal Code, relating to the protection of fish;

Also: Senate Bill No. 768—An act to amend "An act to regulate the vocation of fishing and to provide therefrom revenue for the propagation, restoration and conservation of fish in the waters of the State of California," approved March 13, 1909;

Also: Senate Bill No. 312—An act confirming and validating the organization of school districts;

Also: Senate Bill No. 313—An act to validate bonds of school districts and high school districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Senate Bill No. 946—An act to amend sections 1611, 1613, 1614, 1615, 1616 and 1617 of the Political Code, to add thereto ten new sections, to be numbered 1603, 1603*a*, 1604, 1605, 1606, 1607, 1608, 1609, 1610 and 1612, and to repeal sections 1617*a*, 1617*b*, 1617*c* and 1617*d* of the Political Code, relating to boards of school trustees and city boards of education;

Also: Senate Bill No. 148—An act to add a new section to the Code of Civil Procedure to be numbered 1723½, relating to termination of life estates and evidence thereof;

Also: Senate Bill No. 473—An act to amend the Code of Civil Procedure by adding thereto a new section to be numbered 2055, relating to the examination of an adverse party;

Also: Senate Bill No. 690—An act to amend section 1238 of the Code of Civil Procedure, relating to the public uses in behalf of which the right of eminent domain may be exercised;

Also: Senate Bill No. 29—An act to amend the Code of Civil Procedure, by adding thereto a new section to be numbered and known as section 1871, relating to experts, their appointment by the court, or a judge thereof, and providing for their compensation and manner of examination as witnesses;

Also: Senate Bill No. 245—An act to amend an act entitled "An act to repeal an act entitled 'An act relating to revenue and taxation, providing for a license tax upon corporations and making an appropriation for the purpose of carrying out the objects of this act,' approved March 20, 1905, and all acts amendatory thereof or supplemental thereto, and to provide upon what conditions any corporation which has failed to pay any license tax imposed by the provisions of any of the acts hereby repealed may pay the same and be restored to its former corporate status and rights, and also to provide for settling the affairs of any corporation which by reason of failure to pay any tax imposed by any of said acts, has forfeited either its charter or right to do business in this State," approved June 10, 1913, by adding a new section thereto to be numbered 3½, relating to the appointment of directors or managers of corporations whose franchise has been forfeited;

Also: Senate Bill No. 590—An act to amend section 19*o* of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith."

Also: Senate Bill No. 757—An act providing for the giving of notice of time and place of sale under deed of trust, mortgage or other instrument containing a power of sale, to any person having a lien upon or interest in the real property to be sold thereunder, and giving such person the right of redemption where no such notice is given;

And reports that the same have been correctly engrossed.

ROMINGER, Vice Chairman.

RE-REFERENCE OF SENATE BILL.

On motion of Senator Rominger, Senate Bill No. 81 was recalled from Committee on Finance and re-referred to Committee on Education.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Jones:

SENATE CHAMBER, SACRAMENTO, March 5, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2, Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to accept the provisions and benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled and approved February 23, 1917, to provide for the promotion of vocational education; to create a vocational education fund and making an appropriation therefor.

Request referred to Committee on Rules.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 149—An act providing for the maintenance and care by cemetery trustees and associations of the graves of honorably discharged soldiers of the United States of America or of the Confederate States of America, or of any veterans of the Civil War or of the Spanish-American War, and providing the manner of payment therefor.

On motion of Senator Duncan, Senate Bill No. 149 was passed on file.

Senate Bill No. 887—An act to amend section 1 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the city of Oakland, and regulating the management, use and control thereof," approved May 1, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 887 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Chamberlin, Duncan, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, Jones, Luce, Lyon, Maddux, Nealon, Rigdon, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 30—An act to amend sections 1 and 9 of an act entitled "An act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records," approved June 16, 1906, by extending the application of said act to real property, when the records covering the period when said real property was in another county have been destroyed among the records of such other county, and to provide for notice of the pendency of actions brought under the provisions hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 30 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Chamberlin, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 578—An act to amend section 626*j* of the Penal Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 578 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Chamberlin, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Rominger, Rush, Shearer, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 650—An act empowering and authorizing the Board of Fish and Game Commissioners to insure the employees of the Fish and Game Commission with the Industrial Accident Commission while in the discharge of their duties.

On motion of Senator Stuckenbruck, Senate Bill No. 650 was passed on file.

Senate Bill No. 262—An act amending section 636 of the Penal Code, relating to the regulation of use of nets, lines and seines in the waters of the State of California, and providing a penalty for the violation thereof.

In the absence of the author, Senate Bill No. 262 was ordered passed, to retain its place on the file.

Senate Bill No. 333—An act to amend section 643 of the Political Code, relating to the compensation of Fish and Game Commissioners.

In the absence of the author, Senate Bill No. 333 was ordered passed, to retain its place on the file.

Senate Bill No. 351—An act to amend section 626c of the Penal Code, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 351 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Chamberlin, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddox, Nealon, Rigdon, Rominger, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 588—An act to amend section 628 of the Penal Code, relating to the protection of fish.

Bill read third time.

POINT OF ORDER.

During the debate on Senate Bill No. 588, Senator Luce raised the point of order that the author having made the closing speech, further debate was out of order.

DECISION ON POINT OF ORDER.

The President announced his decision and declared the point of order well taken.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 588 refused passage by the following vote:

AYES—Senators Burnett, Canepa, Carr, F. M., Chamberlin, Crowley, Duncan, Flaherty, Ingram, Nealon, Rigdon, Rush, and Scott—12.

NOES—Senators Ballard, Benson, Breed, Evans, Gates, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddox, Purkitt, Rominger, Shearer, Stuckenbruck, Thompson, and Tyrrell—21.

NOTICE OF MOTION TO RECONSIDER.

Senator McDonald gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 588 was refused passage.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 768—An act to amend "An act to regulate the vocation of fishing and to provide therefrom revenue for the propagation, restoration and conservation of fish in the waters of the State of California," approved March 13, 1909.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 768 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Canepa, Carr, F. M., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Shearer, Thompson, and Tyrrell—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 321—An act to amend section 1662 of the Political Code, relating to elementary schools and kindergartens, school age, kindergarten age, deaf children, exclusion of children, and special classes of the elementary school.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 321 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 312—An act confirming and validating the organization of school districts.

In the absence of the author, Senate Bill No. 312 was ordered passed, to retain its place on the file.

Senate Bill No. 313—An act to validate bonds of school districts and high school districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

In the absence of the author, Senate Bill No. 313 was ordered passed, to retain its place on the file.

Senate Bill No. 946—An act to amend sections 1611, 1613, 1614, 1615, 1616 and 1617 of the Political Code; to add thereto ten new sections, to be numbered 1603, 1603*a*, 1604, 1605, 1606, 1607, 1608, 1609, 1610 and 1612 and to repeal sections 1617*a*, 1617*b*, 1617*c* and 1617*d* of the Political Code, relating to boards of school trustees and city boards of education.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 946 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Canepa, Carr, F. M., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones,

Kehoe, King, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Shearer, Slater, Stockenbruck, and Thompson—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 148—An act to add a new section to the Code of Civil Procedure to be numbered 1723½, relating to terminations of life estates and evidence thereof.

On motion of Senator Jones, Senate Bill No. 148 was passed on file.

Senate Bill No. 473—An act to amend the Code of Civil Procedure by adding thereto a new section to be numbered 2055, relating to the examination of an adverse party.

In the absence of the author, Senate Bill No. 473 was ordered passed, to retain its place on the file.

Senate Bill No. 690—An act to amend section 1238 of the Code of Civil Procedure, relating to the public uses in behalf of which the right of eminent domain may be exercised.

Bill read third time.

On motion of Senator Irwin, Senate Bill No. 690 was re-referred to Committee on Irrigation.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., the hour of recess was extended until one o'clock and ten minutes p.m.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At twelve o'clock and thirty-five minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

THIRD READING OF SENATE BILLS—RESUMED.

Senate Bill No. 29—An act to amend the Code of Civil Procedure, by adding thereto a new section to be numbered and known as section 1871, relating to experts, their appointment by the court, or a judge thereof, and providing for their compensation and manner of examination as witnesses.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Jones moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Shearer, Slater, Stockenbruck, Thompson, and Tyrrell—34.

The Secretary announced the absentees.

Time, twelve o'clock and fifty minutes p.m.

The President pro tempore directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At one o'clock and five minutes p.m., Senator Chandler was brought to the bar of the Senate, and on motion of Senator Jones, was excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At one o'clock and five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Jones.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Senate Bill No. 29 finally passed by the following vote:

AYES—Senators Benson, Breed, Brown, Chamberlin, Chandler, Crowley, Duncan, Evans, Gates, Ingram, Inman, Irwin, Johnson, Jones, King, Luce, Nordon, Ragdale, Rominger, Rush, Scott, and Shearer—22.

NOES—Senators Ballard, Burnett, Canepa, Flaherty, Kehoe, Lyon, McDonald, Maddux, Purkitt, Slater, Stuckenbruck, Thompson, and Tyrrell—13.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Duncan gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 29 was passed.

RECESS.

At one o'clock and ten minutes p.m., on motion of Senator Benson, the President pro tempore declared the Senate at recess until three o'clock p.m.

RECONVENED.

At three o'clock p.m., the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 5, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator McDonald to introduce a bill entitled: "An act to provide for the establishment of public medical centers for the care of the health of the children of the State of California; prescribing penalties for violations of the provisions hereof and repealing an act entitled 'An act to provide for health and development supervision in the public schools of the State of California,' approved April 15, 1909, and all acts and parts of acts inconsistent herewith," has had the same under consideration, and respectfully reports the same back and recommends that the request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Breed, Burnett, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.
NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Sharkey to introduce a bill entitled "An act to amend section 2 of an act entitled 'An act providing for the disposition of certain property,' passed April 21, 1851, relating to tidelands covered by the waters of Carquinez Straits," has had the same under consideration, and respectfully reports the same back and recommends that the request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of Article IV of the Constitution, and report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, Lyon, McDonald, Maddux, Nealon, Rigdon, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—31.
NOES—None.

INTRODUCTION AND FIRST READING OF BILLS.

The following bills were introduced in accordance with above reports:

By Senator McDonald: Senate Bill No. 1138—An act to provide for the establishment of public medical centers for the care of the health of the children of the State of California; prescribing penalties for violations of the provisions hereof and repealing an act entitled "An act to provide for health and development supervision in the public schools of the State of California," approved April 15, 1909, and all acts and parts of acts inconsistent herewith.

Bill read first time, and referred to Committee on Education.

By Senator Sharkey: Senate Bill No. 1139—An act to amend section 2 of an act entitled "An act providing for the disposition of certain property," passed April 21, 1851, relating to tide lands covered by the waters of Carquinez Straits.

Bill read first time, and referred to Committee on Judiciary.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Benson:

SENATE CHAMBER, SACRAMENTO, March 5, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2 of Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to add a new section to the Penal Code to be numbered 1202*a*, relating to imprisonment in the state prison.

Request referred to Committee on Rules.

REPORT OF STANDING COMMITTEE—[OUT OF ORDER]

The following report of standing committee was received and read:

ON ROADS AND HIGHWAYS

SENATE CHAMBER, SACRAMENTO, March 5, 1917.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 648, entitled "An act expressing assent of the State of California to the provisions of the act of Congress approved July 11, 1916, entitled 'An act to provide that the United States shall aid the states in the construction of post roads, and for other purposes'" has had the same under consideration and respectfully reports the same back and recommends that it do pass.

JOHNSON, Chairman.

Senate Bill No. 648 ordered on file for second reading.

THIRD READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution No. 6—Relative to approving the charter of the county of Tehama, State of California.

Resolution read.

The question being on the adoption of the resolution.

The roll was called and Assembly Concurrent Resolution No. 6 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Campbell, Carter, E. M. Chamberlin, Chandler, Crowley, Duncan, Estudillo, Flaherty, Gerlach, Hagelstein, Hansen, Irwin, Johnson, Jones, Kehoe, King, Lane, Leon, M. Dwight Marshall, Newlan, Rominger, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—32.

NOES—None.

Resolution adopted and ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS—[RESUMED]

Senate Bill No. 123—An act to amend section 156 of the Code of Civil Procedure, relating to qualifications of Justices of the Supreme Court and the District Courts of Appeal.

On motion of Senator Chamberlin Senate Bill No. 123 was passed on file.

Senate Bill No. 124—An act to amend section 157 of the Code of Civil Procedure, relating to qualification of superior judges.

On motion of Senator Chamberlin Senate Bill No. 124 was passed on file.

Senate Bill No. 245—An act to amend an act entitled "An act to repeal an act entitled 'An act relating to revenue and taxation, providing for a license tax upon corporations and making an appropriation for the purpose of carrying out the objects of this act,' approved March 20, 1905, and all acts amendatory thereof or supplemental thereto, and to provide upon what conditions any corporation which has failed to pay any license tax imposed by the provisions of any of the acts hereby repealed may pay the same and be restored to its former corporate status and rights, and also to provide for settling the affairs of any corporation which by reason of failure to pay any tax imposed by any of said acts, has forfeited either its charter or right to do business in this State," approved June 10, 1913, by adding a new section thereto to be numbered 3½, relating to the appointment of directors or managers of corporations whose franchise has been forfeited.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 245 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 590—An act to amend section 19*o* of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of these guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith."

On motion of Senator Maddux, Senate Bill No. 590 was passed on file.

Senate Bill No. 757—An act providing for the giving of notice of time and place of sale under deed of trust, mortgage or other instrument containing a power of sale, to any person having a lien upon or interest in the real property to be sold thereunder, and giving such person the right of redemption where no such notice is given.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 757 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 96—An act to amend section 850 of the Code of Civil Procedure, relating to notice in justices' courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 96 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt,

Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Thompson, and Tyrrell—35.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 882—An act relating to baling of hay; defining hay baler; providing regulations governing the baling of hay; providing for indicating the weight of bales; fixing a tolerance and providing penalties for any violation of the provisions of this act.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 901—An act to amend the title and section 5 of an act entitled "An act to provide for the indicating of the net quantity of foodstuffs and stuffs intended to be used or prepared for use as food for human beings when sold, offered, or exposed for sale in containers, and providing penalties for the violation thereof," approved May 24, 1913, and amended June 7, 1915.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 681—An act to determine and to declare the effect of state land patents in certain cases.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1121—An act to provide for the reselection by the State of lands heretofore selected and sold by the State where the selection has been rejected because of the subsequent exclusion of the base lands from a public reservation.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 4 of the title, after the word "rejected", strike out the words "because of the subsequent exclusion of the base lands from a public reservation" and insert in lieu thereof the following: "or canceled because of the subsequent exclusion of the base lands from a national forest, and prescribing certain maximum fees to be charged by agents or attorneys for services performed hereunder, and prescribing penalties for the violation hereof".

Amendment adopted.

AMENDMENT NUMBER TWO.

Page 1, lines 2 and 3, strike out the words "public reservation" and insert in lieu thereof the words "national forest".

Amendment adopted.

AMENDMENT NUMBER THREE.

Page 1, line 6, after the word "such" strike out the word "reservation" and insert in lieu thereof the following: "national forest".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, lines 9 and 10, strike out the words "a basis that will be accepted by the Department of the Interior" and insert in lieu thereof the following: "bases of the character of the bases used at the date the original selection was made, whenever such bases are available".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, after line 13, insert a new section to be numbered section 2 and to read as follows:

"SEC. 2. No person who, as attorney or agent for the owner of the certificate of purchase embracing the selected land, applies to the State Surveyor General to amend such state selection or to reselect the land embraced therein, shall charge, demand, or receive for such service any fee or other compensation in excess of the sum of fifteen dollars. Any violation of the provisions of this section shall be a misdemeanor and shall be punished by a fine not to exceed one hundred dollars, or by imprisonment in the county jail not to exceed thirty days or by both such fine and imprisonment; *provided, however*, that nothing herein contained shall be held, deemed, or construed, to apply to any person who also acts as agent or attorney for such owner before the General Land Office of the United States at Washington, D. C., or before the Secretary of the Interior."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 714—An act to amend section 1 of an act entitled "An act for the relief of purchasers of school lands," approved June 3, 1913.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 13, after the figures "1917" insert a comma and the following: "together with a penalty of ten per centum of the amount of all interest on the unpaid portion of the purchase price of said lands for each year that the annual interest on the balance of the purchase price of said lands has not been paid since the date of the issuance of the certificate of purchase".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1078—An act providing for the leasing of certain state lands.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2 of the title, strike out the period after the word "lands" and insert in lieu thereof the words "and making an appropriation for the purposes of this act."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 5, strike out the words "run for more" and insert in lieu thereof the words "be for a period longer".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 6, after the word "lands" insert a comma and the following: "or any portion thereof,".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, lines 8, 9 and 10, strike out the words "whenever an application to purchase land from the State has been filed in the Surveyor General's office, or".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 16, strike out the period after the word "office" and insert in lieu thereof a comma and the following: "except when a lease embraces land suitable for cultivation and an application from an actual settler to purchase said land is received and filed by the Surveyor General, then the lease shall terminate on the date said application is filed of record in the Surveyor General's office and the lessee is to be notified by registered mail of the filing of said application to purchase said land, or any portion thereof, from the State and of the termination of the lease. Possession under any lease hereby authorized shall not be held deemed or construed to be adverse to that of any person who becomes an actual settler upon any portion of land in such lease described, with intent to purchase the same in the manner provided by law."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 17, after the word "for" strike out the word "all".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 18, strike out the words "both surveyed and unsurveyed" and insert in lieu thereof a comma and the following: "or any portion thereof"

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 23, after the word "by" strike out the words "the" and insert in lieu thereof the word "law".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, lines 23, 24, 25, 26, 27, 28, strike out the following words: "provisions of sections 3408*a*, 3408*b*, 3408*c*, 3408*d*, 3408*e*, and 3408*f*, of the Political Code"

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, after line 31, insert a new section, to be numbered Sec. 6, which reads as follows:

"Sec. 6. If a lease is terminated by reason of the filing of an application to purchase land suitable for cultivation, or by the sale of land at public auction, or by the designation of land as bases for indemnity selection or selections, the lessee shall surrender the lease to the Surveyor General and receive in exchange therefor from the Surveyor General a certificate showing the proportionate amount of the annual payment to be refunded to the lessee, for the tract or tracts of land that have been disposed of by the State of California, and the State Controller upon the surrender to him of the said Surveyor General's certificate, with the approval of the Board of Control endorsed thereon, shall issue to the lessee a warrant for the said amount payable out of the State School Land Fund and the State Treasurer shall pay the same. If all the tracts of land described in said surrendered lease have not been disposed of by the State, the lessee shall be entitled, without the payment of any additional fee, to a new lease for the remaining tracts of land for the balance of the unexpired term of the surrendered lease, at the same annual rental per acre."

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 2, line 32, strike out the figure "6" and insert in lieu thereof the figure "7".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 2, line 36, strike out the figure "7" and insert in lieu thereof the figure "8".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 2, after line 37, insert a new section to be numbered Sec. 9, which reads as follows: "Sec. 9. There is hereby appropriated out of any moneys in the State Treasury to the credit of the State School Land Fund, not otherwise appropriated, the sum of three thousand dollars, or so much thereof as may be necessary, to be used in refunding unearned rentals under the provisions of section 6 of this act."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

SENATOR CROWLEY IN THE CHAIR.

At three o'clock and forty-five minutes p.m., Senator Crowley of the Twenty-second District was called to the chair.

SECOND READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1105—An act to amend section 3513 of the Political Code, relating to the payment of the purchase price of lands sold by the State on and after the first day of May, A.D. 1911.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 3, line 8, after the word "deeds" strike out the dash and the word "such" and insert in lieu thereof a period and the word "Such".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 896—An act to add a new section to the Penal Code, to be numbered 109*a*, relating to escapes from state hospitals.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 897—An act to amend section 2187 of the Political Code, relating to the transfer of patients from one state hospital to another.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 898—An act to amend section 1 of an act entitled "An act to provide for the asexualization of inmates of state hospitals for the insane, the Sonoma State Home, of convicts in the state prisons, and of idiots, and repealing an act entitled 'An act to permit asexualization of inmates of the state hospitals and the California Home for the Care and Training of Feeble-minded Children, and of convicts in the state prisons,' approved April 26, 1909," approved June 13, 1913.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 886—An act to amend section 2141 of the Political Code, relating to the powers of the Lunacy Commission.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 15—An act to amend section 4273 of the Political Code, relating to salaries of county officers in counties of the forty-fourth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill in lines 27 to 31, inclusive, insert in lieu thereof the following:

15. Each supervisor, one hundred dollars per month, and mileage at the rate of nine cents per mile for each mile actually traveled by them in the discharge of their duty, either as road commissioner or supervisor; not exceeding in the aggregate three hundred dollars per annum. Supervisors shall also receive their necessary expenses when the performance of duty as supervisor or road commissioner takes them out of the county. It is hereby found as a fact that the changes provided for in this subdivision do not work an increase in compensation of this office, and it is intended that the same shall apply immediately to the present incumbents.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 289—An act to amend section 4288 of the Political Code.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 185—An act to amend section 4279 of the Political Code, relating to salaries of county officers in counties of the fifteth class.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 587—An act to add a new section to the Political Code to be numbered 2983, relating to the office of attorney for the State Board of Health, and repealing all acts inconsistent therewith.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 12, after the word health, insert "and the board of health".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 8, after the word thousand, insert the words "six hundred".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 99—An act to amend an act entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled 'An act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof,'" approved June 12, 1913, amended May 19, 1915, by adding a new section to be numbered section 4½ and by amending section 11.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 107—An act to amend section 2 of an act entitled "An act to protect public health from infection caused by exhumation and removal of the remains of deceased persons," approved April 1, 1878.

AMENDMENT FROM THE FLOOR.

During the second reading of the bill, the following amendment was offered and its adoption moved by Senator Ballard:

On page 2, line 7, of the printed bill, strike out the word "same" and insert in lieu thereof the word "name".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 1033—An act making an appropriation to meet part of the expenses of maintaining the navigability of the San Rafael deep-water channel, and repealing an act entitled "An act to appropriate money to meet part of the expenses in maintaining the navigability of the San Rafael deep-water channel," approved June 9, 1915.

On motion of Senator Sharkey, Senate Bill No. 1033 was re-referred to Committee on Finance.

Senate Bill No. 3—An act to amend an act entitled "An act to provide for the regulation of the traffic in alcoholic liquors by establishing local option; authorizing the filing of petitions praying for elections to vote upon the question whether the sale of alcoholic liquors shall be licensed within the territory described in such petitions; providing for the calling and holding of such elections; making it the duty of the proper governing body to declare such territory to be no-license territory unless a majority of votes is cast in favor of license; providing that no licenses, permits or other authority to sell or distribute alcoholic liquors in no-license territory shall be granted; forfeiting and declaring void all such licenses or permits theretofore issued and in force; making it a penal offense to sell, give away or distribute alcoholic liquors within such territory, with certain exceptions; and providing penalties for such offenses," approved April 4, 1911, by amending sections 1, 2, 3, 4, 5, 6, 8, 10, 11, 13 and 14 thereof by repealing section 7 thereof, and by adding thereto a new section to be known and numbered as section 20*a*.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In the fourth from the last line of the title, after the word "eight", insert ", nine,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 5 of the printed bill, line 5, strike out the word "ten" and insert in lieu thereof the word "nine".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 5 of the printed bill, after line 6, insert the following:

"Sec. 9. Any elector of the territory in which an election under this act is held may contest such election for misconduct on the part of an election board or of any member thereof or on account of illegal votes. Such contest shall be subject to all the provisions of law relating to the contesting of elections, so far as the same may be applicable; provided that while said contest is pending, and until the same is decided, the force and effect of said election shall be the same as if it had not

been contested. Notice of the contest shall be served upon the board of supervisors of the county, which shall be deemed the contestee".

Also:

"Sec. 9. Section 10 of the aforementioned act is hereby amended so as to read as follows:"

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 5 of the printed bill, line 2[illegible], strike out the figure "9" and insert in lieu thereof the figure "10".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 6 of the printed bill, line 5, strike out the figure "10" and insert in lieu thereof the figure "11".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 6 of the printed bill, line 22, strike out the figure "11" and insert in lieu thereof the figure "12".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 7 of the printed bill, in line 5, strike out the figure "12" and insert in lieu thereof the figure "13".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 7 of the printed bill, line 7, strike out the figure "13" and insert in lieu thereof the figure "14".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 802—An act to amend section 4 of an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance," approved May 10, 1915, relating to the procurement of a license and the tax therefor.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 9, after the word "foreign" strike out the word "county" and insert in lieu thereof the word "country."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 90—An act to amend section 290½ of the Civil Code, relating to corporations.

Bill read second time, ordered engrossed and on file for third reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, March 5, 1917.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Senate Bill No. 1137—An act to amend section 3306 of the Political Code, relative to the powers of boards of supervisors, city councils and town trustees, in their respective counties, cities and towns to impose a license tax—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

SCOTT, Chairman.

Senate Bill No. 1137 ordered on file for second reading.

Also:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 5, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Jones to introduce a bill entitled "An act to accept the provisions and benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled and approved February 23, 1917, to provide for the promotion of vocational education; to create a vocational education fund and making an appropriation therefor"—has had the same under consideration, and respectfully reports the same back and recommends that said request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Caminetti, Carr, F. M. Chamberlin, Crowley, Dennett, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Jones, Kehoe, Kent, Lyon, McDonald, Maddux, Newlin, Purkitt, Rigdon, Rush, Scott, Shearer, Slater, Stadtmuller, and Thompson—30.

NOES—None.

INTRODUCTION AND FIRST READING OF BILL.

The following bill was introduced in accordance with above report:

By Senator Jones: Senate Bill No. 1140—An act to accept the provisions and benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled and approved February 23, 1917, to provide for the promotion of vocational education; to create a vocational education fund and making an appropriation therefor.

Bill read first time, and referred to Committee on Education.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER)

On motion of Senator Breed, the following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed—

Assembly Bill No. 1111—An act to amend section 1 of an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territories to incorporated towns and cities, and for the incorporation of such annexed territory in and as a part of such municipalities, and for the districting, government and municipal control of annexed territory," approved March 19, 1889, as amended;

Also: Assembly Bill No. 38—An act to amend section 86 of the Code of Civil Procedure of the State of California, relating to justices' clerk and appointees;

Also: Assembly Bill No. 181—An act to amend section 102b of the Code of Civil Procedure, relating to salaries of justices and clerks of justices' courts;

Also: Assembly Bill No. 290—An act to amend section 995 of the Political Code, relating to resignations of officers;

Also: Assembly Bill No. 1217—An act to amend section 542a of the Code of Civil Procedure, relating to attachment liens;

Also: Assembly Bill No. 182—An act to amend section 555 of the Code of Civil Procedure, relating to rules of attachment;

Also: Assembly Bill No. 22—An act authorizing suits against the State concerning certain real property and regulating procedure thereon;

Also: Assembly Bill No. 1151—An act to amend section 626 of the Penal Code, relating to the protection of fish and game.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1111 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 38 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 181 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 290 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1217 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 182 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 22 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1151 read first time, and referred to Committee on Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed—

Assembly Bill No. 92—An act to amend section 2697 of the Political Code, relating to the abandonment of highways;

Also: Assembly Bill No. 262—An act to amend an act entitled "An act granting to the city of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom, to the city of Berkeley, and regulating the management, use and control thereof," approved June 11, 1913;

Also: Assembly Bill No. 871—An act to amend the Political Code by adding a new section thereto, to be numbered 4276a, relating to fees and mileage of jurors in counties of the forty-seventh class;

Also: Assembly Bill No. 473—An act fixing the compensation of grand and trial jurors in counties of the seventh class;

Also: Assembly Bill No. 362—An act to amend section 626 of the Penal Code, relating to the protection of game;

Also: Assembly Bill No. 689—An act to amend an act entitled "An act to regulate the issuance of licenses for resale to hunters and anglers and market fishermen," approved May 20, 1915;

Also: Assembly Bill No. 232—An act providing for the examination and certification of plumbers and prescribing penalties for violations of the provisions hereof.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 92 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 262 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 871 read first time, and referred to Committee on County Government.

Assembly Bill No. 473 read first time, and referred to Committee on County Government.

Assembly Bill No. 362 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 689 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 232 read first time, and referred to Committee on Labor and Capital.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed—

Assembly Bill No. 185—An act granting to any city of the State whose corporate limits include or bound upon any harbor, bay, estuary, or other navigable body of water, the power to improve the same and to establish, acquire, construct, improve and maintain in, upon and along the waters thereof works for use in connection therewith;

Also: Assembly Bill No. 370—An act to amend section 3714 of the Political Code of the State of California;

Also: Assembly Bill No. 1279—An act amending an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the districting, government and municipal control of such annexed territory," approved June 11, 1913, and amended April 29, 1915, by amending sections 3, 4, and 5;

Also: Assembly Bill No. 1280—An act to amend an act entitled "An act to provide for the consolidation of municipal corporations," approved June 11, 1913, and amended April 29, 1915, by amending sections 3, 4, and 5;

Also: Assembly Bill No. 488—An act to amend section 24 of an act entitled "An act to provide for the acquisition by municipalities of land for public park and playground purposes by condemnation, and for the establishment of assessment districts and the assessment of property therein to pay the expenses of acquiring such land," approved April 22, 1909, as amended;

Also: Assembly Bill No. 572—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 185 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 370 read first time, and referred to Committee on County Government.

Assembly Bill No. 1279 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1280 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 488 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 572 read first time, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 7—Relative to approving one certain amendment to the charter of the city of Oakland, in the county of Alameda, State of California, voted for and ratified by the electors of said city of Oakland at a special election called and held on the 22d day of August, 1916.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Concurrent Resolution No. 7 referred to Committee on Municipal Corporations.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 5, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Benson to introduce a bill entitled "An act to add a new section to the Penal Code, to be numbered 1202*a*, relating to imprisonment in the state prison," has had the same under consideration, and respectfully reports the same back and recommends that the request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Campa, Carr, F. M., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Shearer, Slater, Stuckenbruck, and Thompson—30.

NOES—None.

INTRODUCTION AND FIRST READING OF BILL.

The following bill was introduced in accordance with above report:

By Senator Benson: Senate Bill No. 1141—An act to add a new section to the Penal Code to be numbered 1202*a*, relating to imprisonment in the State prison.

Bill read first time, and referred to Committee on Prisons and Reformatories.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 5, 1917.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 103—An act to accept from the United States Government the cession of jurisdiction over a portion of the Presidio of the San Francisco Military Reservation—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

TYRRELL, Chairman.

Senate Bill No. 103 ordered on file for second reading.

USE OF CHAMBER GRANTED.

Senator Carr, F. M., asked for and was granted unanimous consent for the use of the Senate Chamber on Tuesday, March 13, at eight o'clock p.m., for a public hearing on Public Health and Quarantine.

ADJOURNMENT.

At four o'clock and fifteen minutes p.m., on motion of Senator Breed, the acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Tuesday, March 6, 1917.

The Senate met at ten o'clock a.m.

Lieutenant Governor William D. Stephens, President of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Roseinger, Rush, Scott, Sharkey, Shearer, Slater, Struckenbruck, Thompson, and Tyrrell—38.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, March 5, 1917, the further reading was dispensed with, on motion of Senator Crowley.

LEAVE OF ABSENCE.

Senator Gates was, on motion of Senator Breed, granted leave of absence for this day.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following resolution was offered:

By Senator Breed: Senate Concurrent Resolution No. 18—Relative to the printing of additional copies of the constitutional booklet authorized by Senate Concurrent Resolution number 16 of 1915.

Resolution ordered to print, and referred to Committee on Revision and Printing.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 149—An act providing for the maintenance and care by cemetery trustees and associations of the graves of honorably discharged soldiers of the United States of America or of the Confederate States of America, or of any veterans of the Civil War or of the Spanish-American War, and providing the manner of payment therefor.

On motion of Senator Duncan, Senate Bill No. 149 was passed on file.

Senate Bill No. 650—An act empowering and authorizing the Board of Fish and Game Commissioners to insure the employees of the Fish and Game Commission with the Industrial Accident Commission while in the discharge of their duties.

On motion of Senator Struckenbruck, Senate Bill No. 650 was passed on file.

Senate Bill No. 333—An act to amend section 643 of the Political Code, relating to the compensation of Fish and Game Commissioners.

On motion of Senator Scott, Senate Bill No. 333 was passed on file.

REPORT OF STANDING COMMITTEES

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT

SENATE CHAMBER, SACRAMENTO, March 6, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 882—An act relating to bales of hay; defining hay bales; providing regulations governing the [illegible] of hay; regulating the publication [illegible] of bales; fixing a tolerance and providing [illegible] of the provisions of this act;

Also: Senate Bill No. 901—An act to amend the title and section 5 of an act entitled "An act to provide for the [illegible] of fertilizers and stuffs intended to be used or proposed to be used for fertilizer [illegible] offered or exposed for sale in [illegible] thereof," approved May 24, 1913, and amended June 7, 1913;

Also: Senate Bill No. 681—An act to determine and to declare the effect of state land patents in certain cases;

Also: Senate Bill No. 896—An act to add a new section to the Penal Code, to be numbered 109a, relating to escapes from state hospitals;

Also: Senate Bill No. 897—An act to amend section 2187 of the Political Code, relating to the transfer of patients from one state hospital to another;

Also: Senate Bill No. 898—An act to amend section 1 of an act entitled "An act to provide for the asexualization of [illegible] hospitals for the insane, the Sonoma State Home, of convicts in the state prisons, [illegible] an act entitled 'An act to permit asexualization of inmates of the state hospitals and the California Home for the Care and Training of Feeble-minded [illegible] convicts in the state prisons,' approved April 26, 1909," approved June 13, 1913;

Also: Senate Bill No. 886—An act to amend section 2141 of the Political Code, relating to the powers of the Lunacy Commission;

Also: Senate Bill No. 289—An act to amend section 4288 of the Political Code;

Also: Senate Bill No. 185—An act to amend section 4279 of the Political Code, relating to salaries of county officers in counties of the fiftieth class;

Also: Senate Bill No. 99—An act to amend an act entitled "An act to promote the better education of nurses, and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to [illegible] approved March 20, 1905, entitled 'An act to promote the better education of nurses and the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide qualifications for [illegible] thereof,' approved June 12, 1913, amended May 10, 1915, by adding a new section to be numbered section 11 and by amending section 11;

Also: Senate Bill No. 90—An act to amend section 290½ of the Civil Code, relating to corporations;

And reports that the same have been correctly engrossed.

ROMINGER, Acting Chairman.

THIRD READING OF SENATE BILLS—(RESUMED)

Senate Bill No. 312—An act confirming and validating the organization of school districts.

Bill read third time.

The question being on the passage of the bill,

The roll was called, and Senate Bill No. 312 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Campa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Hans, Ingram, Inman, Irwin, Johnson, King, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 313—An act to validate bonds of school districts and high school districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 313 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, King, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Stuckenbruck, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 473—An act to amend the Code of Civil Procedure by adding thereto a new section to be numbered 2055, relating to the examination of an adverse party.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 473 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, King, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Thompson, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 123—An act to amend section 156 of the Code of Civil Procedure, relating to qualifications of Justices of Supreme Court and of the District Courts of Appeal.

On motion of Senator Chamberlin, Senate Bill No. 123 was passed on file.

Senate Bill No. 124—An act to amend section 157 of the Code of Civil Procedure, relating to qualification of superior judges.

On motion of Senator Chamberlin, Senate Bill No. 124 was passed on file.

Senate Bill No. 590—An act to amend section 19a of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and

all amendments thereof and all acts or parts of acts inconsistent herewith."

On motion of Senator Maddux, Senate Bill No. 590 was passed on file.

Senate Bill No. 882—An act relating to baling of hay, defining hay baler; providing regulations governing the baling of hay; providing for indicating the weight of bales; fixing a tolerance and providing penalties for any violation of the provisions of this act.

On motion of Senator Tyrrell, Senate Bill No. 882 was passed on file.

Senate Bill No. 901—An act to amend the title and section 5 of an act entitled "An act to provide for the indicating of the net quantity of foodstuffs and stuffs intended to be used or prepared for use as food for human beings when sold, offered, or exposed for sale in containers, and providing penalties for the violation thereof," approved May 24, 1913, and amended June 7, 1915.

On motion of Senator Tyrrell, Senate Bill No. 901 was passed on file.

Senate Bill No. 681—An act to determine and to declare the effect of state land patents in certain cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 681 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Caminetti, Carr, F. M. Cross, W. J. Chamberlin, Chandler, Crowley, Duncan, Evans, Hans, [illegible], [illegible], Irwin, Johnson, Kehoe, King, Lyon, Maddux, Nordon, Peck, [illegible], [illegible], Rush, Scott, Sharkey, Shearer, Starr, Stuckenbruck, Thompson, and [illegible]—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 896—An act to add a new section to the Penal Code, to be numbered 109*a*, relating to escapes from state hospitals.

On motion of Senator Tyrrell, Senate Bill No. 896 was passed on file.

Senate Bill No. 897—An act to amend section 2187 of the Political Code, relating to the transfer of patients from one state hospital to another.

On motion of Senator Tyrrell, Senate Bill No. 897 was passed on file.

Senate Bill No. 898—An act to amend section 1 of an act entitled "An act to provide for the asexualization of inmates of state hospitals for the insane, the Sonoma State Home, of convicts in the state prisons, and of idiots, and repealing an act entitled 'An act to permit asexualization of inmates of the state hospitals and the California Home for the Care and Training of Feeble-minded Children, and of convicts in the state prisons,' approved April 26, 1909," approved June 13, 1913.

On motion of Senator Tyrrell, Senate Bill No. 898 was passed on file.

Senate Bill No. 886—An act to amend section 2141 of the Political Code, relating to the powers of the Lunacy Commission.

On motion of Senator Tyrrell, Senate Bill No. 886 was passed on file.

Senate Bill No. 289—An act to amend section 4288 of the Political Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 289 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 185—An act to amend section 4279 of the Political Code, relating to salaries of county officers in counties of the fiftieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 185 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 99—An act to amend an act entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled 'An act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof,'" approved June 12, 1913, amended May 19, 1915, by adding a new section to be numbered section 4½ and by amending section 11.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 99 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Chamberlin, Crowley, Duncan, Evans, Flaherty, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, Luce, Lyon, Maddux, Nealon, Rominger, Rush, Scott, Sharkey, Shearer, Stuckenbruck, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 648—An act expressing assent of the State of California to the provisions of the act of Congress approved July 11,

1916, entitled "An act to provide that the United States shall aid the states in the construction of rural post roads, and for other purposes."

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 103—An act to accept from the United States government the cession of jurisdiction over a portion of the Presidio of the San Francisco military reservation.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1137—An act to amend section 3366 of the Political Code, relative to the powers of boards of supervisors, city councils and town trustees, in their respective counties, cities and towns to impose a license tax.

Bill read second time, ordered engrossed, and on file for third reading.

THIRD READING OF SENATE BILLS—RESUMED.

Senate Bill No. 746—An act to add a new section to the Code of Civil Procedure, to be numbered 1381, relating to joint administration of estates under the value of one thousand five hundred dollars, where the property is required by law to pass through several persons who have died.

On motion of Senator Kehoe, Senate Bill No. 746 was passed on file.

Senate Bill No. 262—An act amending section 630 of the Penal Code, relating to the regulation of use of nets, lines and seines in the waters of the State of California, and providing a penalty for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 262 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Evans, Flaherty, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 148—An act to add a new section to the Code of Civil Procedure to be numbered 1723¼, relating to terminations of life estates and evidence thereof.

On motion of Senator Jones, Senate Bill No. 148 was passed on file.

MOTION TO RECONSIDER.

Senator Kehoe moved to reconsider the vote whereby Senate Bill No. 588—An act to amend section 628 of the Penal Code, relating to the protection of fish—was refused passage.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Kehoe, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 588 was refused passage, was continued until the next legislative day.

MOTION TO RECONSIDER.

Senator Duncan moved to reconsider the vote whereby Senate Bill No. 29—An act to amend the Code of Civil Procedure by adding thereto a new section, to be numbered and known as section 1871, relating to experts, their appointment by the court, or a judge thereof, and providing for their compensation and manner of examination as witnesses—was passed.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Duncan the further consideration of the motion to reconsider the vote whereby Senate Bill No. 29 was passed, was continued until the next legislative day.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, March 6, 1917.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 1034—An act to amend section 3 of an act entitled "An act regulating the cleaning, laundering, sale, offering for sale, and furnishing for use to employees, of wiping rags; authorizing counties, cities and counties, cities and towns, to enact ordinances prohibiting the cleaning, laundering, sterilizing and sale of wiping rags without a permit, and to issue and revoke permits, to clean, launder, and sell wiping rags within their respective jurisdictions; authorizing peace and health officers to make inspections of wiping rags, and making violations of this act a misdemeanor," approved April 25, 1913—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

LYON, Chairman.

Senate Bill No. 1034 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 101—An act to amend section 16 of an act entitled "An act regulating the employment and hours of labor of children; prohibiting the employment of minors under certain ages; prohibiting the employment of certain illiterate minors; providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics and providing penalties for the violation hereof," approved February 20, 1905, as amended by an act approved April 14, 1911, as further amended by an act approved June 2, 1913; and as further amended by an act approved June 5, 1915—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

LYON, Chairman.

Senate Bill No. 101 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 232—An act providing for the examination, certification and registration of plumbers, prescribing penalties for violations of the provisions hereof, and repealing an act entitled "An act to grant to boards of health and health officers, in cities, and cities and counties, the power to regulate the plumbing and drainage of buildings, and to provide for the registration of plumbers," approved March 3, 1885—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

LYON, Chairman.

Assembly Bill No. 232 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 6, 1917.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 671—An act to amend section 3 of an act entitled "An act authorizing the construction of the unfinished portion of the library building of the University

of California, and the construction of a building for general use as a recreation building, of a building for the use of the college of agriculture, and of a building for the use of the college of natural sciences as a chemistry building, upon the grounds of said University of California at Berkeley; providing for the issuance and sale of state bonds to meet the cost of the foregoing purposes; and providing the necessary moneys for the payment of the principal and interest to become due on said bonds," adopted as an initiative measure by vote of the people November 3, 1914—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

GATES, Chairman.

Senate Bill No. 671 ordered on file for second reading

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 116—An act appropriating money for the construction and equipment of buildings on the property of the Santa Barbara State Normal School at Santa Barbara, California—has had the same under consideration, and respectfully reports the same back and recommends that same do pass, and be re-referred to the Committee on Finance.

GATES, Chairman.

Senate Bill No. 116 re-referred to Committee on Finance

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 81—An act to provide for the creation of a bureau of vocational information, defining its powers and duties and making an appropriation for carrying out the provisions thereof—has had the same under consideration, and respectfully reports the same back with amendments and recommends that same do pass as amended.

GATES, Chairman.

Senate Bill No. 81 ordered on file for second reading

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, March 6, 1917.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 203—An act to amend an act entitled "An act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs and expenses incurred by reason of taking them up, and repealing all other acts and parts of acts now in force relating to estrays," approved March 23, 1901, and to exempt certain counties from provisions thereof—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

KING, Chairman.

Senate Bill No. 203 ordered on file for second reading.

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, March 5, 1917.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Senate Bill No. 723—An act establishing a State Military Commission and defining its powers and duties, providing for military training in high and secondary schools, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back and recommends that it do pass, and be re-referred to Committee on Finance.

SCOTT, Chairman.

Senate Bill No. 723 re-referred to Committee on Finance.

REQUEST FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce a bill were presented:

By Senator Shearer:

SENATE CHAMBER, SACRAMENTO, March 6, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2 of Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act making an appropriation to pay the claim of Franklin Holbrook against the State of California.

Request referred to Committee on Rules.

Also:

By Senator Hans:

MR. PRESIDENT: In accordance with the provisions of section 2 of Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend section 4149 of the Political Code, relating to County Live Stock Inspector.

Request referred to Committee on Rules.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Breed, the following message from the Assembly was taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 307—An act to perpetuate marks, brands and counterbrands established in the several counties of the State under sections 3168 and 3169 of the Political Code, to provide methods of perpetuation and declaring all marks, brands and counterbrands not so perpetuated to be inoperative and void;

Also: Assembly Bill No. 110—An act to amend section 4252 of the Political Code, relating to salaries and compensation of the county and township officers of counties of the twenty-third class;

Also: Assembly Bill No. 498—An act to amend section 12 of an act entitled "An act to create a police relief, health, and life insurance and pension fund in the several counties, cities and counties, cities, and towns of the State," approved March 4, 1889, as amended;

Also: Assembly Bill No. 69—An act to amend sections 1 and 2 of an act entitled "An act relating to senior rights of members of paid police departments of counties, cities and counties, cities or towns," approved March 23, 1907;

Also: Assembly Bill No. 458—An act to amend section 20 of the act known as the "Water Commission Act," approved June 16, 1913;

Also: Assembly Bill No. 641—An act to amend sections 851, 852, 853 and 855 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended;

Also: Assembly Bill No. 521—An act to amend section 2745 of the Political Code, relating to the formation of road divisions.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 307 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 110 read first time, and referred to Committee on County Government.

Assembly Bill No. 498 read first time, and referred to Committee on Insurance.

Assembly Bill No. 69 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 458 read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 641 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 521 read first time, and referred to Committee on Roads and Highways.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(OUT OF ORDER).

The following resolution was offered:

By Senator Inman: Senate Concurrent Resolution No. 19—Calling upon the Attorney General of the State of California to investigate the

existence of an unlawful combination in restraint of trade, and to prosecute the same.

Resolution ordered to print, and referred to Committee on Judiciary.

ADJOURNMENT.

At eleven o'clock and five minutes a.m., on motion of Senator Breed, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Wednesday, March 7, 1917.

The Senate met at ten o'clock a.m.

Lieutenant Governor William D. Stephens, President of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, Frank M., Carr, Wm. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, Kuhs, Lane, Lavin, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Searsley, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—39.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, March 6, 1917, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Breed, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. W. H. Spaulding of Oakland.

ADDRESS BY SENATOR SLATER.

Senator Slater addressed the Senate as follows:

MR. PRESIDENT AND GENTLEMEN OF THE SENATE: I would like to ask the indulgence of the Senate for a few moments this morning, while I call to mind that this is the birthday of California's most distinguished scientist and world man, Mr. Luther Burbank.

Several years ago, by way of compliment to this distinguished man, who has done so much as God's assistant in Nature in the realm of horticulture, the Legislature designated March 7th—Mr. Burbank's birthday—as Bird and Arbor Day. Today all over this great State of ours, thousands of school children will hold special exercises out of compliment to Mr. Burbank and will plant in their school yards shrubs, trees and flowers, many of which were personally donated by Mr. Burbank from his gardens for that purpose. Mr. Burbank has always been a great friend of children, and has been ever kind and solicitous for their welfare.

When we contemplate the worth of such a man as Luther Burbank, we are bound to admit that no more useful man than he has ever lived. Untiringly, for over forty years, in my home town of Santa Rosa, he has labored for the benefit of mankind in the creation of new forms of plant life, instilling more beauty to the color tint of the rose and other blossoms that make this world of ours so beautiful, adding to their perfume and their growth; creating many varieties of fruits and vegetables that have benefited us all. In reviewing his splendid accomplishments I am sure, Mr. President and gentlemen of the Senate, you join with me most heartily in wishing him many happy returns of the day, and many more years of activity and usefulness in his labor of love. When at length the shadows will lengthen over the landscape of his life, we shall ever treasure the distinction of having had one so eminently distinguished a resident of our Golden State for so many years.

I point with pride to those flowers beside your desk, Mr. President, to that picture of him whom we honor on this occasion, and we of Santa Rosa and Sonoma County certainly appreciate this opportunity in the Senate of California of according this slight token to California's esteemed citizen.

PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

LOS ANGELES, CAL., March —, 1917.

HON. WM. D. STEPHENS, *Lieutenant Governor,*
and members of the Legislature:

DEAR SIRS: The passage of Senate Bill No. 5, which provides for a license tax on all firms, corporations, etc., giving trading stamps, coupons and similar devices, is urgently desired by the retail cigar dealers of your district.

This will relieve a condition that unless remedied will ultimately drive them out of business.

We ask your support of this measure on the broad grounds of giving the small merchant an equal opportunity of competing with the large corporations.

Very truly yours,
T. B. HARRIS, and 125 others.

Also:

BERKELEY, CALIFORNIA, March 2, 1917.

HON. WM. D. STEPHENS,
Lieutenant Governor of California,
Sacramento, California:

DEAR SIR: There is before the present session of the California Legislature a bill (Senate Bill No. 399) introduced by Senator Breed and proposing to appropriate $30,000 for the completion of the "John Muir Trail" and laterals therefrom.

This bill is one to which no one can take any proper exception, as the results accruing from the establishing of such a trail are worth many times the amount of money to be expended on it.

May I bespeak your support for the bill in the event it comes into your hands?

Very truly yours,
CALIFORNIA ASSOCIATED SOCIETIES FOR
THE CONSERVATION OF WILD LIFE.
TRACY I. STROBER, Secretary-Treasurer.

Also:

ENDORSEMENT OF CITY PLANNING BILLS IN THE LEGISLATURE.

WHEREAS, The architects, perhaps more than any other profession or group of citizens are continually brought in contact with property sorely depreciated and most difficult to improve for lack of proper city planning, and

WHEREAS, Senator S. C. Evans, of Riverside, former president of the League of California Municipalities and ex-mayor of Riverside, has introduced into the Legislature the following constitutional amendment and bills:

Senate Constitutional Amendment No. 16—For the submission again of the constitutional amendment granting cities the public acquisition power, commonly known as "excess condemnation";

Senate Bill No. 430—An act authorizing city councils to zone or district the city for the segregation of industry, business, apartments, flats and single family residence, upon the report of the City Planning Commission and providing a procedure therefor;

Senate Bill No. 431—An enabling act providing procedure whereby cities may establish building set-back lines;

Senate Bill No. 405—An act providing for the establishment of a City Planning Bureau under the Commission of Immigration and Housing to keep the commission of the State informed of city planning progress, methods and improvements; and

WHEREAS, These bills were introduced at the urgent request and with the full backing of the California Conference on City Planning and the League of California Municipalities; now therefore be it

Resolved, That the San Francisco Chapter of the American Institute of Architects hereby strongly endorses each one of these measures because it feels that they are essential to proper city planning not only in San Francisco, but throughout the State of California, that they will greatly strengthen and make more useful to the people the work of city planning commissions and thereby make our cities much better places to live and work in; and be it further

Resolved, That the architects earnestly request their following representatives and organizations of this city working for similar purposes to use every endeavor to secure the passage of this legislation at this session and that a copy of these resolutions be sent by the secretary to each of the men as follows: State Senators from this district; Assemblymen from this district, His Excellency Hiram W. Johnson; His Excellency Lieutenant Governor William D. Stephens; Senator Edward J. Tyrrell, chairman of the Committee on Municipal Corporations of the Senate; Senator S. C. Evans; secretary California Conference on City Planning; the Board of Supervisors.

Unanimously endorsed by the Chapter, March 1, 1917.

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Also:

WHEREAS, The State Commission of Immigration and Housing of California invited the Southern California Chapter of the American Institute of Architects to participate in a State Housing Institute, which would hold a series of conferences for the purpose of studying the housing problems of the State and discussing methods of improving the existing conditions; and

WHEREAS, Several meetings have been held in various parts of the State in the past year, in which meetings the commissioners of state commissions and the official delegates have discussed the housing problems and the solution from the various cities, their social workers and others interested in the subject; and

WHEREAS, As a result of these several meetings three housing bills have been drafted to govern the construction of dwellings, tenement houses and lodgings and introduced in the Legislature as Senate Bills Nos. 403, 455 and 457, to be acted upon at the second session of the said Legislature during the months of March and April of this year; and

WHEREAS, This chapter believes that the enactment of these three bills into laws will subserve the best interests of the citizens of the State; therefore be it

Resolved, That the Southern California Chapter of the American Institute of Architects, in regular session assembled, February 23, 1917, does hereby endorse the work of the State Housing Institute and earnestly recommends and urges the California Legislature to enact the three proposed housing bills into law; and be it further

Resolved, That a copy of this resolution be spread upon the minutes of this chapter meeting, and that copies thereof be sent to the State Commission of Immigration and Housing and the Senate Committee on Public Health and Quarantine.

Endorsed by:

SOUTHERN CALIFORNIA CHAPTER OF THE AMERICAN INSTITUTE OF ARCHITECTS.

PLUMBERS' AND GAS FITTERS' UNION, LOCAL No. 78, LOS ANGELES, CALIFORNIA:

SOUTHERN CALIFORNIA ASSOCIATION OF MEMBERS OF THE AMERICAN SOCIETY OF CIVIL ENGINEERS.

Also:

WHEREAS, In the past there have been many buildings erected in the State of California, the construction of which is not compatible with public safety, and it is mainly because of extravagance of materials used therein that accidents have not been more frequent; and

WHEREAS, In only a few of our larger cities is there any attempt made to investigate the safety of the design of such buildings before their erection, and in many instances such inspection is perfunctory; and

WHEREAS, As builders and constructors we are peculiarly aware of the public danger liable to be existent in many buildings on account of their construction, which may at any time, under the peculiar natural forces which obtain in our State, result in a catastrophe; and

WHEREAS, We are certain that in the interests of the public safety there should be a protection from incompetency in design and construction, a need particularly applicable to those parts of the State where no official body is competent to pass on the safety of construction methods; therefore be it

Resolved, That Assembly Bill No. 1126 is drawn to meet this urgent need and the Master Builders' Association of Los Angeles, in annual meeting assembled, does heartily endorse the said bill and earnestly recommends and urges the California Legislature to enact the said bill into law at the earliest possible date; and be it further

Resolved, That these resolutions be spread upon the records of this association, and that copies be sent to the Governor of the State, the Presiding Officer of the Senate, the Presiding Officer of the Assembly, the Chairman of the Judiciary Committee of the Senate, and of the Assembly, to Hon. Harry A. Wishard, to the secretary of the Southern California Chapter, A. I. A., and of the Society of Civil Engineers, and that similar organizations in San Francisco be notified of our action.

MASTER BUILDERS' ASSOCIATION OF LOS ANGELES
J. F. ATKINSON, President.

Los Angeles, California, March 1, 1917.

Also:

WHEREAS, In only a few of our larger cities is there any attempt made to investigate the safety of the design of buildings before their erection, and in many instances such inspection is perfunctory; and

WHEREAS, As builders and contractors we are peculiarly aware of the public danger liable to be existing in the many instances on account of their construction, which may at any time upset the personal property forces which obtain in our State result in a catastrophe; and

WHEREAS, We are certain that in the interests of the public safety there should be a protection from incompetency in design and construction, a need particularly applicable to those portions of the State where no official body is competent to pass on the safety of construction methods; therefore, be it

Resolved, That Assembly Bill No. 1126 is drawn to meet this urgent need, and the board of directors of the Builders' Exchange of Los Angeles in regular meeting assembled February 23, 1917, has heartily endorsed the bill and earnestly recommends and urges the California Legislature to enact the bill into law at the earliest possible date.

BUILDERS' EXCHANGE.
H. B. WEBSTER, Secretary.

Also:

LOS ANGELES, CALIFORNIA, February 28, 1917.

To the Honorable WILLIAM D. STEPHENS,
The Capitol,
Sacramento, California:

DEAR SIR: At the regular meeting of The Friday Morning Club held February 16th, the following resolution was unanimously adopted:

WHEREAS, The proposed legislative measures known as The Community Property and Women on Juries Bills are designed for the protection of the rights of women and children, and

WHEREAS, The passage of the bill providing for the establishment of a colony for the custodial care of the feeble-minded and epileptic in Southern California would secure the segregation and special training needed by persons of defective mentality and in so doing would remove a serious social menace from the community, therefore, be it

Resolved, That The Friday Morning Club heartily approves these three measures endorsed by The Women's Legislative Council and asks its members and friends to write to their respective representatives in the legislature urging the passage of these bills.

We ask your careful consideration of the measures indorsed in the resolution and urge your support of them.

Very respectfully yours,
GRACE C. SIMONS, President.
ALICE CLARK BROWN, Secretary.

Also:

While Senate Bill No. 414, introduced by Senator J. A. Rominger, will not entirely prohibit the liquor traffic, yet, we believe it will be a step in that direction, and will tend to eliminate some of the more flagrant evils resulting from the beverage liquor traffic; therefore, be it

Resolved, by the Council of the Church Federation of Los Angeles, that we do hereby heartily endorse the said Rominger Bill (Senate Bill No. 414) and urge its enactment into law by the Legislature of the State of California; be it further

Resolved, That we urge the passage of the County-Unit Local Option Bill (Senate Bill No. 3—Assembly Bill No. 1630) now pending as another proper agency through which the ultimate prohibition of the liquor traffic may be accomplished in certain counties, where public sentiment is favorable, until the entire State is ready for this great reform; be it further

Resolved, That a copy of these resolutions be sent forthwith to the Senators and members of the General Assembly of this State, with the request that said two bills be enacted into law at the earliest possible moment.

CHURCH FEDERATION OF LOS ANGELES.
JAMES A. FRANCIS, President.
CHAS. A. BASKERVILLE, Secretary.

NATHAN NEWBY, Chairman, Civic Righteousness Committee.

Also:

WHEREAS, In the past there have been many buildings erected in the State of California, the construction of which is not compatible with public safety, and it is mainly because of extravagance of materials used therein that accidents have not been more frequent; and

WHEREAS, In only a few of our larger cities is there any attempt made to investigate the safety of the design of such buildings before their erection, and in many instances such inspection is perfunctory; and

WHEREAS, As architects, we are peculiarly aware of the public dangers liable to be existent in the many buildings on account of their construction, which may at any time under the peculiar natural forces which obtain in our State result in a catastrophe; and

WHEREAS, We are certain that in the interests of the public safety there should be a protection from incompetency in design and construction, a need peculiarly applicable to those portions of the State where no official body is competent to pass on the safety of construction methods; therefore be it

Resolved, That amended Assembly Bill 1126 is drawn to meet this urgent need, and the San Francisco Chapter of the American Institute of Architects, in regular meeting assembled March 1, 1917, does heartily endorse the bill and earnestly recommends and urges the California Legislature to enact the bill into law at the earliest possible date; and be it further

Resolved, That a copy of this resolution be spread on the minutes of the Chapter, and that copies thereof be sent to the Governor of the State of California, the presiding officer of the Senate and of the Assembly, to the Chairman of the Judiciary Committee of the Senate and of the Assembly, to Mr. Harry A. Wishard at Sacramento, to the secretary of the Southern California Chapter, A. I. A., and of the Society of Civil Engineers.

Dated March 1, 1917.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 13—Relative to the sale of the tips price in the national forest reserves, located in the State of California, and the use of the proceeds in the construction of dams and reservoirs for the collecting, impounding and conserving the waters of the State and the protection of its lands from flood waters;

Also: Assembly Joint Resolution No. 14—Relative to the establishment by the government of the United States of a national park at "Pinnacles National Monument."

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Joint Resolution No. 13 read first time, and referred to Committee on Federal Relations.

Assembly Joint Resolution No. 14 read first time, and referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 130—An act to amend section 10 of the Political Code, relating to holidays;

Also: Assembly Bill No. 353—An act to amend section 421 of the Civil Code, relating to investments by insurance companies.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 130 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 353 read first time, and referred to Committee on Insurance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 281—An act to add a new section to the Political Code, to be numbered 633*b*, concerning insurance and surety companies, agents and brokers, requiring that policies or contracts of insurance, or surety bonds shall show the correct premium consideration and the risks insured thereunder; prohibiting the giving of rebates on insurance or surety bonds and providing penalty therefor, and for the suspension of certificate of authority of any insurance or surety company and the revoking or suspension of the license of any agent or broker violating the same, and prescribing the powers and duties of the Insurance Commissioner in relation thereto;

Also: Assembly Bill No. 282—An act to amend section 596 of the Political Code, concerning certificate of authority to insurance companies; prohibiting the use of unauthorized companies except for surplus line insurance; providing for the licensing of surplus line brokers, their obligations and duties and providing penalty for violation thereof;

Also: Assembly Bill No. 283—An act to add a new section to the Political Code, to be numbered 633*a*, concerning the licensing of insurance brokers, and providing for the issuance and revoking of licenses by the Insurance Commissioner, and providing penalties for a violation thereof;

Also: Assembly Bill No. 284—An act to amend section 633 of the Political Code, relating to the licensing of insurance agents;

Also: Assembly Bill No. 124—An act to provide whole family protection for members of fraternal societies.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 281 read first time, and referred to Committee on Insurance.

Assembly Bill No. 282 read first time, and referred to Committee on Insurance.

Assembly Bill No. 283 read first time, and referred to Committee on Insurance.

Assembly Bill No. 284 read first time, and referred to Committee on Insurance.

Assembly Bill No. 124 read first time, and referred to Committee on Insurance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 186—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipality voting upon the question of incurring such indebtedness;

Also: Assembly Bill No. 308—An act confirming and validating the organization of school districts;

Also: Assembly Bill No. 373—An act amending section 499*a* of the Penal Code, relating to stealing of electric current, and the injuring of electric wires or appliances, and providing a punishment therefor;

Also: Assembly Bill No. 216—An act to amend section 1239 of the Penal Code, relating to appeals in criminal actions;

Also: Assembly Bill No. 221—An act to amend section 704 of the Penal Code, relating to proceedings before a magistrate on hearing of a charge of threatened offense;

Also: Assembly Bill No. 751—An act to amend section 4223 of the Political Code, relating to the appointment of county physicians;

Also: Assembly Bill No. 123—An act to amend section 23*a* of an act entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911, and to add a new section thereto to be numbered 23*b*.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 186 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 308 read first time, and referred to Committee on Education.

Assembly Bill No. 373 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 246 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 221 read first time, and referred to Committee on Judiciary.

Assembly Bill No 751 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 123 read first time, and referred to Committee on Insurance.

COMMUNICATION

The following communication from the Governor was received and ordered printed in the Journal:

EXECUTIVE DEPARTMENT.
STATE OF CALIFORNIA.

To the Senate of the State of California:

Pursuant to the provisions of section 7 of the University of California Building Bond Act of 1914, in effect December 19, 1914, I transmit herewith the joint reports of the State Controller and State Treasurer of their proceedings under said act for the year beginning January 1, 1916, and ending December 31, 1916.

Respectfully submitted,

HIRAM W. JOHNSON,
Governor.

Sacramento, California, March 6, 1917

REPORT OF THE PROCEEDINGS UNDER THE UNIVERSITY OF CALIFORNIA BUILDING BOND ACT OF 1914.

To His Excellency, HIRAM W. JOHNSON,
Governor of California.

SIR: We beg to submit a report of the proceedings under the said Act for the year beginning January 1, 1916 and ending December 31, 1916.

F. W. RICHARDSON, State Treasurer.
JOHN S. CHAMBERS, State Controller.

Dated Sacramento, California, January 20, 1917.

UNIVERSITY OF CALIFORNIA BUILDING FUND. RECEIPTS. 1916

1/ 1/1916—Amount brought forward Dec. 31, 1915	$1,851,552 00
	$1,851,552 00

DISBURSEMENTS. 1916.

Date	Items	Amount	Total
1/ 3/1916—Amounts brought forward Dec. 31, 1915			$24,529 72
1/ 3/1916—Regents University of California		$23,747 07	
1/ 3/1916—Regents University of California		1,209 54	
1/ 3/1916—Regents University of California		2 40	
3/13/1916—Regents University of California		370 00	
3/13/1916—Regents University of California		19,262 32	
3/13/1916—Regents University of California		65 68	
3/13/1916—Regents University of California		27,747 97	
3/14/1916—Regents University of California		29 50	
4/29/1916—Regents University of California		129 64	
5/ 4/1916—Regents University of California		9 08	
5/ 5/1916—Regents University of California		24,097 08	
5/ 8/1916—Regents University of California		24,495 93	
6/ 6/1916—Regents University of California		9,616 20	
6/ 9/1916—Regents University of California		68,659 11	
6/12/1916—Regents University of California		58 40	
6/12/1916—Regents University of California		385 21	
6/12/1916—Regents University of California		10 69	

UNIVERSITY OF CALIFORNIA BUILDING FUND. RECEIPTS. 1916.—Continued.

Date	Items	Amount	Total
6/12/1916	Regents University of California	454 00	
6/12/1916	Regents University of California	65 00	
6/22/1916	Regents University of California	53,500 71	
6/22/1916	Regents University of California	306 25	
6/29/1916	Regents University of California	4,791 70	
7/ 6/1916	Regents University of California	21,203 05	
7/14/1916	Regents University of California	1,802 25	
7/21/1916	Regents University of California	49,059 00	
7/21/1916	Regents University of California	6,427 51	
7/25/1916	Regents University of California	4,020 50	
8/ 4/1916	Regents University of California	12,985 00	
8/17/1916	Regents University of California	20,368 50	
8/26/1916	Regents University of California	2,728 42	
8/26/1916	Regents University of California	196 80	
8/26/1916	Regents University of California	431 75	
8/26/1916	Regents University of California	20 92	
8/26/1916	Regents University of California	200 65	
8/26/1916	Regents University of California	27,713 79	
8/26/1916	Regents University of California	32,175 11	
8/26/1916	Regents University of California	236 59	
10/14/1916	Regents University of California	28,173 03	
10/17/1916	Regents University of California	51,848 05	
10/17/1916	Regents University of California	14,764 87	
10/17/1916	Regents University of California	5,058 55	
10/17/1916	Regents University of California	110 23	
10/17/1916	Regents University of California	18,410 55	
10/17/1916	Regents University of California	8,327 16	
10/24/1916	Regents University of California	27,646 71	
10/24/1916	Regents University of California	50,803 88	
10/28/1916	Regents University of California	20,062 15	
10/28/1916	Regents University of California	4,685 79	
11/13/1916	Regents University of California	2,389 93	
11/27/1916	Regents University of California	29,507 53	
11/27/1916	Regents University of California	28,961 77	
11/27/1916	Regents University of California	8,305 24	
11/27/1916	Regents University of California	19,715 65	
12/ 5/1916	Regents University of California	395 76	
12/19/1916	Regents University of California	4,044 97	
12/19/1916	Regents University of California	27,928 03	
12/19/1916	Regents University of California	33,665 67	
12/22/1916	Regents University of California	7,665 18	
12/22/1916	Regents University of California	18,922 82	$850,576 84
			$875,106 56
	Balance in fund		976,445 44
			$1,851,552 00

UNIVERSITY OF CALIFORNIA BUILDING SINKING FUND. RECEIPTS. 1916

Date	Items	Amount	Total
	Amounts brought forward Dec. 31, 1915		$40,500 00
6/ 6/1916	Transfer from General Fund	$40,500 00	
12/11/1916	Transfer from General Fund	40,500 00	81,000 00
			$121,500 00

DISBURSEMENTS. 1916.

Date	Items	Amount	Total
	Amounts brought forward Dec. 31, 1915		40,500 00
6/ 8/1916	Semi-annual interest payment	$40,500 00	
12/11/1916	Semi-annual interest payment	40,500 00	81,000 00
			$121,500 00

EXECUTIVE DEPARTMENT.

STATE OF CALIFORNIA.

To the Senate of the State of California:

Pursuant to the provisions of section 7 of the State Highways Act, approved March 22, 1909, I transmit herewith a copy of the joint report of the State Controller and State Treasurer of their proceedings under said act for the year beginning January 1, 1916, and ending December 31, 1916.

Respectfully submitted.

HIRAM W. JOHNSON,
Governor.

Sacramento, California, March 6, 1917.

REPORT OF PROCEEDINGS UNDER THE STATE HIGHWAYS ACT.

To His Excellency, HIRAM W. JOHNSON,
Governor of California.

SIR: In accordance with the provisions of section 7, Chapter 283, Statutes of 1909, we beg to submit a report of the proceedings under the said chapter for the year beginning January 1, 1916, and ending December 31, 1916.

F. W. RICHARDSON,
State Treasurer.

JOHN S. CHAMBERS,
State Controller.

Dated Sacramento, California, January 20, 1917.

STATE HIGHWAY FUND—RECEIPTS, 1916.

Date	Items	Amount	Total
12/31/1915	Amounts brought forward		$16,162,526 01
1/ 3/1916	Napa County, donation	$32,500 00	
1/ 7/1916	Bonds sold Humboldt County	100,000 00	
1/ 8/1916	Colusa County, donation	4,577 97	
1/15/1916	Department of Engineering	93 75	
1/17/1916	Yolo County, donation	1,322 00	
1/17/1916	Sonoma County, donation	50,000 00	
1/24/1916	Department of Engineering	1,169 40	
1/25/1916	Department of Engineering	17 50	
2/ 3/1916	Department of Engineering	253 50	
2/ 4/1916	Department of Engineering	1 36	
2/ 7/1916	Department of Engineering	215 07	
2/15/1916	Department of Engineering	33 77	
2/16/1916	Department of Engineering	377 06	
2/19/1916	Department of Engineering	1,300 00	
2/21/1916	Shasta County, donation	16,000 00	
2/25/1916	Department of Engineering	9 75	
2/29/1916	Department of Engineering	498 97	
3/ 2/1916	Department of Engineering	5,046 48	
3/ 7/1916	Department of Engineering	337 80	
3/ 9/1916	Department of Engineering	237 30	
3/14/1916	Marin County, donation	35,000 00	
3/16/1916	Trans. from general fund, sale of bonds and premium	1,501,400 00	
3/17/1916	Department of Engineering	184 38	
3/22/1916	Department of Engineering	4,460 44	
3/22/1916	Department of Engineering	14 41	
3/24/1916	Glenn County, donation	3,109 68	
3/24/1916	Calaveras County, donation	5,000 00	
3/29/1916	Department of Engineering	1 71	
3/29/1916	Department of Engineering	183 59	
4/ 1/1916	Department of Engineering	4,139 32	
4/ 4/1916	Department of Engineering	1,211 18	
4/ 6/1916	Department of Engineering	6,270 76	
4/11/1916	Department of Engineering	45 09	
4/13/1916	Department of Engineering	162 00	
4/19/1916	Department of Engineering	5,724 18	
4/24/1916	Department of Engineering	6,184 82	
4/24/1916	Contra Costa County, donation	2,200 00	
5/ 3/1916	Department of Engineering	31 00	
5/ 5/1916	Town of San Juan	1,000 00	
5/11/1916	Department of Engineering	7,014 05	
5/16/1916	Department of Engineering	24 90	
5/22/1916	Department of Engineering	435 44	
6/ 1/1916	Napa County, donation	32,500 00	
6/ 2/1916	Department of Engineering	574 79	

STATE HIGHWAY FUND. RECEIPTS, 1916.—Continued.

Date	Items	Amount	Total
6/ 8/1916	Department of Engineering	19,621 77	
6/ 9/1916	Department of Engineering	2,952 04	
6/20/1916	Department of Engineering	878 23	
6/23/1916	Department of Engineering	278 25	
6/23/1916	Kern County, donation	2,547 96	
6/23/1916	Kern County, donation	2,952 04	
6/29/1916	Department of Engineering	3,386 06	
6/30/1916	Department of Engineering	753 12	
7/15/1916	Department of Engineering	18 67	
7/15/1916	Department of Engineering	842 15	
7/17/1916	Department of Engineering	3,846 09	
7/24/1916	Shasta County, donation	16,000 00	
7/24/1916	Department of Engineering	162 51	
7/25/1916	Department of Engineering	714 03	
8/ 1/1916	Department of Engineering	5,000 00	
8/ 9/1916	Department of Engineering	627 55	
8/14/1916	Department of Engineering	105 24	
8/21/1916	Sonoma County, donation	25,000 00	
8/22/1916	Department of Engineering	400 85	
9/ 1/1916	Department of Engineering	64 02	
9/12/1916	Department of Engineering	12 58	
9/14/1916	Department of Engineering	4,010 15	
9/18/1916	Department of Engineering	280 81	
9/20/1916	Department of Engineering	137 46	
9/25/1916	Department of Engineering	305 16	
9/27/1916	Department of Engineering	127 52	
9/29/1916	Department of Engineering	192 53	
10/ 7/1916	Department of Engineering	77 00	
10/13/1916	Department of Engineering	2 50	
10/23/1916	Department of Engineering	27	
10/24/1916	Department of Engineering	1,816 37	
10/27/1916	Department of Engineering	362 42	
11/ 3/1916	Santa Barbara County, donation	1,179 12	
11/ 3/1916	San Luis Obispo County, donation	5,000 00	
11/ 8/1916	Department of Engineering	451 51	
11/10/1916	Department of Engineering	465 58	
11/11/1916	Department of Engineering	151 30	
11/16/1916	Department of Engineering	3,424 66	
11/24/1916	Department of Engineering	327 49	
11/25/1916	Department of Engineering	112 72	
12/ 1/1916	Department of Engineering	5,257 70	
12/ 5/1916	Department of Engineering	244 31	
12/12/1916	Department of Engineering	2 30	
12/22/1916	Department of Engineering	55 50	$1,941,651 72
			$18,404,247 73

STATE HIGHWAY FUND. DISBURSEMENTS, 1916.

Date	Items	Amount	Total
12/31/1915	Amounts brought forward		$14,716,426 14
1/ 4/1916	Department of Engineering	$11,519 78	
1/ 7/1916	Department of Engineering	96,976 06	
1/ 8/1917	Department of Engineering	83,676 77	
1/11/1916	Department of Engineering	4,339 96	
1/12/1916	Department of Engineering	86,743 42	
1/13/1916	Department of Engineering	96,345 62	
1/14/1916	Department of Engineering	4,225 46	
1/17/1916	Department of Engineering	59,536 34	
1/21/1916	Department of Engineering	37,437 23	
1/25/1916	Department of Engineering	85,331 97	
1/26/1917	Department of Engineering	13,391 63	
1/27/1916	Department of Engineering	2,200 03	
1/28/1916	Department of Engineering	1,234 26	
1/29/1916	Department of Engineering	23,964 57	
2/ 1/1916	Department of Engineering	1,970 18	
2/ 8/1916	Department of Engineering	2,759 09	
2/ 9/1916	Department of Engineering	85,761 64	
2/10/1916	Department of Engineering	10,705 18	
2/11/1916	Department of Engineering	3,766 72	
2/16/1916	Department of Engineering	13,616 93	
2/17/1916	Department of Engineering	229 96	
2/18/1916	Department of Engineering	195 13	

STATE HIGHWAY FUND. DISBURSEMENTS, 1916—Continued.

Date	Items	Amount	Total
2/19/1916	Department of Engineering	39,075 93	
2/21/1916	Department of Engineering	2,284 71	
2/25/1916	Department of Engineering	57,403 96	
2/26/1916	Department of Engineering	1,975 43	
3/6/1916	Department of Engineering	55,379 67	
3/8/1916	Department of Engineering	121,073 25	
3/9/1916	Department of Engineering	401 37	
3/10/1916	Department of Engineering	1,780 70	
3/14/1916	Department of Engineering	3,365 00	
3/17/1916	Department of Engineering	1,651 44	
3/18/1916	Department of Engineering	56,927 39	
3/20/1916	Department of Engineering	1,949 84	
3/23/1916	Department of Engineering	163 94	
3/24/1916	Department of Engineering	22,328 17	
3/27/1916	Department of Engineering	2,954 17	
3/30/1916	Department of Engineering	11,653 57	
3/31/1916	Department of Engineering	69,169 82	
4/1/1916	Department of Engineering	1,576 72	
4/3/1916	Department of Engineering	9,874 19	
4/8/1916	Department of Engineering	1,275 46	
4/10/1916	Department of Engineering	176,224 47	
4/11/1916	Department of Engineering	1,333 24	
4/13/1916	Department of Engineering	13,079 60	
4/17/1916	Department of Engineering	17,697 35	
4/19/1916	Department of Engineering	1,912 77	
4/21/1916	Department of Engineering	3,454 11	
4/22/1916	Department of Engineering	17,994 53	
4/26/1916	Department of Engineering	17,294 63	
4/28/1916	Department of Engineering	74,398 29	
5/1/1916	Department of Engineering	4,063 75	
5/3/1916	Department of Engineering	1,421 10	
5/8/1916	Department of Engineering	13,781 61	
5/9/1916	Department of Engineering	2,527 47	
5/10/1916	Department of Engineering	60,375 12	
5/12/1916	Department of Engineering	72,424 53	
5/17/1916	Department of Engineering	36,573 10	
5/18/1916	Department of Engineering	3,804 63	
5/25/1916	Department of Engineering	4,346 61	
5/26/1916	Department of Engineering	38,738 79	
6/1/1916	Department of Engineering	104,969 79	
6/3/1916	Department of Engineering	2,649 13	
6/6/1916	Department of Engineering	60,673 29	
6/8/1916	Department of Engineering	3,236 54	
6/9/1916	Department of Engineering	34,104 00	
6/12/1916	Department of Engineering	4,154 12	
6/13/1916	Department of Engineering	14,226 26	
6/20/1916	Department of Engineering	31,334 52	
6/22/1916	Department of Engineering	2,408 83	
6/23/1916	Department of Engineering	18,638 09	
6/28/1916	Department of Engineering	80,621 95	
6/29/1916	Department of Engineering	5,301 78	
7/3/1916	Department of Engineering	21,111 84	
7/11/1916	Department of Engineering	1,468 86	
7/12/1916	Department of Engineering	2,143 77	
7/12/1916	Department of Engineering	53,481 87	
7/14/1916	Department of Engineering	1,015 24	
7/18/1916	Department of Engineering	103,320 15	
7/20/1916	Department of Engineering	3,121 93	
7/24/1916	Department of Engineering	53,788 17	
7/27/1916	Department of Engineering	55 50	
7/28/1916	Department of Engineering	2,767 95	
7/29/1916	Department of Engineering	32,335 35	
7/31/1916	Department of Engineering	4,388 26	
8/7/1916	Department of Engineering	1,213 27	
8/8/1916	Department of Engineering	21,733 49	
8/17/1916	Department of Engineering	1,262 23	
8/18/1916	Department of Engineering	120,316 63	
8/28/1916	Department of Engineering	2,888 33	
8/30/1916	Department of Engineering	2,742 33	
9/6/1916	Department of Engineering	19,776 04	
9/11/1916	Department of Engineering	81,843 07	
9/12/1916	Department of Engineering	3,053 86	
9/14/1916	Department of Engineering	27,791 77	

STATE HIGHWAY FUND. DISBURSEMENTS, 1916—Continued.

Date	Items	Amount	Total
9/16/1916	Department of Engineering	2,961 73	
9/22/1916	Department of Engineering	2,893 36	
9/26/1916	Department of Engineering	13,083 36	
9/27/1916	Department of Engineering	17,048 97	
10/ 2/1916	Department of Engineering	28,574 25	
10/ 3/1916	Department of Engineering	2,813 33	
10/ 7/1916	Department of Engineering	66,924 10	
10/11/1916	Department of Engineering	2,509 82	
10/13/1916	Department of Engineering	30,431 35	
10/14/1916	Department of Engineering	2,707 82	
10/17/1916	Department of Engineering	23,563 63	
10/19/1916	Department of Engineering	95 45	
10/20/1916	Department of Engineering	3,277 21	
10/23/1916	Department of Engineering	37,061 66	
10/27/1916	Department of Engineering	30,415 49	
10/31/1916	Department of Engineering	50,748 25	
11/ 1/1916	Department of Engineering	1,412 38	
11/ 6/1916	Department of Engineering	31,729 68	
11/ 8/1916	Department of Engineering	1,001 66	
11/10/1916	Department of Engineering	15,376 24	
11/14/1916	Department of Engineering	2,847 70	
11/15/1916	Department of Engineering	15,863 18	
11/21/1916	Department of Engineering	3,254 35	
11/23/1916	Department of Engineering	38,223 48	
11/27/1916	Department of Engineering	3,318 59	
11/28/1916	Department of Engineering	7,119 11	
11/29/1916	Department of Engineering	2,892 29	
12/ 4/1916	Department of Engineering	39,770 05	
12/ 7/1916	Department of Engineering	79,762 52	
12/ 9/1916	Department of Engineering	2,531 16	
12/19/1916	Department of Engineering	3,118 61	
12/20/1916	Department of Engineering	29,500 67	
12/21/1916	Department of Engineering	1,123 12	
12/22/1916	Department of Engineering	69,124 54	
12/27/1916	Department of Engineering	11,939 62	3,406,834 93
			$18,123,261 07
	To balance in fund		280,986 66
			$18,404,247 73

STATE HIGHWAY INTEREST AND SINKING FUND. RECEIPTS, 1916.

Date	Items	Accrued interest returned	Transfers	Total
	Amounts brought forward December 31, 1915	$144,226 03	$1,139,973 97	$1,284,200 00
1/ 7/1916	Interest received from bonds	22 22		
3/16/1916	Transfer from General Fund		12,000 00	
6/ 6/1916	Transfer from General Fund		347,977 78	
12/11/1916	Transfer from General Fund		360,000 00	720,000 00
		$144,248 25	$1,859,951 75	$2,004,200 00

DISBURSEMENTS, 1916.

Date	Items	Interest paid	Total
	Amounts brought forward December 31, 1915		$1,284,200 00
6/ 8/1916	Payment semiannual interest	$360,000 00	
12/11/1916	Payment semiannual interest	360,000 00	720,000 00
			$2,004,200 00

EXECUTIVE DEPARTMENT.

STATE OF CALIFORNIA.

To the Legislature of the State of California:

Pursuant to the provisions of section 7, of the San Francisco State Building Act of 1913, approved June 7, 1913, I transmit herewith the joint reports of the State Controller and State Treasurer of their proceedings under said act for the year beginning January 1, 1916, and ending December 31, 1916.

Respectfully submitted,

HIRAM W. JOHNSON,
Governor.

Sacramento, California, March 6, 1917.

REPORT OF THE PROCEEDINGS UNDER THE SAN FRANCISCO STATE BUILDING ACT OF 1913.

To His Excellency, HIRAM W. JOHNSON,
Governor of California.

SIR: In accordance with the provisions of section 7, Chapter 541, Statutes of 1913, we beg to submit a report of the proceedings under the said chapter for the year beginning January 1, 1916, and ending December 31, 1916.

Dated, Sacramento, California,
January 20, 1917.

F. W. RICHARDSON, State Treasurer.
JOHN S. CHAMBERS, State Controller.

SAN FRANCISCO STATE BUILDING FUND—RECEIPTS—1916.

Date	Items	Amount	Total
1/15/1916—	Capital National Bank, 200 bonds at $1,000 each	$200,000 00	
2/16/1916—	E. H. Rollins & Sons, 290 bonds at $1,000	290,000 00	
2/19/1916—	E. H. Rollins & Sons, 510 bonds at $1,000	510,000 00	$1,000,000 00

SAN FRANCISCO STATE BUILDING FUND—DISBURSEMENTS—1916.

Date	Items	Amount	Total
3/14/1916—	Department of Engineering	$13 54	
3/24/1916—	Department of Engineering	59 17	
3/30/1916—	Department of Engineering	1 60	
4/26/1916—	Department of Engineering	90	
6/28/1916—	Department of Engineering	31 61	
7/3/1916—	Department of Engineering	5 22	
7/31/1916—	Department of Engineering	100 12	
9/6/1916—	Department of Engineering	121 16	
9/6/1916—	Department of Engineering	6 00	
9/14/1916—	Department of Engineering	214 38	
9/26/1916—	Department of Engineering	32 82	
10/2/1916—	Department of Engineering	15 36	
10/31/1916—	Department of Engineering	189 63	
11/6/1916—	Department of Engineering	1 28	
11/14/1916—	Department of Engineering	26 46	
12/7/1916—	Department of Engineering	9 38	
12/20/1916—	Department of Engineering	10 98	
12/20/1916—	Department of Engineering	5 25	
12/27/1916—	Department of Engineering	126 81	$974 67
			$974 67
	Balance in fund		999,025 33
			$1,000,000 00

SAN FRANCISCO STATE BUILDING SINKING FUND. RECEIPTS. 1916.

Date	Items	Amount	Total
1/15/1916	Capital National Bank (accrued interest on bonds sold)	$266 67	
2/16/1916	E. H. Rollins & Sons (accrued interest on bonds sold)	1,385 55	
2/19/1916	E. H. Rollins & Sons (accrued interest on bonds sold)	2,606 67	
6/ 6/1916	Transfer from General Fund	15,741 11	
6/ 6/1916	Transfer from General Fund	20,000 00	
12/11/1916	Transfer from General Fund	19,600 00	$59,600 00
			$59,600 00

SAN FRANCISCO STATE BUILDING SINKING FUND. DISBURSEMENTS. 1916.

Date	Items	Amount	Total
6/ 8/1916	Semiannual interest payment	$20,000 00	
6/13/1916	Redemption of bonds	20,000 00	
12/11/1916	Semiannual interest payments	19,600 00	$59,600 00
			$59,600 00

EXECUTIVE DEPARTMENT.

STATE OF CALIFORNIA.

To the Legislature of the State of California:

Pursuant to the provisions of section 6, of the San Francisco Seawall Act, approved March 20, 1903, I transmit herewith the joint reports of the State Controller and State Treasurer of their proceedings under said act for the year beginning January 1, 1916, and ending January 1, 1917.

Respectfully submitted.

HIRAM W. JOHNSON,
Governor.

Sacramento, California, March 6, 1917.

REPORT OF PROCEEDINGS UNDER THE SAN FRANCISCO SEAWALL ACT.

To His Excellency, HIRAM W. JOHNSON,
Governor of California.

SIR: In accordance with the provisions of section 6, Chapter 211, Statutes of 1903, we herewith submit a report of the proceedings under the provisions of said chapter for the year beginning January 1, 1916, and ending January 1, 1917.

Dated Sacramento, California.

January 20, 1917.

F. W. RICHARDSON, State Treasurer.
JOHN S. CHAMBERS, State Controller.

SAN FRANCISCO SEAWALL FUND.

Jan. 2, 1916—To balance in fund brought forward $5,492 88

SAN FRANCISCO SEAWALL SINKING FUND. RECEIPTS. 1916.

Date	Items	Premium	Investments returned fund	Interest on investments	Principal	Transfer of interest	Total
1/ 2/1916	Amounts brought forward December 31, 1915	$3,968 75	$1,155,150 00	$160,111 00	$925,821 27	$566,000 00	$2,811,081 02
1/ 3/1916	Transfer from San Francisco Harbor Improvement Fund				16,306 25	6,000 00	
1/ 5/1916	Redemption of bonds		325 00				
1/ 5/1916	Interest on bonds			18 37			
1/ 6/1916	Redemption of bonds		500 00				
1/ 6/1916	Interest on bonds			12 50			
2/ 1/1916	Transfer from San Francisco Harbor Improvement Fund				9,696 36	3,196 67	
3/ 1/1916	Transfer from San Francisco Harbor Improvement Fund				9,696 36	3,196 66	
4/ 1/1916	Transfer from San Francisco Harbor Improvement Fund				9,696 36	3,196 66	
5/ 1/1916	Transfer from San Francisco Harbor Improvement Fund				9,696 36	3,196 66	
6/ 1/1916	Transfer from San Francisco Harbor Improvement Fund				9,696 36	3,196 66	
7/ 1/1916	Transfer from San Francisco Harbor Improvement Fund				9,696 36	3,196 66	
7/ 1/1916	Interest on bonds			7 31			
8/ 1/1916	Transfer from San Francisco Harbor Improvement Fund				9,696 36	3,196 73	
9/ 1/1916	Transfer from San Francisco Harbor Improvement Fund				9,696 36	3,196 66	
10/ 2/1916	Transfer from San Francisco Harbor Improvement Fund				9,696 36	3,196 66	
11/ 1/1916	Transfer from San Francisco Harbor Improvement Fund				9,696 36	3,196 66	
12/ 1/1916	Transfer from San Francisco Harbor Improvement Fund				9,696 36	3,196 66	158,032 73
		$3,968 75	$1,155,975 00	$160,139 18	$1,032,187 18	$606,179 34	$2,969,115 75

DISBURSEMENTS. 1916.

Date	Items	Redemption of sinking fund	Transfer	Principal	Interest	Total
1/ 2/1916	Totals brought forward December 31, 1915	$500,000 00	$[illegible] 6	$1,174,181 41	$577,000 00	$2,251,258 91
1/ 3/1916	Redemption of bonds issued	500,000 00				
4/11/1916	Transfer to School Teachers' Permanent Fund		[illegible] 5			
6/ 8/1916	Payment of semiannual interest				18,000 00	
12/11/1916	Payment of semiannual interest				18,000 00	936,913 75
		$1,000,000 00	$[illegible] 2	$1,174,181 41	$609,280 00	$2,896,237 69
	Balance transfer applied to principal			5,000 25		
	Total balance in fund					112,878 06
		$1,000,000 00	$[illegible] 25	$1,179,272 66	$609,280 00	$2,969,115 75

EXECUTIVE DEPARTMENT.

STATE OF CALIFORNIA.

To the Legislature of the State of California:

Pursuant to the provisions of section 6 of the San Francisco Harbor Improvement Act of 1909, approved March 20, 1909, I transmit herewith the joint reports of the State Controller and State Treasurer of their proceedings under said act for the year beginning January 1, 1916, and ending December 31, 1916.

Respectfully submitted.

HIRAM W. JOHNSON,
Governor.

Sacramento, California, March 6, 1917.

REPORT OF THE PROCEEDINGS UNDER THE SAN FRANCISCO HARBOR IMPROVEMENT ACT OF 1909.

To His Excellency, HIRAM W. JOHNSON,
Governor of California.

SIR: In accordance with the provisions of section 6, Chapter 320, Statutes of 1909, we beg to submit a report of the proceedings under the said chapter for the year beginning January 1, 1916, and ending December 31, 1916.

Dated Sacramento, California.

January 20, 1917.

F. W. RICHARDSON, State Treasurer.
JOHN S. CHAMBERS, State Controller.

SECOND SAN FRANCISCO SEAWALL FUND. RECEIPTS, 1916.

Date	Items	Amount	Total
1/ 2/1916	Amounts brought forward December 31, 1915		$8,470,015 16
3/ 1/1916	Transfer from General Fund for purchase bonds	702,000 00	702,000 00
			$9,172,015 16

DISBURSEMENTS, 1916.

Date	Items	Amount	Total
1/ 2/1916	Amounts brought forward December 31, 1915		8,070,281 44
1/ 4/1916	Spring Valley Water Co.	7 81	
1/ 4/1916	Standard Blue Print Co.	7 94	
1/ 4/1916	George H. Tay Company	141 26	
1/ 4/1916	Ralston Iron Works	73 40	
1/ 4/1916	L. E. Clawson & Company	21 07	
1/ 4/1916	Patrick & Company	55	
1/ 4/1916	Selby Smelting & Lead Company	3 43	
1/ 4/1916	Western Fuel Company	2 50	
1/ 4/1916	Loop Lumber Company	397 41	
1/ 4/1916	Henry Von Tagen	25 75	
1/ 7/1916	Keystone Ornament, Iron & Bronze Works	51 00	
1/ 7/1916	J. Eugene Stevens	10 65	
1/ 7/1916	J. M. Colman Company	8,794 17	
1/ 8/1916	Daniel L. Bienfield & Company	64 76	
1/ 8/1916	Daniel L. Bienfield & Company	696 65	
1/ 8/1916	Daniel L. Bienfield & Company	659 68	
1/ 8/1916	Daniel L. Bienfield & Company	1,803 09	
1/ 8/1916	Daniel L. Bienfield & Company	172 48	
1/ 8/1916	Daniel L. Bienfield & Company	9 00	
1/13/1916	Fay Improvement Company	364 21	
1/15/1916	Healy-Tibbitts Construction Company	1,710 00	
1/15/1916	Healy-Tibbitts Construction Company	3,250 00	
1/15/1916	Healy-Tibbitts Construction Company	2,375 25	
1/15/1916	Healy-Tibbitts Construction Company	841 38	
1/15/1916	Healy-Tibbitts Construction Company	22,416 60	
1/15/1916	Tibbitts Pacific Company	3,665 78	
1/20/1916	Clinton Construction Company	19,118 02	
1/20/1916	Healy-Tibbitts Construction Company	56 00	
1/20/1916	A. M. Blumer	795 00	
1/21/1916	Western Electric Company	101 14	
1/24/1916	Healy-Tibbitts Construction Company	25 12	
1/24/1916	Tibbitts Pacific Company	468 92	
1/24/1916	Tibbitts Pacific Company	109 27	
1/24/1916	Bashford Smith	33 18	

DISBURSEMENTS, 1916—Continued.

Date	Items	Amount	Total
1/24/1916	Fay Improvement Company	510 02	
1/24/1916	McNab & Smith	33 60	
1/24/1916	California Door Company	27 90	
1/24/1916	Associated Manufacturers Insurance Company	51 00	
1/24/1916	Raisch Improvement Company	1,298 22	
1/25/1916	Pacific Portland Cement Company	5,412 00	
1/25/1916	Western Fuel Company	2 50	
1/25/1916	J. E. O'Mara	120 00	
1/25/1916	Holabird Reynolds Company	1 86	
1/25/1916	R. N. Nason & Company	7 50	
1/25/1916	Baker & Hamilton	11 90	
1/25/1916	Paraffine Paint Company	81 12	
1/25/1916	Enterprise Foundry Company	24 83	
1/26/1916	Friend Wm. Richardson	5,778 59	
1/26/1916	Karl Ehrhart	4,162 87	
2/1/1916	John A. Roebling's Sons Company	17 88	
2/2/1916	Scott Company	202 50	
2/4/1916	Healy Tibbitts Construction Company	6,277 68	
2/4/1916	Healy-Tibbitts Construction Company	1,920 38	
2/4/1916	Robert W. Hunt & Company	133 32	
2/5/1916	Healy Tibbitts Construction Company	244 26	
2/5/1916	George A. Bos	1,337 25	
2/5/1916	J. M. Colman Company	2,931 39	
2/5/1916	J. G. Harney	253 00	
2/5/1916	Healy-Tibbitts Construction Company	5,604 15	
2/9/1916	Healy-Tibbitts Construction Company	2,439 48	
2/9/1916	Healy-Tibbitts Construction Company	1,140 00	
2/10/1916	W. P. Fuller & Company	101 68	
2/10/1916	Tibbitts Pacific Company	1,852 80	
2/10/1916	Tibbitts Pacific Company	637 34	
2/10/1916	Fay Improvement Company	2,[illegible] 40	
2/14/1916	Rector System Gas Heating Company	75 00	
2/14/1916	Healy Tibbitts Construction Company	317 25	
2/15/1916	Friend Wm. Richardson	7,096 77	
2/17/1916	J. Eugene Stevens	11 85	
2/18/1916	Healy Tibbitts Construction Company	112 00	
2/18/1916	Hammond Lumber Company	996 96	
2/18/1916	California Door Company	41 55	
2/18/1916	Western Electric Company	20 73	
2/18/1916	Fay Improvement Company	574 92	
2/19/1916	Clinton Construction Company	10,621 13	
2/19/1916	Karl Ehrhart	4,315 13	
2/23/1916	Tibbitts Pacific Company	40 80	
2/23/1916	Bashford Smith	28 36	
2/25/1916	W. A. Newsom	2,537 32	
2/25/1916	W. A. Newsom	1,812 38	
2/25/1916	James H. Hardy, Inc.	904 32	
2/25/1916	Mark Lally Company	109 63	
2/25/1916	Geo. H. Tay Company	114 24	
2/25/1916	Pacific Portland Cement Company	2,320 60	
2/25/1916	Holabird Reynolds Company	14 55	
2/25/1916	Baker & Hamilton	6 50	
2/25/1916	Western Fuel Company	5 00	
2/25/1916	Drendell Electric Manufacturing Co.	38 22	
2/25/1916	Electric Appliance Company	7 74	
2/29/1916	Thomas Day Company	22 50	
3/3/1916	Carl T. Doell	33 36	
3/3/1916	Robert W. Hunt & Co.	20 33	
3/8/1916	W. P. Fuller & Co.	21 91	
3/8/1916	Pope & Talbot	45 00	
3/10/1916	J. Eugene Stevens	5 90	
3/11/1916	Healy Tibbitts Construction Company	14,010 37	
3/11/1916	Healy Tibbitts Construction Company	570 00	
3/11/1916	Healy Tibbitts Construction Company	7,762 46	
3/13/1916	George A. Bos	445 75	
3/13/1916	Tibbitts Pacific Company	2,566 04	
3/13/1916	W. A. Newsom	2,174 85	
3/13/1916	George A. Bos	359 70	
3/15/1916	J. M. Colman Company	1,642 35	
3/15/1916	J. M. Colman Company	7,036 81	

DISBURSEMENTS, 1916—Continued.

Date	Items	Amount	Total
3/17/1916	F. W. Richardson	6,039 02	
3/17/1916	W. A. Newsom	724 95	
3/18/1916	Karl Ehrhart	51 41	
3/18/1916	Clinton Construction Company	16,993 80	
3/22/1916	Electric Appliance Company	57 49	
3/22/1916	Bashford Smith	10 62	
3/22/1916	Pacific Portland Cement Company	5,558 80	
3/22/1916	McNab & Smith	4 50	
3/23/1916	Associated Mfg. & Impt. Co.	68 00	
3/23/1916	Acme Lumber Company	206 58	
3/24/1916	Holabird-Reynolds Company	1 59	
3/24/1916	George H. Tay Company	35 87	
3/24/1916	James H. Hardy, Inc.	602 42	
3/24/1916	Western Fuel Company	2 50	
3/24/1916	Karl Ehrhart	2,826 00	
3/24/1916	Loop Lumber Company	113 06	
3/25/1916	Alaska Codfish Company	48 03	
3/25/1916	Pope & Talbot	30 00	
3/27/1916	Tibbitts Pacific Company	2,932 62	
3/27/1916	Tibbits Pacific Company	494 24	
3/30/1916	W. P. Fuller Company	9 24	
3/30/1916	Robert W. Hunt and Company	118 17	
3/31/1916	Henry Von Tagen	24 01	
3/31/1916	St. Paul and Tacoma Lumber Company	1,645 87	
4/ 3/1916	Anderson Brothers	48 00	
4/ 6/1916	J. M. Colman Company	3,300 85	
4/ 6/1916	Henry C. Peterson	22 50	
4/10/1916	City Street Improvement Company	279 77	
4/10/1916	Kuppar Manufacturing Company	4,747 50	
4/12/1916	F. W. Richardson	12,577 21	
4/15/1916	Healy Tibbitts Construction Company	5,604 15	
4/15/1916	Healy-Tibbitts Construction Company	8,265 00	
4/17/1916	Tibbitts Pacific Company	644 17	
4/17/1916	Pope & Talbot	35 00	
4/17/1916	J. M. Colman Company	553 68	
4/17/1916	J. M. Colman Company	2,345 60	
4/18/1916	Clinton Construction Company	29,739 15	
4/18/1916	Pacific Portland Cement Co., Cons.	9,935 00	
4/18/1916	Marshall-Newell Supply Company	5 03	
4/18/1916	George H. Tay Company	47 43	
4/20/1916	McNab & Smith	4 00	
4/20/1916	Associated Manufacturing Improvement Company	70 38	
4/20/1916	Pacific States Electric Company	10 39	
4/20/1916	Pacific Hardware & Steel Company	7 23	
4/21/1916	Westinghouse Lamp Company	64 41	
4/22/1916	R. N. Nason & Company	11 24	
4/22/1916	Drendell Elec. & Mfg. Company	114 13	
4/22/1916	Holabird Reynolds Company	129 21	
4/22/1916	Western Electric Company	202 02	
4/24/1916	John A. Roebling Sons Company	1,305 31	
4/25/1916	Tibbitts Pacific Company	788 98	
4/25/1916	Bashford Smith	26 34	
4/26/1916	J. H. Hardy, Inc.	445 51	
4/26/1916	Crown Lacquer and Tile Box Co.	12 50	
4/26/1916	Robert W. Hunt & Company	72 42	
4/27/1916	W. A. Newsom	2,416 50	
4/28/1916	G. M. Josselyn & Company	49 81	
5/ 4/1916	W. P. Fuller & Company	195 62	
5/ 4/1916	Healy Tibbitts Construction Company	87 51	
5/ 4/1916	Pope & Talbot	10 00	
5/ 4/1916	J. M. Colman Company	9,091 93	
5/ 4/1916	Tibbitts Pacific Company	12,219 25	
5/ 4/1916	California Door Company	19 65	
5/ 4/1916	St. Paul and Tacoma Lumber Company	548 63	
5/ 5/1916	Rector System Gas Heating	228 00	
5/ 8/1916	Stewart	1,568 82	
5/11/1916	F. W. Richardson	1,100 29	
5/11/1916	Healy Tibbitts Construction Company	5,604 15	
5/11/1916	Healy Tibbitts Construction Company	7,980 00	
5/12/1916	Healy Tibbitts Const. Company	2,797 60	

DISBURSEMENTS, 1916—Continued.

Date	Items	Amount	Total
5/16/1916	F. W. Richardson	8,373 09	
5/16/1916	Tibbitts Pacific Company	132 71	
5/16/1916	W. A. Newsom	1,377 11	
5/16/1916	Rector System Gas Heating	15 00	
5/17/1916	Crowley Launch and Tug Boat Co.	25 00	
5/17/1916	Clinton Construction Company	31,063 37	
5/17/1916	J. M. Colman Company	2,811 61	
5/22/1916	J. Eugene Stevens	11 80	
5/22/1916	U. S. Metal Products Company	10,321 87	
5/23/1916	California Door Company	1 71	
5/23/1916	Bashford Smith	10 56	
5/26/1916	James H. Hardy, Incorporated	694 25	
5/26/1916	Drendell Elec. and Mfg. Company	66 97	
5/26/1916	Robert W. Hunt and Company	160 83	
5/26/1916	E. Lauterbach	11 30	
5/29/1916	Western Electric Company	365 08	
5/29/1916	Healy Tibbitts Const. Company	2,802 08	
5/29/1916	Healy Tibbitts Const. Company	89 37	
6/1/1916	Pacific Portland Cement Company	6,158 20	
6/1/1916	Kinnear Manufacturing Company	1,179 00	
6/1/1916	Ralston Iron Works	735 00	
6/1/1916	Keystone Orn. Iron and Bronze Works	12 07	
6/1/1916	W. P. Fuller & Company	6 09	
6/6/1916	J. M. Colman Company	3,030 65	
6/6/1916	Healy Tibbitts Construction Company	59 02	
6/6/1916	Pope & Talbot	37 50	
6/7/1916	Rector System Gas Heating Company	115 00	
6/7/1916	Healy-Tibbitts Construction Company	1,865 08	
6/8/1916	Healy-Tibbitts Construction Company	3,990 00	
6/13/1916	Clinton Construction Company	25,490 70	
6/13/1916	S. B. Peterson	212 52	
6/19/1916	F. W. Richardson	8,061 12	
6/19/1916	Payne's Bolt Works	1 08	
6/20/1916	James H. Hardy, Incorporated	33 61	
6/20/1916	Crowley Launch & Tug Boat Company	10 00	
6/20/1916	Holabird, Reynolds Company	42 87	
6/20/1916	Magner Brothers	220 50	
6/22/1916	L. A. Taylor	437 50	
6/22/1916	John Cassaretto	3 50	
6/22/1916	Bashford Smith	10 70	
6/22/1916	J. M. Colman Company	937 20	
6/22/1916	McNab & Smith	16 50	
6/23/1916	Pacific Portland Cement Co., Cons.	10,053 20	
6/26/1916	Healy-Tibbitts Construction Company	9,865 69	
6/29/1916	Healy-Tibbitts Construction Company	64 75	
6/29/1916	Healy-Tibbitts Construction Company	546 12	
6/29/1916	J. M. Colman Company	7,828 86	
6/29/1916	Hammond Lumber Company	655 34	
6/29/1916	W. A. Newsom	459 14	
7/5/1916	Healy-Tibbitts Construction Company	18,480 50	
7/5/1916	Healy-Tibbitts Construction Company	828 47	
7/6/1916	Robert W. Hunt & Company	107 76	
7/11/1916	Pope & Talbot	42 50	
7/17/1916	Healy-Tibbitts Construction Company	932 53	
7/17/1916	Healy-Tibbitts Construction Company	570 00	
7/19/1916	F. W. Richardson	7,965 12	
7/24/1916	N. W. Insulated Wire Company	381 91	
7/24/1916	Pacific Portland Cement Company	3,222 60	
7/24/1916	James H. Hardy, Incorporated	169 65	
7/25/1916	Hammond Lumber Company	230 86	
7/25/1916	J. M. Colman Company	7,852 44	
7/25/1916	W. A. Newsom	297 60	
7/25/1916	Bashford Smith	36 34	
7/25/1916	McNab & Smith	6 00	
7/28/1916	Henry Cowell Lime & Cement Company	2 87	
7/29/1916	Clinton Construction Company	10,621 13	
8/5/1916	Healy-Tibbitts Construction Company	377 85	
8/5/1916	Rector System Gas Heating Co., Inc.	238 50	
8/8/1916	U. S. Metal Products Company	3,440 63	
8/17/1916	Healy-Tibbitts Construction Company	2,850 00	
8/17/1916	Healy-Tibbitts Construction Company	157 13	

DISBURSEMENTS, 1916—Continued.

Date	Items	Amount	Total
8/18/1916	Clinton Construction Company	776 42	
8/18/1916	Clinton Construction Company	110 88	
8/18/1916	Clinton Construction Company	8,496 90	
8/18/1916	Crowley Launch & Tug Boat Company	5 00	
8/25/1916	J. Eugene Stevens	11 10	
8/26/1916	Associated Mfg. Impt. Company	650 34	
8/26/1916	Bashford Smith	19 60	
8/26/1916	J. M. Colman Company	2,009 62	
8/26/1916	Pope & Talbot	37 50	
8/26/1916	J. M. Colman Company	2,617 48	
8/30/1916	Pacific Creosoting Company	5,887 50	
8/30/1916	J. M. Colman Company	8,119 61	
9/ 2/1916	E. Lauterbach	6 50	
9/ 6/1916	New York Insulated Wire Company	240 49	
9/ 6/1916	James H. Hardy, Incorporated	287 89	
9/ 8/1916	Healy-Tibbitts Construction Company	200 52	
9/ 8/1916	Healy-Tibbitts Construction Company	1,425 00	
9/11/1916	Pacific Portland Cement Company	3,780 20	
9/11/1916	Clinton Construction Company	77 47	
9/13/1916	Friend William Richardson	5,298 36	
9/14/1916	W. P. Fuller & Company	29 00	
9/18/1916	The California Door Company	1 76	
9/18/1916	McNab & Smith	10 00	
9/18/1916	McNab & Smith	5 00	
9/18/1916	Bashford Smith	3 96	
9/18/1916	U. S. Metal Products Company	4,587 50	
9/19/1916	Friend Wm. Richardson	6,138 59	
9/22/1916	Healy Tibbitts Const. Company	6,527 74	
9/23/1916	Western Electric Company	617 69	
9/23/1916	Dunham, Carrigan & Hayden Co.	7 92	
9/23/1916	John A. Roeblings Sons Company	26 50	
9/23/1916	G. W. McGinn & Company	2,496 87	
9/23/1916	G. W. McGinn & Company	530 81	
9/25/1916	The Ajax Foundry Company	16 00	
9/25/1916	Pacific Hardware and Steel Company	3 25	
9/26/1916	Pacific Portland Cement Company	5,034 80	
9/26/1916	George H. Tay Company	138 53	
9/26/1916	James H. Hardy, Incorporated	261 91	
9/26/1916	Baker & Hamilton	42 10	
9/26/1916	Drendell Electric and Mfg. Company	10 40	
9/26/1916	S. B. Peterson Company	318 78	
9/27/1916	Loop Lumber Company	13 32	
9/27/1916	Cal. Steam and Plumbing Supply Co.	162 60	
9/27/1916	Westinghouse Lamp Company	32 21	
9/29/1916	Robert W. Hunt and Company	213 95	
10/ 2/1916	W. P. Fuller and Company	66 24	
10/ 2/1916	Clinton Construction Company	19,118 02	
10/ 3/1916	J. Eugene Stevens	17 35	
10/ 6/1916	Healy Tibbitts Const. Company	8,995 49	
10/10/1916	J. M. Colman Company	2,706 54	
10/10/1916	Pacific Creosoting Company	1,962 50	
10/10/1916	Rudolph T. Schwartz	16 50	
10/17/1916	Friend Wm. Richardson	4,441 93	
10/17/1916	Pope & Talbot	50 00	
10/17/1916	Daniel Contracting Company	307 50	
10/17/1916	U. S. Metal Products Company	1,564 00	
10/17/1916	Healy Tibbits Const. Company	9,791 62	
10/17/1916	Daniel Contracting Company	2,507 45	
10/17/1916	Daniel Contracting Company	3,858 05	
10/19/1916	Bay Development Company	14 00	
10/20/1916	Chas. R. McCormick and Company	17 50	
10/23/1916	Clinton Construction Company	23,366 48	
10/23/1916	S. B. Peterson Company	265 65	
10/24/1916	Woodin & Little	169 25	
10/24/1916	Bashford Smith	18 14	
10/24/1916	Western Electric Company	11 35	
10/24/1916	Standard Crushed Rock Company	2 50	
10/24/1916	Pacific Hardware and Steel Company	36 50	
10/24/1916	Empire Planing Mill	39 25	
10/24/1916	Pacific States Electric Company	3 81	
10/24/1916	McNab & Smith	2 00	

DISBURSEMENTS, 1916—Continued.

Date	Items	Amount	Total
10/25/1916	P. David Company	8 95	
10/27/1916	Pacific Portland Cement Company	10,225 40	
10/27/1916	Improved Electric Company	248 08	
10/27/1916	Baker & Hamilton	19 00	
10/27/1916	James H. Hardy, Incorporated	16 93	
10/27/1916	John Finn Metal Works	7 90	
10/27/1916	Geo. H. Tay Company	1 62	
11/3/1916	St. Helens Creosoting Company	9,813 50	
11/3/1916	St. Helens Creosoting Company	4,500 04	
11/8/1916	Robert W. Hunt and Company	179 11	
11/13/1916	Chas. R. McCormick and Company	42 50	
11/13/1916	St. Helens Creosoting Company	1,500 02	
11/15/1916	W. P. Fuller and Company	161 52	
11/15/1916	Healy Tibbitts Const. Company	6,061 18	
11/15/1916	S. B. Peterson Company	796 95	
11/15/1916	Rector System Gas Heating	397 50	
11/15/1916	J. M. Colman Company	11,582 41	
11/17/1916	Friend William Richardson	3,924 79	
11/17/1916	Rector System Gas Heating Company	100 00	
11/17/1916	St. Helens Creosoting Company	10,296 64	
11/21/1916	J. Eugene Stevens	11 00	
11/21/1916	St. Helens Creosoting Company	3,271 17	
11/21/1916	McNab & Smith	2 50	
11/21/1916	Bashford Smith	20 04	
11/23/1916	Clinton Construction Company	4,248 45	
11/23/1916	Pacific Portland Cement Company	4,206 60	
11/23/1916	Blake Brothers Company	2,612 20	
11/27/1916	Charles Stein	1 40	
11/28/1916	New York Insulated Wire Company	81 08	
11/29/1916	Robert W. Hunt & Company	418 43	
12/5/1916	St. Helens Creosoting Company	783 58	
12/5/1916	St. Helens Creosoting Company	4,911 96	
12/9/1916	Daniel L. Bienfield & Company	743 31	
12/9/1916	Daniel L. Bienfield & Company	3,353 66	
12/9/1916	Daniel L. Bienfield & Company	1,967 42	
12/9/1916	Daniel L. Bienfield & Company	327 53	
12/10/1916	Charles R. McCormick & Company	30 00	
12/15/1916	J. M. Colman & Company	3,860 80	
12/15/1916	Daniel L. Bienfield & Company	25 67	
12/15/1916	Daniel L. Bienfield & Company	2,713 32	
12/15/1916	Healy-Tibbitts Construction Company	4,062 67	
12/15/1916	Healy-Tibbitts Construction Company	3,792 00	
12/16/1916	Ray Development Company	1 10	
12/16/1916	Marshall-Newell Supply Company	20	
12/16/1916	St. Helens Creosoting Company	3,431 22	
12/19/1916	Friend William Richardson	4,781 32	
12/19/1916	J. Eugene Stevens	11 85	
12/20/1916	Pacific Portland Cement Company	664 20	
12/20/1916	Hammond Lumber Company	454 86	
12/20/1916	Western Electric Company	438 95	
12/22/1916	Clinton Construction Company	12,745 35	
12/22/1916	Blake Brothers Company	7,506 95	
12/27/1916	Western Fuel Company	2 50	
12/27/1916	Dunham, Carrigan & Hayden Company	90	$23,431 25
			$8,893,712 69
	Balance in fund		278,302 47
			$9,172,015 16

SECOND SAN FRANCISCO SEAWALL SINKING FUND. RECEIPTS, 1916.

Date	Items	Interest on sales	Transfer of interest	Total
	Amounts brought forward December 31, 1915	$107,755 56	$788,604 44	$896,360 00
1/ 3/1916	Transferred from S. F. Harbor Imp. Fund		27,000 00	
2/ 1/1916	Transferred from S. F. Harbor Imp. Fund		27,000 00	
3/ 1/1916	Transferred from S. F. Harbor Imp. Fund		27,000 00	
3/ 1/1916	Transferred from General Fund, accrued interest sale of bonds	4,524 00		
4/ 1/1916	Transferred from S. F. Harbor Imp. Fund		30,156 00	
5/ 1/1916	Transferred from S. F. Harbor Imp. Fund		30,000 00	
6/ 1/1916	Transferred from S. F. Harbor Imp. Fund		30,000 00	
6/ 6/1916	Transferred from General Fund		30,000 00	
7/ 1/1916	Transferred from S. F. Harbor Imp. Fund		30,000 00	
8/ 1/1916	Transferred from S. F. Harbor Imp. Fund		30,000 00	
9/ 1/1916	Transferred from S. F. Harbor Imp. Fund		30,000 00	
10/ 2/1916	Transferred from S. F. Harbor Imp. Fund		30,000 00	
11/ 1/1916	Transferred from S. F. Harbor Imp. Fund		30,000 00	
12/ 1/1916	Transferred from S. F. Harbor Imp. Fund		30,000 00	
12/ 1/1916	Transferred from General Fund		30,000 00	417,660 00
		$112,279 56	$1,202,140 44	$1,314,420 00

DISBURSEMENTS, 1916.

Date	Items	Interest paid	Total
1/ 2/1916	Amounts brought forward December 31, 1915		$896,760 00
1/ 3/1916	Transfer to General Fund	$27,000 00	
6/ 8/1916	Semiannual interest on bonds	180,000 00	
7/ 1/1916	Transfer to General Fund	30,000 00	
12/11/1916	Semiannual interest on bonds	180,000 00	417,660 00
			$1,314,420 00

Statement prepared by E. B. Wilkerson, Bookkeeper.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 7, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined:

Senate Bill No. 648—An act expressing assent of the State of California to the provisions of the act of Congress approved July 11, 1916, entitled "An act to provide that the United States shall aid the states in the construction of rural post roads, and for other purposes";

Also: Senate Bill No. 103—An act to accept from the United States government the cession of jurisdiction over a portion of the Presidio of the San Francisco military reservation;

Also: Senate Bill No. 1137—An act to amend section 3366 of the Political Code, relative to the powers of boards of supervisors, city councils and town trustees, in their respective counties, cities and towns to impose a license tax;

Also: Senate Bill No. 1121—An act to provide for the reselection by the State of lands heretofore selected and sold by the State where the selection has been rejected or canceled because of the subsequent exclusion of the base lands from a national forest; and prescribing certain maximum fees to be charged by agents or attorneys for services performed hereunder, and prescribing penalties for the violation hereof;

Also: Senate Bill No. 714—An act to amend section 1 of an act entitled "An act for the relief of purchasers of school lands," approved June 3, 1913;

And reports that the same have been correctly engrossed.

ROMINGER, Acting Chairman.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 7, 1917.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 58—An act to add a new section to the Civil Code, to be numbered 1716, relating to negligence and the enforcement of claims against municipal corporations because of negligence in certain cases;

Also: Senate Bill No. 97—An act to amend section 12 of an act entitled "An act to create a firemen's relief, health, and life insurance and pension fund in the several counties, cities and counties, cities, and towns of the State," approved March 20, 1905;

Also: Senate Bill No. 341—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class;

Also: Senate Bill No. 477—An act to amend section 12 of an act entitled "An act to create a police relief, health, and life insurance and pension fund in the several counties, cities and counties, cities, and towns of the State," approved March 4, 1889, as amended, relating to the moneys to be paid into said fund;

Also: Senate Bill No. 663—An act to validate bonds issued and sold, or to be issued and sold for the purpose of the acquisition or construction of any public improvement work or public utility in any portion of a municipality;

Also: Senate Bill No. 1108—An act to amend section 5 of an act entitled "An act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the act approved March 9, 1885, entitled 'An act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks,' also to repeal an act approved March 15, 1887, entitled 'An act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State,'" approved March 19, 1889, as amended;

Also: Senate Bill No. 1109—An act to amend section 4 of an act entitled "An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements and regulating the acquisition, construction, or completion thereof," which became a law under constitutional provision without the Governor's approval February 15, 1901;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

TYRRELL, Chairman.

Senate Bill Nos. 58, 97, 341, 477, 663, 1108 and 1109 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 98—An act to amend an act entitled "An act to create a police relief, health and life insurance and pension fund in the several counties, cities and counties, cities and towns of the State," approved March 4, 1889, and amended March 31, 1891, amended a second time March 31, 1891, amended March 2, 1897, by amending section 3 thereof, relating to the qualifications to receive a pension and the amount thereof—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

TYRRELL, Chairman.

Senate Bill No. 98 ordered on file for second reading.

ON REVISION AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 7, 1917.

MR. PRESIDENT: Your Committee on Revision and Printing, to which was referred Senate Concurrent Resolution No. 18—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

STUCKENBRUCK, Chairman.

Senate Concurrent Resolution ordered on file.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 7, 1917.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 122—An act to establish a memorial park to be known as "the Fremont-Pico Peace and Memorial Park"; appointing a commission to be known as the "Fremont-Pico Peace and Memorial Park Commission," prescribing their powers

and duties, and providing an appropriation to carry this act into effect—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to Committee on Finance.

KEHOE, Chairman.

Senate Bill No. 122 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 233—An act to amend section 408 of the Code of Civil Procedure relating to the manner and time of issuing alias summons—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

KEHOE, Chairman.

Senate Bill No. 233 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 5—An act relating to the use and furnishing of premiums, prizes, stamps, coupons, tickets, certificates, cards, or other similar devices, for, or with the sale of goods, wares, merchandise; and providing a penalty for the violation thereof—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

Minority report: Do not pass.

KEHOE, Chairman.

Senate Bill No. 5 ordered on file for second reading.

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 6, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Hans to introduce a bill entitled—"An act to amend section 4149 of the Political Code, relating to county live stock inspector"—has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, King, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—33.

NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Shearer to introduce a bill entitled—"An act making an appropriation to pay the claim of Franklin Holbrook against the State of California"—has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—37.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS.

The following bills were introduced in accordance with the above reports:

By Senator Hans: Senate Bill No. 1142—An act to amend section 4149 of the Political Code, relating to county livestock inspector.

Bill read first time, and referred to Committee on Agriculture.

Also: By Senator Shearer: Senate Bill No. 1143—An act making an appropriation to pay the claim of Franklin Holbrook against the State of California.

Bill read first time, and referred to Committee on Finance.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committee were received and read:

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, March 7, 1917.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 8—An act to amend section 1 of an act entitled "An act to secure to native-born and naturalized citizens of the United States the exclusive right to be employed in any department of the State, county, city and county, and city government in this State, except in certain schools, to validate certain acts, and to repeal all acts in conflict herewith," approved May 19, 1915, relating to exceptions in cases of emergency;

Also: Senate Bill No. 436—An act to amend section 653c of the Penal Code, relating to employees on public works;

Also: Senate Bill No. 435—An act to amend the Penal Code, by adding a new section thereto, to be numbered 653e, relating to the time of payment of wages by contractors on public work;

Also: Senate Bill No. 819—An act to amend sections 3 and 5 of an act entitled "An act requiring employers who provide hospital service for their employees and who make a charge therefor, to keep books, records and accounts of all such charges, and to make an annual report thereof, requiring each such charge to be just and reasonable and to be devoted for no other purpose than such hospital service, and prescribing penalties for violations of the provisions thereof," approved June 8, 1915, by altering the respective jurisdictions of the Railroad Commission and the Industrial Accident Commission with respect to hospital facilities at mining premises—Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

LYON, Chairman.

Senate Bill Nos. 8, 436, 435 and 819 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 820—An act to provide for the periodical inspection of steam boilers, with certain exceptions, operated in this State; requiring a permit, to be issued by the Industrial Accident Commission, for the operation of such boilers, making it a misdemeanor to operate such boilers without such permit; and allowing an injunction against such operation without such permit where dangerous to the life or safety of employees; providing for a hearing before the Industrial Accident Commission prior to refusal of a permit; providing for the determination of competency of inspectors making such inspections and requiring reports of inspections; and prescribing maximum fees for such inspections—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

LYON, Chairman.

Senate Bill No. 820 ordered on file for second reading.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator McDonald, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 588 was refused passage, was continued until the next legislative day.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Duncan moved to reconsider the vote whereby Senate Bill No. 29, an act to amend the Code of Civil Procedure, by adding thereto a new section to be numbered and known as section 1871, relating to experts, their appointment by the court, or a judge thereof, and providing for their compensation and manner of examination as witness, was passed.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Senate Bill No. 29 was passed, was lost by the following vote:

AYES—Senators Ballard, Burnett, Canepa, Duncan, Irwin, Kehoe, Lyon, McDonald, Maddux, Purkitt, Rush, and Scott—12.

NOES—Senators Breed, Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, King, Luce, Nealon, Rominger, Sharkey, Thompson, and Tyrrell—19.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At ten o'clock and thirty minutes a.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 149—An act providing for the maintenance and care by cemetery trustees and associations of the graves of honorably discharged soldiers of the United States of America or of the Confederate States of America, or of any veterans of the Civil War or of the Spanish-American War, and providing the manner of payment therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 149 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 650—An act empowering and authorizing the Board of Fish and Game Commissioners to insure the employees of the Fish and Game Commission with the Industrial Accident Commission while in the discharge of their duties.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Stuckenbruck moved to refer Senate Bill No. 650 to Senator Purkitt as a Special Committee of One, to amend as follows:

On page 1, line 5, of the printed bill, after the period following the word "duties" add the following: "All expenses incident to the insurance herein provided for shall be paid out of the fish and game preservation fund."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 650, with instructions to amend, respectfully reports the same back, amended as per instructions.

PURKITT, Committee.

Report read, and on motion of Senator Stuckenbruck adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 746—An act to add a new section to the Code of Civil Procedure, to be numbered 1381, relating to joint administration of estates under the value of one thousand five hundred dollars, where the property is required by law to pass through several persons who have died.

On motion of Senator Kehoe, Senate Bill No. 746 was passed on file.

Senate Bill No. 333—An act to amend section 643 of the Political Code, relating to the compensation of Fish and Game Commissioners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 333 passed by the following vote:

AYES—Senators Breed, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, Kent, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Stern, Stuckenbruck, Thompson, and Tyrrell—29.

NOES—Senator Duncan—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 148—An act to add a new section to the Code of Civil Procedure to be numbered 1723¼, relating to terminations of life estates and evidence thereof.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Jones moved to refer Senate Bill No. 148 to Senator Kehoe as a Special Committee of One, to amend as follows:

Strike out all of the bill after the figures "1723¼" on line 4, and insert in lieu thereof the following: "The duly acknowledged certificate of an undertaker who conducted the funeral of a decedent, or the affidavit of a person who swears of his own knowledge as to the death of a decedent, shall be presumptive evidence of the death of the person named in such certificate or affidavit."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 148, with instructions to amend, respectfully reports the same back, amended as per instructions.

KEHOE, Committee.

Report read, and on motion of Senator Jones adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 123—An act to amend section 156 of the Code of Civil Procedure, relating to qualifications of Justices of Supreme Court and of the District Courts of Appeal.

In the absence of the author, Senate Bill No. 123 was ordered passed, to retain its place on the file.

Senate Bill No. 124—An act to amend section 157 of the Code of Civil Procedure, relating to qualification of superior judges.

In the absence of the author, Senate Bill No. 124 was ordered passed, to retain its place on the file.

Senate Bill No. 590—An act to amend section 19*a* of an act entitled "An act to be known as the Juvenile Court law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith."

On motion of Senator Maddux, Senate Bill No. 590 was passed on file.

Senate Bill No. 882—An act relating to baling of hay; defining hay baler; providing regulations governing the baling of hay; providing for indicating the weight of bales; fixing a tolerance and providing penalties for any violation of the provisions of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 882 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 901—An act to amend the title and section 5 of an act entitled "An act to provide for the indicating of the net quantity of foodstuffs and stuffs intended to be used or prepared for use as food for human beings when sold, offered, or exposed for sale in containers, and providing penalties for the violation thereof," approved May 24, 1913, and amended June 7, 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 901 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Purkitt, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1121—An act to provide for the reselection by the State of lands heretofore selected and sold by the State where the selection has been rejected or canceled because of the subsequent exclusion of the base lands from a national forest; and prescribing certain maximum fees to be charged by agents or attorneys for services performed thereunder, and prescribing penalties for the violation hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1121 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Purkitt, Rominger, Rush, Sharkey, Shearer, Stuckenbruck, Thompson, and Tyrrell—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 714—An act to amend section 1 of an act entitled "An act for the relief of purchasers of school lands," approved June 3, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 714 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Shearer, Slater, Stuckenbruck, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 896—An act to add a new section to the Penal Code, to be numbered 109*a*, relating to escapes from state hospitals.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 896 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Sharkey, Shearer, Thompson, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 897—An act to amend section 2187 of the Political Code, relating to the transfer of patients from one state hospital to another.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 897 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin,

Johnson, Jones, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—34.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 898—An act to amend section 1 of an act entitled "An act to provide for the asexualization of inmates of state hospitals for the insane, the Sonoma State Home, of convicts in the state prisons, and of idiots, and repealing an act entitled 'An act to permit asexualization of inmates of the state hospitals and the California Home for the Care and Training of Feeble-minded Children, and of convicts in the state prisons,' approved April 26, 1909," approved June 13, 1913.

On motion of Senator Tyrrell, Senate Bill No. 898 was passed on file.

Senate Bill No. 886—An act to amend section 2141 of the Political Code, relating to the powers of the Lunacy Commission.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 886 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 90—An act to amend section 290½ of the Civil Code, relating to corporations.

On motion of Senator Jones, Senate Bill No. 90 was passed on file.

Senate Bill No. 648—An act expressing assent of the State of California to the provisions of the act of Congress, approved July 11, 1916, entitled "An act to provide that the United States shall aid the states in the construction of rural post roads, and for other purposes."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 648 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Sharkey, Shearer, Slater, Thompson, and Tyrrell—34.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 103—An act to accept from the United States government the cession of jurisdiction over a portion of the Presidio of the San Francisco military reservation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 103 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones,

Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Thompson, and Tyrrell—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR SLATER IN THE CHAIR.

At eleven o'clock and twenty minutes a.m., Senator Slater of the Eighth District was called to the chair.

Senate Bill No. 1137—An act to amend section 3366 of the Political Code, relative to the powers of boards of supervisors, city councils and town trustees, in their respective counties, cities and towns to impose a license tax.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1137 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Flaherty, Gates, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Scott, Sharkey, Shearer, Slater, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 1034—An act to amend section 3 of an act entitled "An act regulating the cleaning, laundering, sale, offering for sale, and furnishing for use to employees, of wiping rags; authorizing counties, cities and counties, cities and towns, to enact ordinances prohibiting the cleaning, laundering, sterilizing and sale of wiping rags without a permit, and to issue and revoke permits, to clean, launder, and sell wiping rags within their respective jurisdictions; authorizing peace and health officers to make inspections of wiping rags, and making violations of this act a misdemeanor," approved April 25, 1913.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 101—An act to amend section 16 of an act entitled "An act regulating the employment and hours of labor of children; prohibiting the employment of minors under certain ages; prohibiting the employment of certain illiterate minors; providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics and providing penalties for the violation hereof," approved February 20, 1905, as amended by an act approved April 14, 1911, as further amended by an act approved June 2, 1913; and as further amended by an act approved June 5, 1915.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, line 10, after the word "boy" strike out the word "between", and insert in lieu thereof the words "of the age". After the word "fourteen" strike out the word "and", and insert in lieu thereof the word "or".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, line 16, after the word "Boys" strike out the words "between fourteen and fifteen years of age", and insert in lieu thereof the words "of said ages".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, line 29, after the word "less" and before the word "than" on line 21, insert the following: "and the educational requirements may be one year less".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 671—An act to amend section 3 of an act entitled "An act authorizing the construction of the unfinished portion of the library building of the University of California, and the construction of a building for general use as a recitation building, of a building for the use of the college of agriculture, and of a building for the use of the college of natural sciences as a chemistry building, upon the grounds of said University of California at Berkeley; providing for the issuance and sale of state bonds to meet the cost of the foregoing purposes; and providing the necessary moneys for the payment of the principal and interest to become due on said bonds," adopted as an initiative measure by vote of the people November 3, 1914.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 81—An act to provide for the creation of a bureau of vocational information, defining its powers and duties and making an appropriation for carrying out the provisions thereof.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of the bill following the enacting clause and insert in lieu thereof the following:

"SECTION 1. The state board of education shall have power to collect and compile or cause to be collected and compiled, information concerning California industries and occupations, such compilation to be in a form adaptable to the needs of the schools of California, and to publish such information, either separately or as a part of the advanced textbook for the use of pupils pursuing the subject of geography in the elementary schools.

"SEC. 2. The state board of education shall draw upon the state textbook fund to defray the cost of collecting, compiling, printing, and distributing said information, provided that no more than ten thousand dollars shall be expended in collecting and compiling such information."

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all of the title and substitute in lieu thereof the following: "An act to authorize the State Board of Education to collect and compile information concerning California industries and occupations."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 203—An act to amend an act entitled "An act relating to estrays, providing for taking them up and giving a lien on

them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other acts and parts of acts now in force relating to estrays," approved March 23, 1901, and to exempt certain counties from provisions thereof.

COMMITTEE AMENDMENTS

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 2 of the title, after the word "amend," insert the words "section one of".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, in line 6 of the title, after the comma following the figures "1901" strike out the words "and to exempt certain" and [illegible] line 7, and insert in lieu thereof the following: "as amended, and to add a new section thereto to be numbered nine *a*."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, in line 5, after the comma following the figures "1901" insert the words "as amended,".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, in line 9, after the comma following the word "possession" strike out the words "or upon highways adjacent" and in line 10, strike out the words "cent thereto,".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, in line 1, strike out all of said line 1 after the first word "provided" and all of lines 2 to 10 inclusive, and insert in lieu thereof a proviso.

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2 of the printed bill, strike out all of lines 11 to 37 inclusive, all of pages 3, 4, 5, and 6, and insert in lieu thereof the following:

"SEC. 2. A new section is hereby added to the act entitled 'An act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other acts and parts of acts now in force relating to estrays,' approved March 23, 1901, as amended, to be numbered nine *a* and to read as follows:

"SEC. 9*a*. Whenever the term 'premises' is used in this act, it shall be construed to mean land entirely enclosed with a good and substantial fence, and none of the provisions of this act shall apply to any unfenced lands. No wire fence shall be deemed a good and substantial fence within the meaning of this act unless the same has three tightly stretched barbed wires securely fastened to posts of reasonable strength, firmly set in the ground not more than one rod apart, one of which wires shall be at least four feet above the surface of the ground."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 1, line 1, insert at beginning of line after the words, "Sec. 1," the words "Section 1 of."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Assembly Bill No. 232—An act providing for the examination, certification and registration of plumbers, prescribing penalties for violations of the provisions hereof, and repealing an act entitled "An act to grant to boards of health and health officers, in cities, and cities and counties, the power to regulate the plumbing and drainage of buildings, and to provide for the registration of plumbers," approved March 3, 1885.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out all of lines 1, 2, 3, 4, 5 and 6, and insert in lieu thereof the following:

"SEC. 2. It shall be unlawful for any journeyman plumber or master plumber in any city or town maintaining a public sewer system to personally install any plumbing or drainage system or portion thereof unless he shall first obtain a temporary permit or certificate of competency issued pursuant to and as provided for in this act."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, strike out all of lines 14, 15, 16, 17 and 18, and insert in lieu thereof the following:

"SEC. 5. Said board may make such rules and regulations as may be necessary to effectively carry out the provisions of this act and may at any time revoke a certificate granted by it for the violation of any such rules or regulations or of a municipal building, plumbing or sanitary ordinance."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

SPECIAL ORDER.

Senator Carr, W. J., moved that Senate Bill No. 3 (County Unit Bill) be made a special order for Tuesday, March 13, 1917, at 2.30 p.m.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 7, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Joint Resolution No. 1—Relative to the work of the California Debris Commission—and reports that the same has been correctly enrolled, and presented the same to the Governor on this 7th day of March, 1917, at 10 o'clock a.m.

CANEPA, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 1078—An act providing for the leasing of certain state lands and making an appropriation for the purposes of this act;

Also: Senate Bill No. 1105—An act to amend section 3513 of the Political Code, relating to the payment of the purchase price of lands sold by the State on and after the first of May, A. D. 1911;

Also: Senate Bill No. 15—An act to amend section 4273 of the Political Code, relating to salaries of county officers in counties of the forty-fourth class;

Also: Senate Bill No. 587—An act to add a new section to the Political Code to be numbered 2983, relating to the office of attorney for the State Board of Health and repealing all acts inconsistent therewith;

Also: Senate Bill No. 107—An act to amend section 2 of an act entitled "An act to protect public health from infection caused by exhumation and removal of the remains of deceased persons," approved April 1, 1878;

Also: Senate Bill No. 3—An act to amend an act entitled "An act to provide for the regulation of the traffic in alcoholic liquors by establishing local option, authorizing the filing of petitions praying for elections to vote upon the question whether the sale of alcoholic liquors shall be licensed within the territory described in such petitions; providing for the calling and holding of such elections; making it the duty of the proper governing body to declare such territory to be no license territory unless a majority of votes is cast in favor of license; providing that no licenses, permits or other authority to sell or distribute alcoholic liquors in no license territory shall be granted; forfeiting and declaring void all such licenses or permits theretofore issued and in force; making it a penal offense to sell, give away or distribute alcoholic liquors within such territory, with certain exceptions; and providing penalties for such offenses," approved April 4, 1911, by amending sections 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, thereof, and by adding thereto a new section to be known and numbered as section 20*a*:

Also: Senate Bill No. 802—An act to amend section 4 of an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance," approved May 10, 1915, relating to the procurement of a license and the tax therefor;

And reports that the same have been correctly engrossed.

CANEPA, Chairman.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, March 7, 1917.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 10—An act to amend an act entitled "An act to provide for the formation, organization and government of storm water districts, for the purpose of protecting the land therein from damage from storm water and from the waters of any innavigable stream, watercourse, canyon or wash, for the construction of the necessary works of protecting, by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

JONES, Chairman.

Senate Bill No. 10 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 361—An act making an appropriation to control and conserve flood and storm waters for the protection of Los Angeles and Long Beach harbors—has had the same under consideration, and respectfully reports the same back without recommendation, and requests that it be rereferred to Committee on Finance.

JONES, Chairman.

Senate Bill No. 361 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 443—An act to promote the drainage of wet, swamp and overflowed lands, and to promote the public health in communities in which they lie; providing for the issuance of bonds and levying of assessments on lands benefited, to pay the costs and expenses thereof;

Also: Senate Bill No. 372—An act to amend an act entitled "An act to provide for the formation, organization and government of storm water ditches, for the purpose of protecting the land therein from damage from storm water and from the waters of any innavigable stream, water-course, canyon or wash, for the construction of the necessary works of protection by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909, by adding five new sections thereto, to be designated as sections 26*a*, 26*b*, 26*c*, 26*d* and 26*e*;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that same do pass as amended.

JONES, Chairman.

Senate Bill Nos. 443 and 372 ordered on file for second reading.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, March 7, 1917.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 934—An act making an appropriation for the relief of the unemployed and to aid cities, counties, and cities and counties in providing work for the unemployed—has had the same under consideration, and respectfully reports the same back and recommends that same do pass and be re-referred to Committee on Finance.

LYON, Chairman.

Senate Bill No. 934 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 827—An act to provide for the periodical inspection of elevators operated in places of employment in this State; to require a permit for such operation; to make it a misdemeanor to operate such elevator without such permit; and to provide for an injunction against such operation if dangerous to the life or safety of employees; to vest in the Industrial Accident Commission the power to make such inspections and determine the competency of inspectors and require reports of inspections; and to issue such permits and prescribe maximum fees therefor—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

LYON, Chairman.

Senate Bill No. 827 ordered on file for second reading.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following constitutional amendment was offered:

By Senator Canepa: Senate Constitutional Amendment No. 41—A resolution to propose to the people of the State of California an amendment to the Constitution by adding a new section to Article IV thereof, to be numbered 16½, providing for the formation of segregated districts within which prostitution may be licensed and permitted.

Resolution ordered to print, and referred to Committee on Constitutional Amendments.

RESOLUTIONS.

The following resolution was offered by Senators Lyon and Crowley:

Resolved, That C. Olivier be allowed the sum set opposite his name, for services rendered as cloak-room clerk to the Senate during the present session, and the Controller is hereby directed to draw his warrant in favor of the said C. Olivier, and the Treasurer is directed to pay the same.

C. Olivier, 9 days, at $4.00 per diem $36.00

Resolution referred to Committee on Contingent Expenses.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1078—An act providing for the leasing of certain state lands and making an appropriation for the purposes of this act.

On motion of Senator Kehoe, Senate Bill No. 1078 was re-referred to Committee on Finance.

Senate Bill No. 1105—An act to amend section 3513 of the Political Code, relating to the payment of the purchase price of lands sold by the State on and after the first day of May, A. D. 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1105 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Irwin,

Jones, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Purkitt, Rominger, Rush, Sharkey, Shearer, Slater, Thompson, and Tyrrell—30.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 15—An act to amend section 4273 of the Political Code, relating to salaries of county officers in counties of the forty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 15 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Jones, Kehoe, Lyon, McDonald, Maddux, Nealon, Purkitt, Rominger, Rush, Scott, Shearer, Slater, Thompson, and Tyrrell—30.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 107—An act to amend section 2 of an act entitled "An act to protect public health from infection caused by exhumation and removal of the remains of deceased persons," approved April 1, 1878.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 107 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Jones, Kehoe, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Shearer, Slater, Thompson, and Tyrrell—30.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 802—An act to amend section 4 of an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance," approved May 10, 1915, relating to the procurement of a license and the tax therefor.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Jones moved to refer Senate Bill No. 802 to Senator Benson as a Special Committee of One, to amend as follows:

On page 2, line 36, after the word "organized" insert the following: "or operating".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 802, with instructions to amend, respectfully reports the same back, amended as per instructions.

BENSON, Special Committee.

Report read, and on motion of Senator Jones adopted.

Bill ordered to print and re-engrossment.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 7, 1917.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 936—An act to amend an act entitled "An act to define the duties of and to license land surveyors, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 31, 1894," approved March 16, 1907; by amending sections 1, 2, 3, 11, and 14 thereof, so as to constitute the Surveyor General, the State Engineer and the Highway Engineer, ex officio, a State Board of Land Surveyors to examine persons applying to become licensed land surveyors; to prescribe the powers and duties of such board; to provide for the issuance, suspension, or revocation of licenses; to provide penalties for violations hereof; and to provide for paying the actual necessary expenses of such board—has had the same under consideration, and respectfully reports the same back with amendments and without recommendation.

KEHOE, Chairman.

Senate Bill No. 936 ordered on file for second reading.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following joint resolution was offered by Senators Purkitt, Irwin, Shearer, Duncan and Stuckenbruck:

Senate Joint Resolution No. 8—Relative to expressing disapproval of the course of United States Senator John D. Works, in adopting filibustering tactics relative to the request of the President of the United States of America for authority to arm merchant ships, and pledging to the President of the United States the loyal support of the people of the State of California, and recommending immediate amendment of the rules of the United States Senate.

Resolution referred to Committee on Federal Relations.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 587—An act to add a new section to the Political Code, to be numbered 2983, relating to the office of attorney for the State Board of Health, and repealing all acts inconsistent therewith.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Duncan moved to refer Senate Bill No. 587 to Senator Purkitt as a Special Committee of One, to amend as follows:

On page 1, line 8, of the printed bill, strike out the words "six hundred".

POINT OF ORDER.

Senator Tyrrell raised the point of order that Senate Bill No. 587 should be referred to Committee on Finance.

DECISION ON POINT OF ORDER.

The Acting President announced his decision, and declared the point of order well taken.

Senate Bill No. 587 re-referred to Committee on Finance.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Breed, the following messages from the Assembly were taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to section 7½ of Article XI of the Constitution of the State of California, relating to charters of counties and amendments to such charters and to the surrender thereof.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Concurrent Resolution No. 13 read first time, and referred to Committee on Constitutional Amendments.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 401—An act to amend section 599 of the Penal Code, relating to the protection of elk;

Also: Assembly Bill No. 220—An act to amend section 4253 of the Political Code, relating to the compensation of officers in counties of the twenty-fourth class;

Also: Assembly Bill No. 525—An act to provide for the return to the owners thereof of any funds deducted from teachers' retirement salaries in excess of the amounts directed by law to be so deducted; prescribing the procedure relative thereto, and making an appropriation therefor;

Also: Assembly Bill No. 537—An act to amend section 1662 of the Political Code of the State of California, relating to elementary schools and kindergartens, school age, kindergarten age, deaf children, exclusion of children, and special classes of the elementary school;

Also: Assembly Bill No. 795—An act to amend section 1438 of the Penal Code, relating to the conduct of trial in justices' courts;

Also: Assembly Bill No. 105—An act to amend section 925 of the Penal Code, relating to proceedings before the grand jury, the persons who may be present at the sessions of such jury, and the records of testimony taken at such sessions;

Also: Assembly Bill No. 106—An act to amend section 869 of the Penal Code, relating to the taking and authentication of testimony on examinations in criminal cases, and to provide for the fees to be paid therefor.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 401 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 220 read first time, and referred to Committee on County Government.

Assembly Bill No. 525 read first time, and referred to Committee on Education.

Assembly Bill No. 537 read first time, and referred to Committee on Education.

Assembly Bill No. 795 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 105 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 106 read first time, and referred to Committee on Judiciary.

ADJOURNMENT.

At eleven o'clock and ten minutes a.m., on motion of Senator Breed, the acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Thursday, March 8, 1917.

The Senate met at ten o'clock a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddox, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—38.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, March 7, 1917, the further reading was dispensed with, on motion of Senator Slater.

LEAVE OF ABSENCE.

Senator Rush was, on motion of Senator Slater, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Tyrrell, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Judge F. B. Ogden of Oakland.

PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

OAKLAND, CALIFORNIA, February 26, 1917.

State Senate, Sacramento, California:

GENTLEMEN: The following resolution was presented and adopted unanimously at the regular meeting of the Vernon-Rockridge Improvement Club, held February 19, 1917:

WHEREAS, The people of the city of Oakland, at a special election held on August 22, 1916, adopted an amendment to the city charter permitting the leasing to the highest bidder of certain lands lying back of the western waterfront for a period exceeding twenty-five years; and

WHEREAS, It has been practically agreed that any lease entered into under said charter amendment shall not be given for an initial period exceeding fifty years, and that provisions shall be embodied therein which will amply protect the interests of the city of Oakland and of the people of the State of California; and

WHEREAS, This organization, at its meeting on January 30, 1917, adopted a resolution requesting the City Council to instruct the city attorney to immediately prepare a tentative lease embodying the terms under which bids will be invited after the said amendment shall have been ratified by the Legislature; and

WHEREAS, The City Council of the City of Oakland has agreed, by resolution duly adopted, to submit to a vote of the electors of the city at the general municipal election in May, the terms of any lease offered for sale under said charter amendment; and

WHEREAS, Said charter amendment is now before the State Legislature for ratification, and the Legislature has never refused to ratify any amendment to a city charter, duly adopted by the voters of that city; now therefore be it

Resolved, That the Vernon Rockridge Improvement Club do urge the members of the State Legislature, immediately upon convening after the recess, to approve said charter amendment adopted by the people of Oakland; and be it further

Resolved, That copies of these resolutions be forwarded to the State Senate, the State Assembly, to the Citizens Committee for Outer Harbor Development, and to the press; and be it further

Resolved, That a committee be appointed to appear before the legislative committee and argue the ratification of the amendment.

VERNON ROCKRIDGE IMPROVEMENT CLUB
J. M. GILMAN, Secretary and Treasurer

Also:

BRAWLEY, CALIFORNIA, February 21, 1917.

Resolution adopted by the Board of Trustees of the City of Brawley, County of Imperial:

Resolved, That we, the Board of Trustees of Brawley City, do urgently request the State Legislature to enact into law the county unit bill, which will give each county of the state the power to protect itself against liquor shops maintained in small communities to the detriment of the whole county and against the wishes of the majority.

Resolved, Further, that the clerk of this board shall send copies of the above resolution to our representatives, Hon. R. E. Wills, and S. C. Evans and Senator Edgar A. Luce, and Hon. H. J. Baldwin, chairman of the Assembly Committee on Public Morals, and to the Clerk of the Assembly, and to the Secretary of the Senate at Sacramento.

Passed, adopted and approved this 19th day of February, 1917.

A. P. HIGGINS,
President of the Board of Trustees of the City of Brawley.
J. A. HARRIS, City Clerk.

Also:

Resolved, That we, the Board of Supervisors of Imperial County, California, in regular meeting convened, respectfully petition the Legislature of California at its present session to enact the Carr-Bennett bill amending the Wyllie local option law so that the whole county, including all incorporated cities therein, shall be one unit.

All of Imperial County, except the City of Imperial, is now [illegible]. A considerable majority of the permanent citizens of Imperial City desire to prohibit the sale of saloons there, but by concentrating the floating vote of the county in that town the liquor interests are able to perpetuate Imperial's saloons. In this age of good roads and jitneys the saloons and liquor stores in Imperial are a menace to the whole county. Yet the county is powerless to remove them.

We are credibly informed that similar conditions exist in many counties of the State, and we therefore respectfully urge our State Legislature to give us relief from this intolerable condition by passing the county unit bill.

M. S. COOK, Clerk of the Board of Supervisors.
[SEAL] By E. B. WILSON, Deputy.

Above resolution passed and adopted by the Board of Supervisors of Imperial County, California, at a regular meeting held February 19, 1917.

Also:

PASADENA, CALIFORNIA, February 27, 1917.

To the Honorable WILLIAM D. STEPHENS,
Lieutenant Governor, State of California,
Sacramento, California:

DEAR SIR: The Browning Club of Pasadena, composed of one hundred and twenty women voters of this State, wishes to go on record as supporting Senate Bill 200, introduced by Senator William E. Brown at this session of the Legislature.

Very truly,
HELEN ARLENE HAMMELL,
Secretary Pasadena Browning Club.

Also:

To the Honorable WILLIAM D. STEPHENS,
Lieutenant Governor of California:

DEAR SIR:

WHEREAS, The California History and Landmarks Club are asking the Legislature for an appropriation of $25,000 for the establishment of a Memorial Park to be known as the Fremont-Pico Memorial Park, commemorating the signing of the treaty of 1847, whereby California became a United States province; and

WHEREAS, The State of California has been very generous in appropriations for history and landmarks' work in the past; therefore, be it

Resolved, That we, the members of the Berkeley Hills Chapter, D. A. R., do commend said movement, and we respectfully call to the attention of your honorable body the bill for the creation of the Fremont-Pico Memorial Park, and hope that you will consent to and support the act to fittingly commemorate the men who signed the Treaty of Cahuengo, and the place where it was signed by creating this Memorial Park.

JEANETTE BARROWS,
Chairman Landmarks Committee, Berkeley Hills Chapter, and 10 others.

Also:

Resolutions adopted by the Fortnightly Club of Redlands, California, February 15, 1917:

WHEREAS, We emphatically approve the action of the President of the United States in severing diplomatic relations with the German Empire; and

WHEREAS, We maintain that at the last analysis the one supreme principle which should prevail to guide us through this period of trial is the duty of the nation toward itself, toward its people, and further, toward all mankind; and

WHEREAS, We rejoice that if the performance of its obligations to the eternal cause of righteousness does involve our nation in war, it will not be against those who are fighting the battles of truth, honor, justice, and humanity; it will not be from jealousy of a rival power; it will not be for territorial aggrandizement, or for any material gain; it will be simply that war has come to us as our necessary part toward bringing to an end that ghastly series of crimes, the continuance of which would threaten the very existence of our civilization; and

WHEREAS, We deplore the recent agitation and memorializing by various individuals and groups of citizens of divided allegiance, ultra-pacifists, and so on, as unwise and calculated not only to weaken the hand of the United States and create a division among us in the great crisis confronting us, but to encourage the militaristic enemies of civilization to a belief in the safety of increased depredation upon the rights, not alone of our own citizens, but of humanity at large; be it hereby unanimously

Resolved, By the Fortnightly Club of Redlands, California, an organization of business and professional men of the community, meeting for social and literary purposes and the discussion of problems of the public welfare:

That we urge our President to stand firm for humanity and the honor of our beloved nation;

That we urge our Senators and Congressmen to be equally firm in their support of the Executive to this end;

That we pledge ourselves in our turn to support President, Congress and Nation to the fullest extent of our duty as patriotic citizens;

That if the fulfillment of this duty can be accomplished without war we shall be humbly thankful, but if as an issue of such fulfillment war comes to us, we shall with the nation, face it as a duty, soberly, but with a firm heart, to the end that in the counsels of peace America may stand as sponsor of a newer and nobler internationalism; and be it

Resolved, That these resolutions be spread upon our books, and copies sent to President Woodrow Wilson, to the two Senators, and to each of the Congressmen from the State of California.

Done at Redlands, California, this 15th day of February, 1917.

THE FORTNIGHTLY CLUB OF REDLANDS,
H. E. WISE, President.
W. A. NICHOLS, Secretary.

Also:

SAN JOSE, February 28, 1917.

Resolutions of endorsement of the city planning bills in the Legislature:

WHEREAS, Senator S. C. Evans of Riverside, former president of the League of California Municipalities and ex-mayor of Riverside, has introduced into the Legislature the following constitutional amendment and bills:

Senate Constitutional Amendment No. 16—For the submission again of the constitutional amendment granting cities the public acquisition power, commonly known as "Excess Condemnation";

Senate Bill No. 430—An act authorizing city councils to zone or district the city for the segregation of industry business, apartments, flats and single family residences upon the report of the City Planning Commission and providing a procedure therefor;

Senate Bill No. 431—An enabling act providing procedure whereby cities may establish building set-back lines;

Senate Bill No. 405—An act providing for the establishment of a City Planning Bureau under the Commission of Immigration and Housing to keep the commission of the state informed of city planning progress, methods and improvements; and

WHEREAS, These bills were introduced at the urgent request and with the full backing of the California Conference on City Planning and the League of California Municipalities; now, therefore, be it

Resolved, That the San Jose City Planning Commission hereby strongly endorses each one of these measures because it feels that they are essential to proper city planning not only in this city but throughout the State of California, that they will greatly strengthen and make more useful to the people the work of this and similar commissions and thereby make our cities much better places to live and work in; and be it further

Resolved, That this commission earnestly requests their following representatives and organizations of this city working for similar purposes to use every endeavor to secure the passage of this legislation at this session and that a copy of these resolutions be sent by the Secretary to each of them as follows: State Senator and Assemblyman from this district, His Excellency Hiram W. Johnson, His Excellency Lieutenant Governor Wm. D. Stephens, Senator Edward J. Tyrrell, Chairman of the Committee on Municipal Corporations of the Senate, Senator S. C. Evans, Secretary California Conference on City Planning.

Also:

DENAIR, CALIFORNIA, February 22, 1917.

To the Honorable WILLIAM D. STEPHENS,

Lieutenant Governor of California.

DEAR SIR: We, the members of the Friends Church, comprising a membership of 185 and located at Denair, Stanislaus County, California, adopted the following resolutions at our regular service and ask that they may be considered by you:

Resolved, That, while we favor the introduction in our schools of the compulsory provision for physical training and for concerted exercises such as drill and in teaching respect for authority, discipline and the value of cooperation in effort, all of which experience in the best schools has indicated can be secured without military equipments or suggestions—we are firmly opposed to instructions in military tactics or in the use of firearms in connection with our public schools, and be it

Resolved, That we oppose the passage of these bills now before the Congressional Legislature which would make military training compulsory in the high schools of California.

Also:

WHEREAS, The State Commission of Immigration and Housing of California invited the City of San Jose, together with the other thirteen largest cities in the State, to participate in a State Housing Institute, to hold a series of conferences for the purpose of studying the housing problem in all its phases, and of discussing the best methods of not only remedying present conditions but of providing for the welfare of our future citizens; and

WHEREAS, Several meetings have been held during the past year at various points of the State, in which meetings the several cities have participated, together with organizations having to do with architecture, housing, building, realty, engineering, city planning, and the operation of hotels and tenements, and in which meetings health and building commissioners, social workers, and others interested have also taken part; and

WHEREAS, As a result of these various meetings, three uniform practical and logical housing bills have been carefully and scientifically drawn up, and have been introduced in the Legislature as Senate Bills 403, 433, and 457, to be acted upon at the second session of the said Legislature, during the months of March and April of this year; and

WHEREAS, The enactment of these three proposed bills into law will unquestionably subserve the best interests of the people of not only this city, but of the State of California; therefore, be it

Resolved, That the City Council of the City of San Jose, in regular session assembled, February, 1917, does heartily endorse the work of the State Housing Institute and earnestly recommends and urges the California Legislature to enact the said three proposed housing bills into the law at the very earliest possible date; be it further

Resolved, That a copy of this resolution be spread on the minutes of the City Council, and that copies hereof be sent to the State Housing Institute, the Governor of the State of California, and the presiding officer of the Senate and the presiding officer of the Assembly; also, that a copy hereof be sent to the chairman of the Committee on Public Health and Quarantine of the Senate and of the Assembly.

Adopted this 19th day of February, 1917, by the following vote: Ayes—Councilmen Atkinson, Chase, Jayet, McLaurin, O'Brien and Sellers. Noes—None. Absent—Councilman Shaw.

ELMER E. CHASE, President of the Council.

[SEAL] Attest: RUSSELL B. TRIPP, City Clerk.

Also:

To the Legislature of California in Forty-second Session Assembled:

WHEREAS, The unfair and unreasonable increase in necessities of life, has been and is now largely due to food combines organized in restraint of trade; also to the activities of greedy speculators who have corralled the people's necessities and are holding them for prices that are extortionate; and

WHEREAS, In our investigation into the high cost of living, we have uncovered the fact, that there are no laws in the State of California whereby we could bring these people to strict account; and

WHEREAS, We look to you, our legislators, to protect us with proper laws whereby we may be protected; and

WHEREAS, We believe that a remedy for this evil exists in the provisions of Senate Bill 626, which was especially drafted to cover the present situation in regard to the high cost of food necessities; and

WHEREAS, Our investigations into the high cost of living have led us to believe that it is less a "war problem", less a "crop shortage" problem than it is a "trust" problem; and

WHEREAS, We believe that the passage of Senate bill 626 would prove a boon to every household in the State of California; therefore, be it

Resolved, That we, undersigned citizens of the State of California do hereby petition you, our representatives, to pass Senate bill 626; and be it

Resolved, That we request that copies of these resolutions be printed in the Journals of the Senate and Assembly.

THE CITIZENS' COMMITTEE OF BERKELEY.
By MRS. W. T. CLEVERDON, Chairman.

Also:

To the Honorable, the Senate of the State of California:

Believing (1) In the complete separation of church and state; (2) That the Legislature is prohibited by constitutional amendment from enacting any law enforcing the observance of any religious institution, looking toward a union of church and state, or of religion and civil government; (3) That all such legislation is opposed to the best interests of both church and state; and (4) That the first step in this direction is a dangerous step, and should be opposed by every lover of liberty of conscience:

We, the undersigned, adult residents of the city of Fresno, earnestly petition your honorable body not to pass the Compulsory Sunday Observance Bill No. 69, or any like religious measure.

HERMAN SHRICK, and 261 others.

Also:

WHEREAS, The levee system of the city of Sacramento and the Sacramento wier north of the city, now in the course of construction, have been planned in accordance with the flood control plan, devised by the California Debris Commission for the purpose of preventing floods in the Sacramento Valley, and the said plan has been approved both by the governments of the United States and of the State of California; and

WHEREAS, The welfare of the city of Sacramento demands that the said flood control plan be carried out, so that the flood waters of the Sacramento Valley may be safely carried to the bay; now, therefore, be it

Resolved, By the Sacramento Jobbers' Association, that we favor the continuance of the Reclamation Board of the State of California and oppose the dissolution of the Sacramento and San Joaquin Drainage District, which has for its purpose the doing of a part of the construction work required by the said flood control plan, and are opposed to all bills which in any way seek to destroy the execution of the flood control plan; and be it further

Resolved, That a copy of this resolution be delivered to each of our representatives in the Legislature of the State of California, and, further, that a copy be furnished to the press.

KIRK, GEARY & CO., and 18 other companies.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 11. Relative to revision of California statutes affecting municipal corporations.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Concurrent Resolution No. 11 read first time, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1163—An act to add another section to the Political Code to be numbered 4286a, relating to the compensation of official reporters in counties of the fifty-seventh class;

Also: Assembly Bill No. 469—An act to add a new section to the Code of Civil Procedure, to be numbered section 1455, relating to the collection by surviving heirs of balance due the estates of deceased annuitants from the public school teachers' retirement salary fund;

Also: Assembly Bill No. 24—An act to recognize and declare valid all proceedings in Carmichael Irrigation District;

Also: Assembly Bill No. 346—An act to recognize and declare valid the Paradise Irrigation District, and all proceedings in relation thereto and to the organization thereof;

Also: Assembly Bill No. 388—An act to recognize and declare valid the Sequoia Irrigation District, and all proceedings in relation thereto and to the organization thereof;

Also: Assembly Bill No. 402—An act to recognize and declare valid the Terra Bella Irrigation District, and all proceedings in relation thereto and to the organization thereof;

Also: Assembly Bill No. 403—An act to recognize and declare valid the Lindsay-Strathmore Irrigation District, and all proceedings in relation thereto and to the organization thereof;

Also: Assembly Bill No. 823—An act recognizing and declaring valid the West Side Irrigation District and approving and declaring valid all proceedings on formation and organization of said district.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1163 read first time, and referred to Committee on County Government.

Assembly Bill No. 469 read first time, and referred to Committee on Education.

Assembly Bill No. 24 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 346 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 388 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 402 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 403 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 823 read first time, and referred to Committee on Irrigation.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 8, 1917.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 205—An act to amend section 628 of the Penal Code, has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to Committee on Fish and Game.

KEHOE, Chairman.

Assembly Bill No. 205 re-referred to Committee on Fish and Game.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 900—An act to add a new section to the Code of Civil Procedure, to be numbered 1663, relating to partial distribution of estates of deceased persons;

Also: Assembly Bill No. 130—An act to amend section 10 of the Political Code of the State of California, relating to holidays;
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Senate Bill No. 900 and Assembly Bill No. 130 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 8—An act to increase the number of judges of the superior court of the county of Fresno, and to provide for the appointment of an additional judge—has had the same under consideration, and respectfully reports the same back and recommends that it do pass and be re-referred to Committee on Finance.

KEHOE, Chairman.

Assembly Bill No. 8 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 440—An act requiring all buildings which are required to be equipped with fire escapes to have attached thereto counterbalanced stairways, counterbalanced ladders, or drop ladders—has had the same under consideration, and respectfully reports the same back without recommendation, and recommends that it be re-referred to Committee on Public Health and Quarantine.

KEHOE, Chairman.

Assembly Bill No. 440 re-referred to Committee on Public Health and Quarantine.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 1006—An act to amend section 4 of an act entitled "An act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the 58th fiscal year and making certain acts a felony and repealing an act entitled 'An act creating a commissioner of public works, defining his duties and powers and fixing his compensation,' approved February 9, 1900, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department; and to make an appropriation therefor for the remainder of the 48th fiscal year,' approved April 1, 1897; also repealing an act entitled 'An act providing for the appointment of an auditing board to the commissioner of public works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this act,' approved March 17, 1897, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to provide for the appointment, duties and compensation of a debris commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such commissioner,' approved March 24, 1893, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this act,' approved April 1, 1897, and all acts or parts of acts amendatory thereof," approved March 11, 1907, and all acts or parts of acts amendatory thereof—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it be re-referred to Committee on Finance.

KEHOE, Chairman.

Senate Bill No. 1006 re-referred to Committee on Finance.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, March 8, 1917.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 205—An act to amend section 628 of the Penal Code—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

Minority report—do not pass.

SLATER, Chairman.

Assembly Bill No. 205 ordered on file for second reading.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, March 8, 1917.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 177—An act to recognize and declare valid all proceedings in Carmichael Irrigation District;

Also: Senate Bill No. 249—An act to recognize and declare valid all the proceedings in Princeton-Codora-Glenn Irrigation District;

Also: Senate Bill No. 690—An act to amend section 1238 of the Code of Civil Procedure, relating to the public uses in behalf of which the right of eminent domain may be exercised;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

MADDUX, Chairman.

Senate Bill Nos. 177, 249 and 690 ordered on file for second reading.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, March 8, 1917.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 290—An act to amend section 2646 of the Political Code—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

JOHNSON, Chairman.

Also:

Senate Bill No. 290 ordered on file for second reading.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 1135—An act making an appropriation for the survey, location and construction of a state highway from the city of Madera to a point on the boundary line separating the county of Madera from the county of Mariposa near Sonora—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

Also: Senate Bill No. 924—An act authorizing any county to permit the construction and maintenance of a highway or boulevard over highways within its limits connecting with main public highways of an adjoining county by the board of supervisors or highway commissioners of such adjoining county, permitting boards of supervisors of such adjoining counties to construct and maintain such bridge or bridges on such highways or boulevards as they may deem necessary, permitting such boards of supervisors to macadamize or pave or gutter such highways or boulevards, providing the manner in which the cost and expense thereof shall be paid, and prescribing the procedure whereby the use, control, maintenance and jurisdiction of any highway or boulevard constructed under the provisions of this act may be retransferred to the county originally granting the use thereof;

Also: Assembly Bill No. 92—An act to amend section 2697 of the Political Code, relating to the abandonment of highways;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

JOHNSON, Chairman.

Senate Bill Nos. 1135 and 924 ordered on file for second reading.

Assembly Bill No. 92 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 7, 1917.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 608—An act to amend sections 2 and 3 of an act entitled "An act to prevent the introduction, and provide for the investigation and suppression of contagious or infectious diseases, and appropriating money to be used for such purpose," approved June 7, 1913—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

CARR, F. M., Chairman.

Senate Bill No. 608 ordered on file for second reading.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, March 7, 1917.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 304—An act to amend section 1 of an act approved April 25, 1911, and entitled "An act to carry into effect the provisions of subdivision (c) of section 14 of Article XIII of the constitution of the State of California as the said article was amended on the 8th day of November in the year 1910, in so far as the same relates to the State University; and also to provide for the permanent support and improvement of the University of California; and to that end making a continuing appropriation and creating an annual fund therefor, and repealing an act entitled 'An act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor, and to repeal an act approved February 14, 1887, entitled "An act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor," and also to repeal an act approved February 27, 1897, entitled "An act to provide additional support and maintenance, and for the acquisition of necessary property and improvements of the University of California, by the levy of a rate of taxation, and the creation of a fund therefor," approved March 20, 1909'" has had the same under consideration, and respectfully reports the same back and recommends that it do pass, and that it be re-referred to Committee on Finance.

BENSON, Chairman.

Senate Bill No. 304 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 777—An act to amend section 7 of an act entitled "An act to carry into effect the provisions of section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, as amended February 3, 1913, and January 28, 1915—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BENSON, Chairman.

Senate Bill No. 777 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 8, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 1034—An act to amend section 3 of an act entitled "An act regulating the cleaning, laundering, sale, offering for sale, and furnishing for use to employees, of wiping rags; authorizing counties, cities and counties, cities and towns, to enact ordinances prohibiting the cleaning, laundering, sterilizing and sale of wiping rags without a permit, and to issue and revoke permits, to clean, launder, and sell wiping rags within their respective jurisdictions; authorizing peace and health officers to make inspections of wiping rags, and making violations of this act a misdemeanor," approved April 25, 1913;

Also: Senate Bill No. 671—An act to amend section 3 of an act entitled "An act authorizing the construction of the unfinished portion of the library building of the University of California, and the construction of a building for general use as a recitation building, of a building for the use of the college of agriculture, and of a building for the use of the college of natural sciences as a chemistry building, upon the grounds of said University of California at Berkeley; providing for the issuance and sale of state bonds to meet the cost of the foregoing purposes; and providing the necessary moneys for the payment of the principal and interest to become due on said bonds," adopted as an initiative measure by vote of the people November 3, 1914;

And reports that the same have been correctly engrossed.

ROMINGER, Acting Chairman.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 8, 1917.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 469—An act to establish a state training high school, in the city of Oakland, to prescribe the functions thereof, to provide for its organization and management, to authorize the high school district where the same is located to appropriate moneys

for the partial payment of its expenses and to provide for its housing, and to make a state appropriation therefor—has had the same under consideration, and respectfully reports the same back with amendments and recommends that same do pass as amended, and be re-referred to Committee on Finance.

GATES, Chairman.

Senate Bill No. 469 re-referred to Committee on Finance.

INTRODUCTION AND FIRST READINNG OF BILLS, ETC.

The following Senate constitutional amendment was offered:

By Senator King:

Senate Constitutional Amendment No. 42—A resolution to propose to the people of the State of California an amendment to section 2 of Article IV of the Constitution of said State, restricting the introduction of bills at biennial sessions of the Legislature.

Read first time, and referred to Committee on Constitutional Amendments.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 746—An act to add a new section to the Code of Civil Procedure, to be numbered 1381, relating to joint administration of estates under the value of one thousand five hundred dollars, where the property is required by law to pass through several persons who have died.

On motion of Senator Kehoe, Senate Bill No. 746 was passed on file.

Senate Bill No. 123—An act to amend section 156 of the Code of Civil Procedure, relating to qualifications of Justices of Supreme Court and of the District Courts of Appeal.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 123 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Maddux, Nealon, Purkitt, Rigdon, Rominger, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 124—An act to amend section 157 of the Code of Civil Procedure, relating to qualification of superior judges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 124 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Jones, Kehoe, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—31.

NOES—Senators King and Luce—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 590—An act to amend section 19*o* of an act entitled "An act to be known as the Juvenile Court law, and concerning persons under the age of twenty-one years; and in certain cases providing

for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof, providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith."

On motion of Senator Maddox, Senate Bill No. 590 was passed on file.

Senate Bill No. 90—An act to amend section 290½ of the Civil Code, relating to corporations.

On motion of Senator Jones, Senate Bill No. 90 was passed on file.

SENATOR CARR, W. J., IN THE CHAIR.

At ten o'clock and forty-five minutes a.m., Senator Carr, W. J., of the thirty-sixth district was called to the chair.

Senate Bill No. 1034—An act to amend section 3 of an act entitled "An act regulating the cleaning, laundering, sale, offering for sale, and furnishing for use to employees, of wiping rags; authorizing counties, cities and counties, cities and towns, to enact ordinances prohibiting the cleaning, laundering, sterilizing and sale of wiping rags without a permit, and to issue and revoke permits, to clean, launder, and sell wiping rags within their respective jurisdictions; authorizing peace and health officers to make inspections of wiping rags, and making violations of this act a misdemeanor," approved April 25, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1034 passed by the following vote:

Ayes—Senators Ballard, Brown, Cameron, Carr, F. M., Carr, W. J., Chandler, Crocker, Dennett, Epps, Fafarty, Gates, Haas, Inman, Irwin, Kenny, Lane, Lyon, McDonald, Mulgrew, Nelson, Parker, Rigdon, Rominger, Scott, Shearer, Slater, and Stephens—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 671—An act to amend section 3 of an act entitled "An act authorizing the construction of the unfinished portion of the library building of the University of California, and the construction of a building for general use as a recitation building, of a building for the use of the college of agriculture, and of a building for the use of the college of natural sciences as a chemistry building, upon the grounds of said University of California at Berkeley; providing for the issuance and sale of state bonds to meet the cost of the foregoing purposes; and providing the necessary moneys for the payment of the principal

and interest to become due on said bonds," adopted as an initiative measure by vote of the people November 3, 1914.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 671 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Concurrent Resolution No. 18—Relative to the printing of additional copies of the constitutional booklet authorized by Senate Concurrent Resolution No. 16 of 1915.

Read third time.

The question being on the adoption of the resolution

The roll was called, and Senate Concurrent Resolution No. 18 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—34.

NOES—None.

Title read and approved.

Resolution transmitted to the Assembly.

Senate Bill No. 690—An act to amend section 1238 of the Code of Civil Procedure, relating to the public uses in behalf of which the right of eminent domain may be exercised.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 690 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 898—An act to amend section 1 of an act entitled "An act to provide for the asexualization of inmates of state hospitals for the insane, the Sonoma State Home, of convicts in the state prisons, and of idiots, and repealing an act entitled 'An act to permit asexualization of inmates of the state hospitals and the California Home for the Care and Training of Feeble-minded Children, and of convicts in the state prisons,' approved April 26, 1909," approved June 13, 1913.

On motion of Senator Tyrrell, Senate Bill No. 898 was passed on file.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator McDonald, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 588 was refused passage, was continued until the next legislative day.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Breed, the following message from the Assembly was taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 566—An act to amend sections 3746 and 3756 of the Political Code, relating to the time when taxes are due and delinquent;

Also: Assembly Bill No. 187—An act to amend section 4272 of the Political Code, relating to salaries and fees of officers of counties of the forty-third class;

Also: Assembly Bill No. 64—An act to amend section 626d of the Penal Code, relating to the protection of fish and game;

Also: Assembly Bill No. 11—An act to amend section 626 of the Penal Code, relating to the protection of fish and game;

Also: Assembly Bill No. 141—An act providing for the sanitation, healthfulness and cleanliness of swimming pools, public bathhouses, swimming and bathing places; regulating the granting of permits from the State Board of Health; providing for the inspection of such places; declaring places and things in violation of this act to be nuisances dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors; and providing for the punishment of the same;

Also: Assembly Bill No. 668—An act to amend section 7 of an act entitled "An act to provide for a general system based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913;

Also: Assembly Bill No. 230—An act amending section 4250 of the Political Code, relating to salaries and fees of officers of counties of the twenty-first class.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 566 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 187 read first time, and referred to Committee on County Government.

Assembly Bill No. 64 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 11 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 141 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 668 read first time, and referred to Committee on Civil Service.

Assembly Bill No. 230 read first time, and referred to Committee on County Government.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 58—An act to add a new section to the Civil Code to be numbered 1716, relating to negligence and the enforcement of

claims against municipal corporations because of negligence in certain cases.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 97—An act to amend section 12 of an act entitled "An act to create a firemen's relief, health, and life insurance and pension fund in the several counties, cities and counties, cities, and towns of the State," approved March 20, 1905.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 341—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 477—An act to amend section 12 of an act entitled "An act to create a police relief, health, and life insurance and pension fund in the several counties, cities and counties, cities, and towns of the State," approved March 4, 1889, as amended, relating to the moneys to be paid into said fund.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 663—An act to validate bonds issued and sold, or to be issued and sold for the purpose of the acquisition or construction of any public improvement work or public utility in any portion of a municipality.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1108—An act to amend section 5 of an act entitled "An act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the act approved March 9, 1885, entitled 'An act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks,' also to repeal an act approved March 15, 1887, entitled 'An act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State,'" approved March 19, 1889, as amended.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1109—An act to amend section 4 of an act entitled "An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements and regulating the acquisition, construction, or completion thereof," which became a law under constitutional provision without the Governor's approval February 15, 1901.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 98—An act to amend an act entitled "An act to create a police relief, health and life insurance and pension fund in the several counties, cities and counties, cities and towns of the State," approved March 4, 1889, and amended March 31, 1891, amended a second time March 31, 1891, amended March 2, 1897, by amending section 3 thereof relating to the qualifications to receive a pension and the amount thereof.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 14, after the word "served" insert the word "continuously".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 14, after the word "be" insert the word "hereafter".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 233—An act to amend section 408 of the Code of Civil Procedure, relating to the manner and time of issuing alias summons.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 5—An act relating to the use and furnishing of premiums, prizes, stamps, coupons, tickets, certificates, cards, or other similar devices, for, or with the sale of goods, wares, merchandise; and providing a penalty for the violation thereof.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 8—An act to amend section 1 of an act entitled "An act to secure to native-born and naturalized citizens of the United States the exclusive right to be employed in any department of the State, county, city and county and city government in this State, except in certain schools, to validate certain acts, and to repeal all acts in conflict herewith," approved May 19, 1915, relating to exceptions in cases of emergency.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 436—An act to amend section 653*e* of the Penal Code, relating to employees on public works.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 435—An act to amend the Penal Code, by adding a new section thereto, to be numbered 653*c*, relating to the time of payment of wages by contractors on public work.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 819—An act to amend sections 3 and 5 of an act entitled "An act requiring employers who provide hospital service for their employees and who make a charge therefor, to keep books, records and accounts of all such charges, and to make an annual report thereof; requiring each such charge to be just and reasonable and to be devoted for no other purpose than such hospital service; and prescribing penalties for violations of the provisions thereof," approved June 8, 1915, by altering the respective jurisdictions of the Railroad Commission and the Industrial Accident Commission with respect to hospital facilities of public utilities.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 820—An act to provide for the periodical inspection of steam boilers, with certain exceptions, operated in this State; requiring a permit, to be issued by the Industrial Accident Commission, for

the operation of such boilers; making it a misdemeanor to operate such boilers without such permit; and allowing an injunction against such operation without such permit where dangerous to the life or safety of employees; providing for a hearing before the Industrial Accident Commission prior to refusal of a permit; providing for the determination of competency of inspectors making such inspections and requiring reports of inspections; and prescribing maximum fees for such inspections.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, of the printed bill, line 26, strike out the words "road motor" and after the last word "boilers" in the same line, strike out the period and insert the words "on road motor vehicles."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 10—An act to amend an act entitled "An act to provide for the formation, organization and government of storm water districts, for the purpose of protecting the land therein from damage from storm water and from the waters of any innavigable stream, watercourse, canyon or wash, for the construction of the necessary works of protecting, by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 443—An act to promote the drainage of wet, swamp and overflowed lands, and to promote the public health in the communities in which they lie; providing for the issuance of bonds and levying of assessments on lands benefited, to pay the costs and expenses thereof.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, after the words "Section 1," strike out all up to and including the word "district" in line 2 and insert in lieu thereof the following: "Whenever a majority of the freeholders within a drainage district proposed to be organized under this act, or whenever the owners of a majority of acreage lying within any district proposed to be organized under this act,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 34, of the printed bill, following the period after the word "construction" insert the following: "If the work to be constructed is of such a nature and in such location as to be within the jurisdiction of the reclamation board, the approval of that said board shall be obtained before the plans are adopted."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 7, line 3, of the printed bill, strike out the comma after the word "situated".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 10, line 17, of the printed bill, after the word "benefits" insert the words "and damages".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 12, line 23, of the printed bill, after the word "benefits" insert the words "and damages".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 15, line 7, of the printed bill, after the word "taxes" insert the word "is".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 15, line 26, of the printed bill, after the word "levy" strike out the word "a" and insert in lieu thereof the words "an ad valorem".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 21, line 8, of the printed bill, strike out the word "of" immediately following parenthesis.

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 22, line 1, of the printed bill, after the word "the" strike out the word "term" and insert in lieu thereof the word "terms".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 22, line 33, of the printed bill, after the period following the word "particulars" strike out all the remainder of section 16.

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 24, line 33, of the printed bill, strike out the period following the word "thereof" and insert in lieu thereof a semicolon and the following: "provided, however, that nothing contained herein shall operate to invalidate any proceedings heretofore taken under the provisions of said act approved March 21, 1903, as amended."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 372—An act to amend an act entitled "An act to provide for the formation, organization and government of storm water ditches, for the purpose of protecting the land therein from damage from storm water and from the waters of any innavigable stream, watercourse, canyon or wash, for the construction of the necessary works of protection by said district, and for the levying of taxes and assessments to pay for the cost of construction, repairing and maintaining such improvements," approved March 13, 1909, by adding five new sections thereto, to be numbered 26*a*, 26*b*, 26*c*, 26*d* and 26*e*.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, of the printed bill, line 3 of the title, strike out the word "ditches" and substitute therefor the word "districts".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, of the printed bill, line 3, strike out the word "ditches" and substitute therefor the word "districts".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, of the printed bill, line 8, after the word "which", strike out the comma.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, of the printed bill, line 10, after the word "issued", strike out the comma.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, of the printed bill, line 8, after the word "state", strike out the comma.

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, of the printed bill, line 9, after the word "returns", strike out the comma.

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, of the printed bill, line 13, after the comma following the word "form", strike out the word "nomination", and substitute therefor the word "denomination".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, of the printed bill, lines 22 and 23, strike out the comma after the word "force", and the words "value and use".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, of the printed bill, line 28, strike out the word "therein", and substitute therefor the word "thereon,".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 827—An act to provide for the periodical inspection of elevators operated in places of employment in this State; to require a permit for such operation; to make it a misdemeanor to operate such elevator without such permit; and to provide for an injunction against such operation if dangerous to the life or safety of employees; to vest in the Industrial Accident Commission the power to make such inspections and determine the competency of inspectors and require reports of inspections; and to issue such permits and prescribe maximum fees therefor.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 936—An act to amend an act entitled "An act to define the duties of and to license land surveyors, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 31, 1891," approved March 16, 1907; by amending sections 1, 2, 3, 11, and 14 thereof, so as to constitute the Surveyor General, the State Engineer and the Highway Engineer, ex officio, a State Board of Land Surveyors to examine persons applying to become licensed land surveyors; to prescribe the powers and duties of such board; to provide for the issuance, suspension, or revocation of licenses; to provide penalties for violations hereof; and to provide for paying the actual necessary expenses of such board.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 1 of the title, after the word "To" and before the word "amend" insert the words: "revise and".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, lines 4 and 5, of the title, strike out the words "by amending sections one, two, three, eleven, and fourteen thereof,".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, strike out the words "Section one of an" and insert in lieu thereof the words "That certain".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 5, after the word "hereby" insert the words "revised and".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 1, after the word "surveyors" and before the word "to" insert the words "whose duty it shall be".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 1, strike out the word "persons" and insert in lieu thereof the words "citizens of the United States".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 8, strike out the words "The powers and" and all of lines 9 to 36, inclusive, and insert in lieu thereof the words: "He shall include in his biennial report a synopsis of the proceedings of the board, and a summary of all its receipts and expenditures. He shall, monthly, pay into the state treasury, to the credit of the general fund the aggregate amount of all fees received hereunder during the preceding month. The board shall have the power to formulate rules for the government of the board and for the examination of applicants for the granting of licenses to those applicants who successfully pass such examinations; to hold examinations of applicants for licenses to practice land surveying, such examinations to be written or oral, or both, and to be held at such times and places as the board may select; to fix and prescribe a minimum standard of qualification to be possessed by all applicants for

examination, and to alter the same from time to time in such manner as they may deem proper; to do any and all things, whether herein specifically designated or not, which may be necessary, incidental or proper to carry out the provisions of this act."

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On pages 3 and 4 strike out all the printed matter on both of said pages and insert in lieu thereof the following:

"SEC. 2. Each applicant who passes successfully any such examination shall, before receiving his license, subscribe and file with the surveyor general an oath, in writing, to support the constitution of this state and of the United States and to discharge faithfully the duties of a licensed land surveyor, as defined in this act.

SEC. 3. From each candidate for examination the board shall collect a fee of ten dollars, payable at the time the application for examination is filed. For issuing any duplicate license the board shall charge and collect a fee of five dollars.

SEC. 4. The surveyor general, as secretary of such board, shall cause a proper index to be kept in his office of the books, papers and records of the board. He shall keep on file an accurate list of all persons who have been licensed to act as land surveyors in this state, and shall, at the beginning of each fiscal year, transmit a copy thereof to each county recorder in the state. He shall also, following each examination, transmit to each county recorder a list of the names and addresses of all persons to whom licenses have been issued as a result of such examinations. Each recorder shall keep such lists on file in his office, open to the inspection of the public.

SEC. 5. Every licensed land surveyor shall have a seal of office, the impression of which must contain the name of the surveyor, the date of his license, and the words 'licensed land surveyor'; and all maps and papers signed by him, and to which said seal has been attached, shall be prima facie evidence in all courts of this state.

SEC. 6. Land surveyors' licenses, issued in accordance with this act, shall remain in force until suspended or revoked for cause, as hereinafter provided.

SEC. 7. Every licensed land surveyor is authorized to administer and certify oaths, when it becomes necessary to take testimony to identify or establish old or lost corners; or if a corner or monument be found in a perishable condition, and it appears desirable that evidence concerning such corner or monument be perpetuated; or whenever the importance of the survey makes it desirable, to administer an oath, for the faithful performance of duty, to his assistants. A record of such oaths shall be preserved as part of the field-notes of the survey.

SEC. 8. Every licensed land surveyor is hereby authorized to make surveys relating to the sale or subdivision of lands, the retracing or establishing of property or boundary lines, public roads, streets, alleys, or trails; and it shall be the duty of each surveyor, whenever making any such surveys, except those relating to the retracing or subdivision of cemetery or town lots, whether the survey be made for private persons, corporations, cities, cities and counties, or counties, to set suitable monuments, legibly marked with the initials of the surveyor setting them.

SEC. 9. Within sixty days after a survey relating to the sale or subdivision of lands, the retracing or establishing of property and boundary lines, public roads or trails, original cemetery or town sites, and their subdivisions has been made by a licensed land surveyor, he shall file with the recorder of the county in which such survey or any portion thereof lies, a record of survey. Such record shall be made in a good draughtsmanlike manner, on one or more sheets of firm paper. The size of the sheets must be eighteen inches by thirteen inches, or eighteen inches by twenty-six inches. If more than one sheet is used, each sheet must be numbered and the connection or reference from one sheet to another clearly given. This record of survey shall be either an original plat or a copy thereof, and must contain all the data necessary to enable any competent practical surveyor to retrace the survey. The record of survey must show: All permanent monuments set, describing their size, kind and location, with reference to the corners which they are intended to perpetuate; all bearing or witness trees marked in the field; complete outlines of the several tracts or parcels of land surveyed within courses, and lengths of boundary lines; the angles, as measured by Vernier readings, which the lines of blocks or lots, if the record relate to an original town-site survey, make with each other and with the center lines of adjacent streets, alleys, roads, or lanes; the variations of the magnetic needle with which old lines have been retraced; the scale of the map, the date of survey; a proper connection with one or more points of an original or larger tract of land, and the name of the same; the name of the grant or grants, or of the township and ranges, within which the survey is located; the signature and seal of the licensed land surveyor; *provided*, that nothing in this section shall require record to be made of surveys of a preliminary nature, where no monuments or corners are established.

SEC. 10. The record of surveys thus filed with the county recorder of any county must be by him pasted into a stub book, provided for that purpose, and he must keep a proper index of such records, by name of owner, by name of surveyor, by name of grant, city, city and county, or town, and by United States subdivisions. For his

services rendered in connection with filing, indexing or recording any such map, plat, or record or survey, the recorder shall charge and collect the fees prescribed by law.

SEC. 11. Whenever any charge or accusation shall be filed by any person with the board against any licensed land surveyor in the state, the board shall set a time and place for hearing such charge or accusation, and shall give notice thereof by registered mail to the accused at his last known address as the same is shown by the records of the surveyor general's office, accompanied by a copy of such charge or accusation, not less than ten days prior to the date of such hearing. The hearing shall be public and both the complainant and the accused shall have right to be represented by counsel if desired. The board shall have and exercise, for the purposes of such hearing, all the powers of the superior courts of this state to compel the attendance of witnesses and the production of documents. If, from the evidence adduced at such hearing, a majority of the board are convinced that the accused has been guilty of dishonest conduct, or that he is incompetent, they must revoke his license. If it shall appear that the accused has been guilty of misdemeanor or of misdemeanor of a character not relating to dishonesty or other less serious offense, they may, at their discretion, revoke such license or suspend the same for such time as they may deem proper. Should the accused fail, neglect, or refuse to appear and answer to such charge of accusation at the time and place appointed, the board shall proceed to take testimony touchant thereto and may, upon a prima facie showing that good cause exists therefor, suspend or revoke the license of the accused. It shall be the duty of every county surveyor in this state, immediately upon ascertaining that any licensed land surveyor has been guilty of any dishonest or unprofessional conduct, or is incompetent, or has wilfully violated any of the provisions of this act, to submit a written statement of the facts to the board, accompanied by a list of the names and addresses of the persons so far as known to be competent to testify concerning the same. The board shall investigate all such allegations of wrongdoing upon the part of any licensed land surveyor and if, in the judgment of a majority of its members, the facts warrant such action, then shall formulate charges against such land surveyor and cite him to appear and answer the same as above provided, and shall have like power to revoke or to suspend the license of such persons.

SEC. 12. Any person who shall violate the provisions of section nine of this act, or any person who shall act as, or represent himself to be, a licensed land surveyor, unless he is the holder of a license as such hereunder or heretofore issued to him according to law, shall be guilty of a misdemeanor, and shall be punishable by a fine not exceeding one hundred dollars, or by imprisonment in the county jail not exceeding thirty days, or by both such fine and imprisonment.

SEC. 13. Those parts of all acts in conflict with this act are hereby repealed."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were presented:

By Senator Chandler:

SENATE CHAMBER, SACRAMENTO, March 8, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2 of Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to add a new section to the Civil Code, to be numbered 1464a, and providing that contracts for the sale and delivery of crops or products of land may be made to run with and bind the land described therein.

Request referred to Committee on Rules.

Also:

By Senator Shearer:

SENATE CHAMBER, SACRAMENTO, March 8, 1917

MR. PRESIDENT: In accordance with the provisions of section 2 of Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act authorizing and empowering irrigation and reclamation districts to enter into contracts with the United States reclamation service for the reclamation of lands within such districts under the provisions of the so-called "twenty-year extension act."

Request referred to Committee on Rules.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, March 8, 1917.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 24—An act to recognize and declare valid all proceedings in Carmichael Irrigation District;

Also: Assembly Bill No. 346—An act to recognize and declare valid the Paradise Irrigation District, and all proceedings in relation thereto and to the organization thereof;

Also: Assembly Bill No. 388—An act to recognize and declare valid the Stratford Irrigation District, and all proceedings in relation thereto and to the organization thereof;

Also: Assembly Bill No. 402—An act to recognize and declare valid the Terra Bella Irrigation District, and all proceedings in relation thereto and to the organization thereof;

Also: Assembly Bill No. 403—An act to recognize and declare valid the Lindsay-Strathmore Irrigation District, and all proceedings in relation thereto and to the organization thereof;

Also: Assembly Bill No. 823—An act recognizing and declaring valid the West Side Irrigation District and approving and declaring valid all proceedings on formation and organization of said district;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

MADDUX, Chairman.

Assembly Bill Nos. 24, 346, 388, 402, 403 and 823 ordered on file for second reading.

ADJOURNMENT.

At eleven o'clock and twenty minutes a.m., on motion of Senator Breed, the acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Friday, March 9, 1917.

The Senate met at ten o'clock a.m.

Lieutenant Governor William D. Stephens, President of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, King, Luce, Lyon, McDonald, Nealon, Parkman, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—36.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, March 8, 1917, the further reading was dispensed with, on motion of Senator Stuckenbruck.

LEAVES OF ABSENCE.

Senator Maddux was, on motion of Senator Slater, granted leave of absence for this day.

Senator Rush was, on motion of Senator Slater, granted leave of absence for this day.

Senator Kehoe was, on motion of Senator Breed, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Breed, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to the following pupils of the Oakland High School:

Isabel Otero, Anna G. Fraser, Anita Davis, Merle Cain, Vera Pacheco, Earle Morse, Herman Boyarsky, Geo. H. Hunt, Curtiss Atwater, Rupert Ryan, Rolland Sargent, Evaristo Peeson, Crichton Hunt, Hedley Morris, Shirlaw W. Mackay, Raymond Wallace, Philip M. McCombs, John Chestnut, Stanley Davie, Harold Noack, A. E. Oliver, Geraldine Sterne, Josephine Lamperd, Verda Brasher, Jessie Milnthrop, Gladys Bryden, Theodore Smith, Wm. Marsh, Geo. MacLavish, Theodore Westphal, Ray Finnimore, Dan Clinkenbeard, Hartley Greene, Jack Thompson, Wm. Wicking, Jefferson Larkey, Gerald Gray, Lester Cutting, J. D. Rutter, Carlton A. Osgood, Marjorie Longo, Margaret Johnson, Irene Parsons, Irene Drury, Helen Cunningham, Mary Gillispie, Margaret McCarthy, Clifford Quayle, Wm. H. Wicking, Donald R. Van Sickler, Harold Herbert Harriss, V. H. Bainbridge, Dorothy L. Russell, Margaret Ely, Lisette Reinle, Lilian Fiala, Geo. MacTairsh, Gladys Bryden, Roy T. Granger, Chas. Earl, Roy M. McHaly, Mortimer Smith, Oleta Bruns, Eunice Glasier, Elizabeth Walter, Faith Cushman, Dorothy Beach, Agnes Dolzul, Stephanie Damianakes, Edward W. Morris, Frank R. Snow, Solon Damianakes, Helen Colley, Kitty Valerga, Mildred Oliver, Helen Jean Snook, Inez Sutherland, Irene C. Wicking, Donna Watson, Maryon Bilger, Benner Atwater, Gerald B. Bernard, Ambrose S. Edwards, Loreine Watson, Margaret F. Lewis, Edwin R. Wood, Gordon B. Brown, Roy M. Hansen, Edith Sanderson, Helen Dickie, Dorothy H. Burns, Mendel H. Friedman, Charles Goldberg, Sant Ram Mandal, M. Owen Overman, Geo. W. Brittingham, Walter Gleason, Saxson Lewis, Dorothy Davis, Gertrude Schmidt, Gertrude Gibbs, Edna C. Hill, Gladys Realy, Gladys R. Spurr, Cleo Hunt, Naomi Stark, Gladys Lincoln, Rae E. Knudson, James H. Dailey, Ruth Turner, Joan Soudan, Adele Toggin, Dorothy Dutra, Arline Lehart, William Rich, Evelyn Lax Reyland, Musa Evans, Fletcher Pentz, H. W. Grenelle, Marion Davis, Cecil Callison, Robert Buttlar, E. W. Hogan, Jr., Marjorie Long, Margaret Johnson, Aileen Paison, Donald Pearson, Frank Stevenson, Harold Chesebrough, William Winai, Ray M. Wood, Elaine Britton, Claud M. Drumm, Sybil Phillips, Julia Johnson, Mildred Nor, J. Bestor Cowell, W. Lyons, J. R. McGregory, Florence L. Swain, Helen Prosser, Dorothy Don, Marion Cummings, Helen Hughes, Marion Chamberlain, Miriam Smith, Dorothy Munco, Dorris McLeod, Emerson C. Arlogart, Etta Wilson, Paul Bloomheart, Robert Fisher, Alfred Stephens, Leslie Diebl, George Grant.

PETITIONS.

The following petition was received and ordered printed in the Journal:

WHEREAS, Hon. J. C. Nealon has introduced Senate Bill No. 378, providing for the establishment of a State Normal School in the city and county of San Francisco and making an appropriation for the maintenance of said school; and

WHEREAS, The people of San Francisco are intensely interested in having this State Normal School centrally located, as provided for in said Senate Bill No. 378, on the corner of Buchanan and Waller streets in the city of San Francisco; therefore, be it

Resolved, By the Building Trades Council of San Francisco in regular session assembled, that Senate Bill No. 378 be and is hereby endorsed; and be it further

Resolved, That we earnestly request all San Francisco members of the Assembly and State Senate of the present Legislature to give Senate Bill No. 378 their best support in order that it may favorably pass both the Senate and Assembly and be enacted on the statutes of the state, and thus afford the children of the working people, whose homes are in the southeastern section of the city, an opportunity to attend the San Francisco Normal School without riding several miles

morning and evening over the dangerous Fillmore Street hill, and then be compelled to walk several blocks through the mud before they could enter their class rooms; and be it further

Resolved, That a copy of these resolutions be sent to the Hon. J. C. Nealon, to the President of the Senate, the Speaker of the Assembly, and the clerks of the Committee on Education in the present session of the California State Legislature.

Names of Councils endorsing: Bay Counties District Council of Carpenters, Alameda County Building Trades Council, Contra Costa County Building Trades Council, Fresno County Building Trades Council, Kern County Building Trades Council, Kings County Building Trades Council, Los Angeles County Building Trades Council, Marin County Building Trades Council, Monterey County Building Trades Council, Sacramento County Building Trades Council, San Francisco County Building Trades Council, San Joaquin County Building Trades Council, San Mateo County Building Trades Council, Santa Clara County Building Trades Council, Solano County Building Trades Council, Santa Cruz County Building Trades Council, Sonoma County Building Trades Council, Tulare County Building Trades Council, Yuba and Sutter County Building Trades Council.

These Councils comprise more than five hundred unions with a membership exceeding 57,000.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 459—An act to make an appropriation to pay the salaries and mileage of Senators for the forty-second session of the Legislature of the State of California, during the sixty-eighth fiscal year;

Also: Senate Bill No. 373—An act to amend an act entitled "An act to amend an act entitled 'An act to provide for the burial of ex-union soldiers, sailors and marines in this State who may hereafter die without leaving sufficient means to defray burial expenses,' approved March 15, 1889, and to extend the operation of said act to all honorably discharged soldiers, sailors and marines who served in the army and navy of the United States, approved March 23, 1901, by extending the operation of said act to widows of all such honorably discharged soldiers, sailors and marines who served in the army or navy of the United States," approved March 24, 1911, by designating who shall be appointed by boards of supervisors to carry out the terms of said act.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 459 and Senate Bill No. 373 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 611—An act to add a new section to the Political Code, to be numbered 4052e, relating to the powers of the board of supervisors;

Also: Assembly Bill No. 266—An act to amend sections 1107, 1214 and 1217 of the Civil Code, relating to the effect of transfers of real property and of the recording and nonrecording thereof;

Also: Assmbly Bill No. 1328—An act authorizing suit against the State of California concerning certain real property and regulating the procedure thereof;

Also: Assembly Bill No. 585—An act to amend section 765 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended;

Also: Assembly Bill No. 697—An act to amend section 863 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations."

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 611 read first time, and referred to Committee on County Government.

Assembly Bill No. 266 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1328 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 585 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 697 read first time, and referred to Committee on Municipal Corporations.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 9, 1917.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 185—An act granting to any city of the state whose corporate limits include or bound upon any harbor, bay, estuary, or other navigable body of water, the power to improve the same and to establish, acquire, construct, improve and maintain in, upon and along the waters thereof works for use in connection therewith—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to the Committee on Commerce and Navigation.

KEHOE, Chairman.

Assembly Bill No. 185 re-referred to Committee on Commerce and Navigation.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 133—An act prohibiting the photographing or making of likenesses or other means of future identification of any person arrested for the commission of a crime before conviction thereof and prescribing the penalty for the violation thereof—has had the same under consideration, and respectfully reports the same back and recommends that it do not pass.

KEHOE, Chairman.

Senate Bill No. 133 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 1079—An act to provide for the forfeiture of certain lands to the State in the event of the nonpayment of delinquent interest upon any part of the unpaid portion of the purchase price thereof, together with penalties and costs as herein provided, as well as for the forfeiture of all moneys previously paid thereon, whether for principal or interest; prescribing the duties of certain public officers with respect thereto; providing for the giving of notice hereof; prescribing certain remedies; and making an appropriation for the purposes of this act—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

KEHOE, Chairman.

Senate Bill No. 1079 ordered re-referred to Committee on Finance.

ON BANKING.

SENATE CHAMBER, SACRAMENTO, March 9, 1917.

MR. PRESIDENT: Your Committee on Banking, to which was referred Senate Bill No. 42—An act to amend an act known as "The Building and Loan Commission Act," approved April 5, 1911, and amended by an act approved December 18, 1911, by adding thereto a new section to be known and numbered as section 15*a*, relating to the powers and duties of the Building and Loan Commissioner and the licensing of agents;

Also: Senate Bill No. 43—An act to amend section 17 of an act known as "The Building and Loan Commission Act," approved April 5, 1911, and amended by acts approved December 18, 1911, and May 29, 1915, relating to the powers and duties of the Building and Loan Commissioner;

Also: Senate Bill No. 935—An act to amend section 638 of the Civil Code relating to loans by building and loan associations and the notes or obligations taken therefor;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

HANS, Chairman.

Senate Bills Nos. 42, 43 and 935 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Banking to which was referred Senate Bill No. 974—An act to amend section 54 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," relating to the definition and regulation of banking—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

HANS, Chairman.

Senate Bill No. 974 ordered on file for second reading.

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 9, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Chandler to introduce an act entitled "An act to add a new section to the Civil Code to be numbered 146*a*, and providing that contracts for the sale and delivery of crops or products of land may be made to run with and bind the land described therein"—has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, King, Luce, Lyon, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—33.
NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Shearer to introduce a bill entitled: "An act authorizing and empowering irrigation and reclamation districts to enter into contracts with the United States Reclamation Service for the reclamation of lands within such districts under the provisions of the so-called 'Twenty Year Extension Act'"—has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote.

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, King, Luce, Lyon, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—34.
NOES—None.

INTRODUCTION AND FIRST READING OF BILLS.

The following bills were introduced in accordance with above report:

By Senator Chandler: Senate Bill No. 1144—An act to add a new section to the Civil Code to be numbered 1464*a*, providing that contracts for the sale and delivery of crops or products of land may be made to run with and bind the land described therein.

Bill read first time, and referred to Committee on Agriculture.

By Senator Shearer: Senate Bill No. 1145—An act authorizing and empowering irrigation and reclamation districts to enter into contracts with the United States Reclamation Service for the reclamation of

lands within such districts under the provisions of the so-called "Twenty Year Extension Act."

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

REPORTS OF STANDING COMMITTEE—(RESUMED).

ON PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, March 9, 1917.

MR. PRESIDENT: Your Committee on Public Morals, to which was referred Senate Bill No. 59—An act establishing and defining the powers and duties of a state athletic commission, for the regulation of boxing, sparring and wrestling matches and exhibitions, and prescribing penalties for violations of the provisions thereof—has had the same under consideration, and respectfully reports the same back without recommendation.

LUCE, Chairman.

Senate Bill No. 59 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Morals, to which was referred Senate Bill No. 573—An act to amend the Penal Code of the State of California by adding thereto a new section to be numbered 337b, relating to the publication, distribution, selling or giving away of tips or other information concerning horse races, or betting upon horse races—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

LUCE, Chairman.

Senate Bill No. 573 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 9, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 18—Relative to the printing of additional copies of the constitutional booklet authorized by Senate Concurrent Resolution No. 16 of 1915;

Also: Senate Bill No. 58—An act to add a new section to the Civil Code, to be numbered 1716, relating to negligence and the enforcement of claims against municipal corporations because of negligence in certain cases;

Also: Senate Bill No. 97—An act to amend section 12 of an act entitled "An act to create a firemen's relief, health, and life insurance and pension fund in the several counties, cities and counties, cities, and towns of the State," approved March 20, 1905;

Also: Senate Bill No. 341—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class;

Also: Senate Bill No. 477—An act to amend section 12 of an act entitled "An act to create a police relief, health, and life insurance and pension fund in the several counties, cities and counties, cities, and towns of the state," approved March 4, 1889, as amended, relating to the moneys to be paid into said fund;

Also: Senate Bill No. 663—An act to validate bonds issued and sold, or to be issued and sold for the purpose of the acquisition or construction of any public improvement work or public utility in any portion of a municipality;

Also: Senate Bill No. 1108—An act to amend section 5 of an act entitled "An act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the act approved March 9, 1885, entitled 'An act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks,' also to repeal an act approved March 15, 1887, entitled 'An act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State,'" approved March 19, 1889, as amended;

Also: Senate Bill No. 1109—An act to amend section 4 of an act entitled "An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements and regulating the acquisition, construction, or completion thereof," which became a law under constitutional provision without the Governor's approval February 15, 1901;

Also: Senate Bill No. 233—An act to amend section 408 of the Code of Civil Procedure relating to the manner and time of issuing alias summons;

Also: Senate Bill No. 5—An act relating to the use and furnishing of premiums, prizes, stamps, coupons, tickets, certificates, cards, or other similar devices, for, or with the sale of goods, wares, merchandise; and providing a penalty for the violation thereof;

Also: Senate Bill No. 8—An act to amend section 1 of an act entitled "An act to secure to native-born and naturalized citizens of the United States the exclusive right to be employed in any department of the State, county, city and county and city government in this State, except in certain schools, to validate certain acts, and to repeal all acts in conflict herewith," approved May 19, 1915, relating to exceptions in cases of emergency;

Also: Senate Bill No. 436—An act to amend section 653c of the Penal Code, relating to employees on public works;

Also: Senate Bill No. 435—An act to amend the Penal Code, by adding a new section thereto, to be numbered 653s, relating to the time of payment of wages by contractors on public work;

Also: Senate Bill No. 819—An act to amend sections 3 and 5 of an act entitled "An act requiring employers who provide hospital service for their employees and who make a charge therefor, to keep books, records and accounts of all such charges, and to make an annual report thereof; requiring each such charge to be just and reasonable and to be devoted for no other purpose than such hospital service; and prescribing penalties for violations of the provisions thereof," approved June 8, 1915, by altering the respective jurisdictions of the Railroad Commission and the Industrial Accident Commission with respect to hospital facilities of public utilities;

Also: Senate Bill No. 10—An act to amend an act entitled "An act to provide for the formation, organization and government of storm water districts, for the purpose of protecting the land therein from damage from storm water and from the waters of any innavigable stream, watercourse, canyon or wash, for the construction of the necessary works of protecting, by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909;

Also: Senate Bill No. 827—An act to provide for the periodical inspection of elevators operated in places of employment in this State; to require a permit for such operation; to make it a misdemeanor to operate such elevator without such permit; and to provide for an injunction against such operation if dangerous to the life or safety of employees; to vest in the Industrial Accident Commission the power to make such inspections and determine the competency of inspectors and require reports of inspections; and to issue such permits and prescribe maximum fees therefor;

And reports that the same have been correctly engrossed.

CANEPA, Chairman.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator McDonald, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 588 was refused passage, was continued until the next legislative day.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Carr, F. M.:

SENATE CHAMBER, SACRAMENTO, March 9, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2 of Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend section 631d of the Penal Code relating to domestication of wild game.

Request referred to Committee on Rules.

SECOND READING OF SENATE BILLS—(OUT OF ORDER).

On motion of Senator Breed, the second-reading file of Senate Bills was taken up, out of the regular order.

Senate Bill No. 900—An act to add a new section to the Code of Civil Procedure, to be numbered 1663, relating to partial distribution of estates of deceased persons.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 177—An act to recognize and declare valid all proceedings in Carmichael Irrigation District.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 249—An act to recognize and declare valid all the proceedings in Princeton-Codora-Glenn Irrigation District.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 290—An act to amend section 2646 of the Political Code.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

On page 1, beginning with line 4, with the word "under", strike out the balance of the line, line 5, line 6, up to and including the words "county or" in line 7; also on page 2, line 12, after the word "advisable", insert the following: "At the option of the board of supervisors, expressed by resolution, the provisions of this section shall apply to such highways of the county as may be specified in such resolution, constructed or improved under the provisions of subdivision 10 of section 2643 of the Political Code, and paid for out of the general fund of said county."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1135—An act making an appropriation for the survey, location and construction of a state highway from the city of Madera to a point on the boundary line separating the county of Madera from the county of Mariposa near Summerdale.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 924—An act authorizing any county to permit the construction and maintenance of a highway or boulevard over highways within its limits connecting with main public highways of an adjoining county by the board of supervisors or highway commissioners of such adjoining county, permitting boards of supervisors of such adjoining counties to construct and maintain such bridge or bridges on such highways or boulevards as they may deem necessary, permitting such boards of supervisors to macadamize or pave or gutter such highways or boulevards, providing the manner in which the cost and expense thereof shall be paid, and prescribing the procedure whereby the use, control, maintenance and jurisdiction of any highway or boulevard constructed under the provisions of this act may be retransferred to the county originally granting the use thereof.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 608—An act to amend sections 2 and 3 of an act entitled "An act to prevent the introduction, and provide for the investigation and suppression of contagious or infectious diseases, and appropriating money to be used for such purpose," approved June 7, 1913.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 18, after the word property, insert the following: "*provided, however*, that the cost of such work shall not exceed in any one year, twenty (20) per cent of the assessed valuation of such property.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, strike out lines 26 to 37, inclusive. On page 3, strike out lines 1 to 16, inclusive. Insert in lieu thereof, the following:

"Sec. 3. Any and all sums so expended by said state board of health shall be a lien upon the property on which such rodents, insects or other vermin shall have been destroyed, or other appropriate measures taken. The state board of health shall cause to be filed in the office of the county recorder of the county wherein said property is situated a notice setting forth the amount so expended by the state board of health and claiming a lien upon such property for the amount of such expenditures. Such claim of lien must be filed within six months after the first item of expenditure. An action to foreclose such lien shall be commenced within six months after the filing and recording of said notice of lien, which action shall be brought by the state board of health through its attorney and for its benefit; *provided, however*, that the lien provisions of this act shall not apply to the property of any county, city and county, municipality, district, or other public corporation, but it shall be the duty of the governing body of such county, city and county, municipality, district or other public corporation to repay the state board of health the amount expended by it upon such property under the provision of this act upon presentation by said state board of health of a verified claim or bill showing the amount of such expenditures.

"When the property is sold, enough of the proceeds to satisfy such lien and the costs of foreclosure shall be paid into the state treasury for the benefit of the fund herein created and the overplus, if any there be, shall be paid to the owner of the property if known, and if not known, shall be paid into the court for the use of such owner when ascertained.

"When it appears from the complaint in such action that the property on which such lien is to be foreclosed is likely to be removed from the jurisdiction of the court, the court may appoint a receiver to take possession of the property and hold the same while the action may be pending or until the defendant shall execute and file a bond, with sufficient sureties, conditioned for the payment of any judgment that may be received against him in the action and all costs."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 777—An act to amend section 7 of an act entitled "An act to carry into effect the provisions of section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, as amended February 3, 1913, and January 28, 1915.

Bill read second time, ordered engrossed and on file for third reading.

SECOND READING OF ASSEMBLY BILLS—(OUT OF ORDER).

On motion of Senator Breed, the second-reading file of Assembly Bills was taken up, out of the regular order.

Assembly Bill No. 130—An act to amend section 10 of the Political Code, relating to holidays.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 205—An act to amend section 628*i* of the Penal Code.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 92—An act to amend section 2697 of the Political Code, relating to the abandonment of highways.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 24—An act to recognize and declare valid all proceedings in Carmichael Irrigation District.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 346—An act to recognize and declare valid the Paradise Irrigation District, and all proceedings in relation thereto and to the organization thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 388—An act to recognize and declare valid the Stratford Irrigation District, and all proceedings in relation thereto and to the organization thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 402—An act to recognize and declare valid the Terra Bella Irrigation District, and all proceedings in relation thereto and to the organization thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 403—An act to recognize and declare valid the Lindsay-Strathmore Irrigation District, and all proceedings in relation thereto and to the organization thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 823—An act recognizing and declaring valid the West Side Irrigation District, and approving and declaring valid all proceedings on formation and organization of said district.

Bill read second time, and ordered on file for third reading.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Committee on Contingent Expenses:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate for the sum of two hundred dollars for postage stamps, the same to be paid out of the Contingent Fund of the Senate, and the Treasurer is hereby directed to pay the same, and the further sum of four dollars and eighty one-hundredths dollars ($4.80) for necessary mileage for Hon. Lyman King, State Senator.

NEALON, Chairman.

Resolution read:

Senator Nealon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Lacy, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Scott, Shearer, Slater, and Thompson—28.

NOES—None.

CONSIDERATION OF DAILY FILES.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 746—An act to add a new section to the Code of Civil Procedure, to be numbered 1381, relating to joint administration of estates under the value of one thousand five hundred dollars, where the property is required by law to pass through several persons who have died.

In the absence of the author, Senate Bill No. 746 was ordered passed, to retain its place on the file.

Senate Bill No. 590—An act to amend section 19*o* of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and

fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith."

In the absence of the author, Senate Bill No. 590 was ordered passed, to retain its place on the file.

Senate Bill No. 90—An act to amend section 290½ of the Civil Code, relating to corporations.

In the absence of the author, Senate Bill No. 90 was ordered passed, to retain its place on the file.

Senate Bill No. 58—An act to add a new section to the Civil Code, to be numbered 1716, relating to negligence and the enforcement of claims against municipal corporations because of negligence in certain cases.

On motion of Senator Scott, Senate Bill No. 58 was passed on file.

Senate Bill No. 97—An act to amend section 12 of an act entitled "An act to create a firemen's relief, health, and life insurance and pension fund in the several counties, cities and counties, cities, and towns of the State," approved March 20, 1905.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 97 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Canepa, Carr, F. M., Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 341—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 341 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 477—An act to amend section 12 of an act entitled "An act to create a police relief, health, and life insurance and pension fund in the several counties, cities and counties, cities, and towns of the

State," approved March 4, 1889, as amended, relating to the moneys to be paid into said fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 477 passed by the following vote:

AYES—Senators Ballard, Benson, Blood, Brown, Burnett, Campa, Carr, F. M., Chamberlin, Cooper, Dennis, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, King, Lee, Lion, McDonald, Nourse, Parker, Rigler, Rominger, Scott, Shafer, Shearer, Sutter, Stockenwerth, Thompson, and Tyrrell—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 663—An act to validate bonds issued and sold, or to be issued and sold for the purpose of the acquisition or construction of any public improvement work or public utility in any portion of a municipality.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 663 passed by the following vote:

AYES—Senators Ballard, Benson, Blood, Brown, Burnett, Campa, Carr, F. M., Chamberlin, Cooper, Dennis, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, King, Lee, Lion, McDonald, Nourse, Parker, Rigler, Rominger, Scott, Shafer, Shearer, Sutter, Stockenwerth, Thompson, and Tyrrell—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1108—An act to amend section 5 of an act entitled "An act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the act approved March 9, 1885, entitled 'An act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks,' also to repeal an act approved March 15, 1887, entitled 'An act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State,'" approved March 19, 1889, as amended.

On motion of Senator Scott, Senate Bill No. 1108 was passed on file.

Senate Bill No. 1109—An act to amend section 4 of an act entitled "An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements and regulating the acquisition, construction, or completion thereof," which became a law under constitutional provision without the Governor's approval February 15, 1901.

On motion of Senator Scott, Senate Bill No. 1109 was passed on file.

Senate Bill No. 233—An act to amend section 408 of the Code of Civil Procedure, relating to the manner and time of issuing alias summons.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 233 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Crowley, Duncan, Evans, Flaherty, Gates, Haus, Ingram, Inman, Irwin, Johnson, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEMPORE IN THE CHAIR

At eleven o'clock and twenty minutes a.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Senate Bill No. 5—An act relating to the use and furnishing of premiums, prizes, stamps, coupons, tickets, certificates, cards, or other similar devices, for, or with the sale of goods, wares, merchandise, and providing a penalty for the violation thereof.

In the absence of the author, Senate Bill No. 5 was ordered passed, to retain its place on the file.

Senate Bill No. 8—An act to amend section 1 of an act entitled "An act to secure to native-born and naturalized citizens of the United States the exclusive right to be employed in any department of the State, county, city and county and city government in this State, except in certain schools, to validate certain acts, and to repeal all acts in conflict herewith," approved May 19, 1915, relating to exceptions in cases of emergency.

In the absence of the author, Senate Bill No. 8 was ordered passed, to retain its place on the file.

Senate Bill No. 436—An act to amend section 653c of the Penal Code, relating to employees on public works.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 436 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Crowley, Duncan, Evans, Flaherty, Gates, Haus, Ingram, Inman, Irwin, Johnson, King, Luce, Lyon, McDonald, Nealon, Purkitt, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 435—An act to amend the Penal Code, by adding a new section thereto, to be numbered 653e, relating to the time of payment of wages by contractors on public work.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 435 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Haus, Ingram, Inman, Irwin, Johnson, King, Luce, Lyon, McDonald, Nealon, Rigdon, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 819—An act to amend sections 3 and 5 of an act entitled "An act requiring employers who provide hospital service for their employees and who make a charge therefor, to keep books, records and accounts of all such charges, and to make an annual report thereof; requiring each such charge to be just and reasonable and to be devoted for no other purpose than such hospital service; and prescribing penalties for violations of the provisions thereof," approved June 8, 1915, by altering the respective jurisdictions of the Railroad Commission and the Industrial Accident Commission with respect to hospital facilities of public utilities.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 819 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

LIEUTENANT GOVERNOR IN THE CHAIR.

At eleven o'clock and forty-five minutes a.m., Lieutenant Governor William D. Stephens, President of the Senate, in the chair.

Senate Bill No. 10—An act to amend an act entitled "An act to provide for the formation, organization and government of storm water districts, for the purpose of protecting the land therein from damage from storm water and from the waters of any innavigable stream, watercourse, canyon or wash, for the construction of the necessary works of protecting, by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 10 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, King, Luce, McDonald, Nealon, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 827—An act to provide for the periodical inspection of elevators operated in places of employment in this State; to require a permit for such operation; to make it a misdemeanor to operate such elevator without such permit; and to provide for an injunction against such operation if dangerous to the life or safety of employees; to vest in the Industrial Accident Commission the power to make such inspections and determine the competency of inspectors and require reports of inspections; and to issue such permits and prescribe maximum fees therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 827 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Luce, McDonald, Nealon, Rominger, Scott, Sharkey, Slater, Thompson, and Tyrrell—23.

NOES—Senators Chamberlin, and Shearer—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 898—An act to amend section 1 of an act entitled "An act to provide for the asexualization of inmates of state hospitals for the insane, the Sonoma State Home, of convicts in the state prisons, and of idiots, and repealing an act entitled 'An act to permit asexualization of inmates of the state hospitals and the California Home for the Care and Training of Feeble-minded Children, and of convicts in the state prisons,' approved April 26, 1909," approved June 13, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 898 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, King, Luce, Lyon, Nealon, Purkitt, Rigdon, Rominger, Scott, Shearer, Slater, Thompson, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 9, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 802—An act to amend section 4 of an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance," approved May 10, 1915, relating to the procurement of a license and the tax therefor;

Also: Senate Bill No. 650—An act empowering and authorizing the Board of Fish and Game Commissioners to insure against liability for accidents occurring to its employees;

Also: Senate Bill No. 148—An act to add a new section to the Code of Civil Procedure to be numbered 1723½, relating to termination of life estates and evidence thereof;

And reports that the same have been correctly re-engrossed.

CANEPA, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 101—An act to amend section 16 of an act entitled "An act regulating the employment and hours of labor of children; prohibiting the employment of minors under certain ages; prohibiting the employment of certain illiterate minors; providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics and providing penalties for the violation hereof," approved February 20, 1905, as amended by an act approved April 14, 1911, as further amended by an act approved June 2, 1913; and as further amended by an act approved June 5, 1915;

Also: Senate Bill No. 81—An act to authorize the State Board of Education to collect and compile information concerning California industries and occupations;

Also: Senate Bill No. 203—An act to amend section 1 of an act entitled "An act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing

all other acts and parts of acts now in force relating to estrays," approved March 23, 1901, as amended, and to add a new section thereto to be numbered 9a;
And reports that the same have been correctly engrossed.

CANEPA, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 9, 1917.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 335—An act relating to the sale and carrying of dangerous weapons, and prescribing penalties for violation of the provisions hereof—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

KEHOE, Chairman.

Senate Bill No. 335 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 9, 1917.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 411—An act to amend section 4131 of the Political Code, relating to the recording of instruments—has had the same under consideration, and respectfully reports the same back with recommendation it be re-referred to Committee on Judiciary.

INMAN, Chairman.

Senate Bill No. 411 re-referred to Committee on Judiciary.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 724—An act authorizing boards of supervisors of the several counties in this State to employ competent persons to cruise the timberlands in their respective counties, for the purpose of assessment—has had the same under consideration, and respectfully reports the same back without recommendation.

INMAN, Chairman.

Senate Bill No. 724 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 371—An act authorizing counties to declare noxious or dangerous weeds growing upon the roads or upon private property not within municipalities to be a public nuisance; and creating a lien upon the property fronting upon such roads or upon which such nuisance exists for the cost of abating the same;

Also: Senate Bill No. 562—An act to amend section 4258 of the Political Code, relating to salaries and fees of officers and to the fees to be allowed trial and grand jurors of counties of the twenty-ninth class;
Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended.

INMAN, Chairman.

Senate Bill Nos. 371 and 562 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 370—An act to amend section 3714 of the Political Code of the State of California;

Also: Senate Bill No. 503—An act to amend section 4280 of the Political Code, relating to the compensation of officers of counties of the fifty-first class;

Also: Senate Bill No. 163—An act to amend section 4223 of the Political Code, relating to county hospitals;
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

INMAN, Chairman.

Senate Bills Nos. 370, 503, and 163 ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, March 7, 1917.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 185—An act granting to any city of the State whose corporate limits include or bound upon any harbor, bay, estuary, or other navigable body of water, the power to improve the same and to establish, acquire, construct,

improve and maintain in, upon and along the waters thereof works for use in connection therewith—has had the same under consideration, and respectfully reports the same back and recommends that the same do pass.

McDONALD, Chairman.

Assembly Bill No. 185 ordered on file for second reading.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 101—An act to amend section 16 of an act entitled "An act regulating the employment and hours of labor of children; prohibiting the employment of minors under certain ages; prohibiting the employment of certain illiterate minors; providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics and providing penalties for the violation hereof," approved February 20, 1905, as amended by an act approved April 14, 1911, as further amended by an act approved June 2, 1913; and as further amended by an act approved June 5, 1915.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Luce moved to refer Senate Bill No. 101 to Senator Lyon as a Special Committee of One, to amend as follows:

On page 2, line 9, of the printed bill, after the words "of the age" and before the word "fourteen" insert the word "of"; also strike out the words "of age" after the word "years".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 9, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 101, with instructions to amend, respectfully reports the same back, amended as per instructions.

LYON, Committee.

Report read, and on motion of Senator Lyon, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 203—An act to amend an act entitled "An act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other acts and parts of acts now in force relating to estrays," approved March 23, 1901, and to exempt certain counties from provisions thereof.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator King moved to refer Senate Bill No. 203 to Senator Chamberlin as a Special Committee of One, to amend as follows:

On page 2, line 2, of the printed bill, after the word "except" insert the word "is"

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 9, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 203, with instructions to amend, respectfully reports the same back, amended as per instructions.

CHAMBERLIN, Committee.

Report read, and on motion of Senator King, adopted.

Bill ordered to print and re-engrossment.

THIRD READING FILE—ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 232—An act providing for the examination, certification and registration of plumbers, prescribing penalties for violations of the provisions hereof, and repealing an act entitled "An act to grant to boards of health and health officers, in cities, and cities and counties, the power to regulate the plumbing and drainage of buildings, and to provide for the registration of plumbers," approved March 3, 1885.

On motion of Senator Hans, Assembly Bill No. 232 was passed on file, to retain its place.

REQUESTS FOR LEAVE OF ABSENCE.

Senator Tyrrell asked for, and was granted, leave of absence for Saturday, March 10th, Sunday, March 11th, and Monday, March 12th.

Senator Carr, W. J., asked for, and was granted, leave of absence for Monday, March 12th.

Senator Lyon asked for, and was granted, leave of absence for Saturday, March 10th, and Sunday, March 11th.

Senator Chandler, asked for, and was granted, leave of absence for Saturday, March 10th.

Senator Carr, F. M., asked for, and was granted, leave of absence for Saturday, March 10th.

Senator Irwin asked for, and was granted, leave of absence for Saturday, March 10th.

Senator Duncan asked for, and was granted, leave of absence for Saturday, March 10th.

Senator Purkitt asked for, and was granted, leave of absence for Saturday, March 10th, and Sunday, March 11th.

Senator Scott asked for, and was granted, leave of absence for Saturday, March 10th.

Senator Hans asked for, and was granted, leave of absence for Saturday, March 10th.

ADJOURNMENT.

At twelve o'clock and fifteen minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Saturday, March 10, 1917.

The Senate met at ten o'clock a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chamberlin, Crowley, Evans, Gates, Ingram, Inman, King, Luce, McDonald, Rigdon, Rominger, Shearer, Slater, Stuckenbruck, and Thompson—22.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, March 9, 1917, the further reading was dispensed with, on motion of Senator Crowley.

LEAVES OF ABSENCE.

Senator Jones was, on motion of Senator Benson, granted leave of absence for this day.

Senator Maddux was, on motion of Senator Slater, granted leave of absence for this day.

Senator Rush was, on motion of Senator Slater, granted leave of absence for this day.

Senator Sharkey was, on motion of Senator Slater, granted leave of absence for this day.

Senator Flaherty was, on motion of Senator Crowley, granted leave of absence for this day.

Senator Nealon was, on motion of Senator Crowley, granted leave of absence for this day.

Senator Johnson was, on motion of Senator Ingram, granted leave of absence for this day.

Senator Kehoe was, on motion of Senator Breed, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Breed, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to the following Colusa school teachers, parents and pupils:

Geo. W. Moore (principal), Mrs. F. M. Rhodes, Miss Laveta Carpenter, Miss Myrtle Hickok, Miss Orlean Herd, Miss Alice Myers, teachers; Ethel Page, Margaret Potter, Verona Potter, Irma Walker, Dorothy Totman, Frances Wilsey, Mrs. H. R. Wilsey, Esther H. Moesch, Rita Griffin, Dorothy Spurgeon, Carrie Auten, Gladys Hildebrand, Ariella Brounson, Fred Boxold, Alfred Baum, Clarence M. Baum, Noreen Vaughn, Fred Fenamole, Kenneth Sweetland, Harold Tennant, Everett

Montgomery, Eugene Weyand, Leland Winters, Irwin Johnson, Mrs. W. K. Brown, Wong Kit Fock, F. T. Roseberry, Jr., Irene Winters, Eva Ball, Priscilla Ball, Harold Sweetland, Evelyn White, Jack Burton, Arthur Jackson, Harold O'Rourke, Mrs. I. C. Totman, Josephine Highstreet, Alice Mae Totman, Louis Kiro, John Ferreola, Mary Ferreola, Mary Pipola, Benina Pipola, Erwin Burtiss, Willie Comfort, Othea Hampton, Beryl Whalen, Evan Totman, Claude McCue, Floyd McCue, Margaret Fogalsang, Clarice Fogalsang, Alfred Tenant, Lucy Sickles, Fafin Flagg, Mrs. Flagg, Geo. Brown, Dan Weyand, Daryl Van Linnan, Millard Totman, Victor Deresier, Herman Fendt, Francis White, Helen Carpenter, Margaret Oleary and Mervyn Farnsworth.

PETITIONS.

The following petition was presented by Senator Slater and ordered printed in the Journal:

PROGRESSIVE GRANGE, No. 308, PATRONS OF HUSBANDRY.
HEALDSBURG, CALIFORNIA, March 7, 1917.

To the Members of the Legislature:

WHEREAS, There are bills introduced into the State Legislature looking to the payment of bounties, for the destruction of certain so-called predatory birds in order that so-called game birds may be preserved; and

WHEREAS, Such expense seems to be contemplated primarily in the interests of the wealthy and leisure classes, in order that the sport of gunning may be improved; and

WHEREAS, Such improvement is at the cost of the state in general, and as such will increase the taxes of the farmer; and

WHEREAS, These so-called predatory birds, if anything are friends of the farmer, in that they are destructive of insects, linnets, English sparrows, rats and gophers, and the like; now, therefore, be it

Resolved, By Progressive Grange, No. 308, Patrons of Husbandry, in regular session assembled, that we are opposed in principle to the placing of such bounties upon the destruction of the so-called predatory birds; and

Resolved, That a copy be sent to the Senator and Assemblyman representing this district in the Legislature at Sacramento.

[SEAL.] JENNIE C. McCRACKEN, Secretary.

The following petitions were also received and ordered printed in the Journal:

SAN FRANCISCO, March 6, 1917.

Lieutenant Governor Wm. D. Stephens,

State Capitol Building, Sacramento, California:

At the last regular meeting of the California Club, held on Tuesday, February 20, 1917, the following resolutions were unanimously adopted:

WHEREAS, A citizens' committee has been organized and has presented to the State Legislature a bill to provide for the adequate physical education of both boys and girls in the elementary and secondary schools throughout the State, therefore be it

Resolved, That we pledge ourselves to support the bill known as Assembly Bill No. 896, Prendergast, January 25, 1917, which reads as follows: "An act to establish and give direction to physical education in the public schools throughout the State."

(Miss) MARGARET B. CURRY,
President, California Club.

MRS. R. S. LA MOTTE, Recording Secretary.

Also:

WHEREAS, In the past there have been many buildings erected in the State of California, the construction of which is not compatible with public safety, and it is mainly because of extravagance of materials used therein that accidents have not been more frequent; and

WHEREAS, In only a few of our larger cities is there any attempt made to investigate the safety of the design of such buildings before their erection, and in many instances such inspection is perfunctory; and

WHEREAS, As builders and constructors we are peculiarly aware of the public danger liable to be existent in the many buildings on account of their construction, which may at any time under the peculiar natural forces which obtain in our State result in a catastrophe; and

WHEREAS, We are certain that in the interests of the public safety there should be a protection from incompetency in design and construction—a need particularly applicable to those portions of the State where no official body is competent to pass on the safety of construction methods; therefore, be it

Resolved, That Assembly Bill No. 1126 is drawn to meet this urgent need, and the Southern California Chapter of the American Institute of Architects in regular meeting assembled, does heartily endorse the bill and earnestly recommends and urges the California Legislature to enact the bill into law at the earliest possible date; and be it further

Resolved, That a copy of this resolution be spread on the minutes of the Southern California Chapter of the American Institute of Architects, and that copies thereof be sent to the Governor of the State of California, the presiding officer of the Senate and of the Assembly, to the chairmen of the Judiciary Committee of the Senate and of the Assembly, to Mr. Harry A. Wishard at Sacramento, to the secretary of the Society of Civil Engineers of Southern California and of San Francisco, and to the San Francisco Chapter of the American Institute of Architects.

Dated, March 6, 1917.

A. D. WALKER, Secretary.

Also:

Resolution of endorsement of the city planning bills in the Legislature.

WHEREAS, Senator S. C. Evans of Riverside, former president of the League of California Municipalities and ex mayor of Riverside, has introduced into the Legislature the following constitutional amendment and bills:

Senate Constitutional Amendment No. 16—For the submission again of the constitutional amendment granting cities the public acquisition power, commonly known as "Excess Condemnation";

Senate Bill No. 430—An act authorizing city councils to zone or district the city for the segregation of industry business, apartments, flats and single family residences upon the report of the city planning commission and providing a procedure therefor;

Senate Bill No. 431—An enabling act providing procedure whereby cities may establish building set back lines;

Senate Bill No. 905—An act providing for the establishment of a city planning bureau under the Commission of Immigration and Housing to keep the commission of the State informed of city planning progress, methods and improvements, and

WHEREAS, These bills were introduced at the urgent request and with the full backing of the California Conference on City Planning and the League of California Municipalities; now, therefore, be it

Resolved, That the city council of the city of San Jose hereby strongly endorses each one of these measures because it feels that they are essential to proper city planning not only in this city, but throughout the State of California, that they will greatly strengthen and make more useful to the people the work of this and similar commissions and thereby make our cities much better places to live and work in; and be it further

Resolved, That this council earnestly requests their following representatives and organizations of this city working for similar purposes to use every endeavor to secure the passage of this legislation at this session and that a copy of these resolutions be sent by the secretary to each of them as follows: State Senator from this district, Assemblyman from this district, his excellency Hiram W. Johnson, his excellency Lieutenant Governor William D. Stephens, Senator Edward J. Tyrrell, chairman of the Committee on Municipal Corporations of the Senate, Senator S. C. Evans, Secretary California Conference on City Planning.

Adopted this 5th day of March, 1917, by the following vote: Ayes—Councilmen Atkinson, Chase, Jayet, McLaurin, O'Brien, and Sellers. Absent—Councilman Shaw.

[SEAL.]

ELMER E. CHASE,
President of the Council.

RUSSELL B. TRIPP, City Clerk.

Also:

To the Members of the Legislature:

DEAR SIRS: The passage of Senate Bill No. 5, which provides for a license tax on all firms, corporations, etc., giving trading stamps, coupons and similar devices, is urgently desired by the retail cigar dealers of your district.

This will relieve a condition that unless remedied will ultimately drive them out of business.

I ask your support of this measure on the broad grounds of giving the small merchant an equal opportunity of competing with the large corporations.

Very truly yours,

R. F. PEABODY.

Also:

OAKLAND, March 9, 1917.

The Honorable, the Senate of the State of California, Sacramento, California:

In order that the city of Oakland may be placed in position to do business with any responsible parties desiring to lease the lands back of its western waterfront,

this committee respectfully urges the State Senate to immediately ratify the charter amendment voted by the people of Oakland already approved by the Assembly and embodied in Assembly Concurrent Resolution Number Seven.

COOPERATIVE COMMITTEE OF FIFTY.
JOHN W. PHILLIPS, Chairman.

Also:

SAN FRANCISCO, March 3, 1917.

To the Honorable Lieutenant Governor Wm. D. Stephens,
Senate Chamber, Sacramento:

MY DEAR MR. STEPHENS: At the last meeting on Wednesday, February 28th, of the San Francisco Congress of Mothers, which is the federation of the mothers clubs and parent-teachers associations of this city, it was unanimously voted to endorse the bills for physical education which are being merged as the Prendergast-Luce bills for physical education, formerly Assembly Bill 896, and Senate Bill 599. These clubs have taken up the matter very seriously of physical education as a substitute for military training, and are as earnest in their support of physical education as a means of youth preparedness as they are against military training made compulsory in our public schools.

Yours truly,

MRS. CHARLES S. AIKEN.
Vice President of the San Francisco Congress of Mothers.

Also:

WHEREAS, Hon. J. C. Nealon has introduced Senate Bill No. 378, providing for the establishment of a state normal school in the city and county of San Francisco and making an appropriation for the maintenance of said school; and

WHEREAS, The people of San Francisco are intensely interested in having this state normal school centrally located, as provided for in said Senate Bill No. 378, on the corner of Buchanan and Waller streets in the city of San Francisco; therefore be it

Resolved, By the Building Trades Council of San Francisco, in regular session assembled, that Senate Bill No. 378 be and is hereby endorsed; and be it further

Resolved, That we earnestly request all San Francisco members of the Assembly and State Senate of the present Legislature to give Senate Bill No. 378 their best support in order that it may favorably pass both the Senate and Assembly and be enacted on the statutes of the state, and thus afford the children of the working people, whose homes are in the southeastern section of the city, an opportunity to attend the San Francisco Normal School without riding several miles morning and evening over the dangerous Fillmore Street hill, and then be compelled to walk several blocks through the mud before they could enter their classrooms; and be it further

Resolved, That a copy of these resolutions be sent to the Hon. J. C. Nealon, the President of the Senate, the Speaker of the Assembly, and the clerks of the Committees on Education in the present session of the California State Legislature.

BUILDING TRADES COUNCIL OF SAN FRANCISCO.

Also:

To the Honorable Lieutenant Governor Wm. D. Stephens,
President of the Senate:

DEAR SIR: The San Francisco City Federation of Women's Clubs in convention assembled on January 31, 1917, heartily endorsed Assembly Bills Nos. 31, 50, and 91, which would make possible the use of the California Building as a properly equipped and ideally located normal school. This federation represents 37 clubs with a total membership of over six thousand women.

With an earnest desire to see these three bills passed, I am,

Very respectfully yours,

CORA SUTTON CASTLE.
Corresponding Secretary.

Also:

WHEREAS, The people of California sought many years to have a practical Torrens Land Title Act and were prevented until the women's clubs, by initiative, placed the amended Torrens Title Act on the statutes; and

WHEREAS, A campaign of intimidation and announcements by bankers of their refusal to loan money on a Torrens title, causing people to refrain from availing themselves of its provisions, results in the virtual annulment of this valuable legislation; and

WHEREAS, Senate Bill No. 628 provides for a superintendent of land title registration who has authority to investigate such discriminations and to use all proper means for the prevention of annulment of the law by unfair means; and

WHEREAS, We believe public funds could be expended to no better advantage than for the purpose of making titles to property secure, eliminating expensive, and promoting successful operation of laws which are the popularly expressed will of the people; now therefore be it

Resolved, That the Woman's Club of Perris requests you and your colleagues in Senate and Assembly to work for the enactment into law of Senate Bills Nos. 628, 791, 792, and 793.

PERRIS WOMAN'S CLUB.
MRS. T. D. KIRKPATRICK, President.

MRS. W. A. MORRISON, Corresponding Secretary.

Also:

LOS ANGELES, February 27, 1917.

President of the Senate, Sacramento:

DEAR SIR: In regard to the motor vehicle act amendments, presented, I believe, by Assemblyman Frank H. Mouser, permit me to say that these amendments are good with a few exceptions.

The bill specifies cars must not be parked within 100 feet of a corner nor within 20 feet of a fire hydrant. Our city has restricted 150 feet back of stopping cars on two corners, which leaves very little space in each block to stop when transacting business. This amendment may be made in the interest of the many parking companies scattered through the city.

The section of the bill providing for a fee for carrying a trailer should not apply to the citizen who is using a small trailer to protect his automobile, and citizen already paying his share of the excessive tax levied by the State. It would be just for the freighting companies that have from six to twelve large trucks pulled by one engine and destroying our boulevards, to pay for the privilege.

The section requiring every person who drives a car to have an operator's license at a cost of 50c means an added burden on the owners of small cars which are driven by several members of one family.

The automobile owner is the most assessed and taxed of anyone in the State. California ranks fourth among the States of the Union in motor car registrations and third in receipts collected. Each driver should hold an operator's license, revokable when law is violated. We now have enough officers and organizations to enforce the law without creating more positions for the motorist to pay for. We pray you as one of our representatives to allow no bill to pass that will call for more money from the motoring public.

Will our law-makers please take care that the great automobile club of California does not become so great a factor in this State that it will make our little automobiles a burden.

Respectfully submitted,

Q. M. B. LEWIS,
Vice President Housewives League of Los Angeles and
Delegate to United Improvement Federation.

Also:

COPY OF RESOLUTION ADOPTED BY THE BOARD OF EDUCATION OF SAN FRANCISCO AT ITS MEETING OF MARCH SIXTH, NINETEEN HUNDRED SEVENTEEN.

WHEREAS, It has been reported in the public press that the Legislature of the State of California, through one of its committees on Military Affairs, has reported out of committee a bill to make military training compulsory in the public schools; and

WHEREAS, While we believe in patriotic expression and all necessary preparedness measures for the military protection of the country, we do not believe in the exploitation of the children of the public schools in the interest of military propaganda; therefore be it

Resolved, That the Board of Education of the City and County of San Francisco protests the action of the Legislature which refers matters affecting the schools to Military Committees rather than to Education Committees, and further protests any and all efforts to impose compulsory military training upon any part of the common school system; and further

Resolved, That the Secretary of the Board be directed to forward a copy of this resolution to the President of the Senate, the Speaker of the Assembly, the chairmen of the Military Affairs and Education Committees of the Senate and of the Assembly, and the State Board of Education.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 45—An act to amend section 1599 of the Political Code, relating to school elections—and respectfully ask that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 45 ordered on file of unfinished business.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 601—An act to amend an act entitled "An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements, and regulating the acquisition, construction or completion thereof," which became a law under the constitutional provision without the Governor's approval, February 25, 1901, as subsequently amended, by adding a new section thereto to be numbered section 6¼, relating to the cancellation of unsold bonds.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 601 read first time, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 460—An act to amend section 103 of the Code of Civil Procedure, relating to justice's courts and justices;

Also: Assembly Bill No. 176—An act to amend section 61 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, known as the "Bank Act," as amended;

Also: Assembly Bill No. 366—An act to amend the Penal Code of the State of California by amending section 561 thereof and adding new sections to be known as sections 561*a*, 561*b*, 561*c*, 561*d*, and 563*a* thereto, all relating to frauds in the management of banks and prescribing penalties for violations of the provisions of the act;

Also: Assembly Bill No. 368—An act to amend the Penal Code of the State of California by adding a new section to be known as section 563*b* thereto, relating to offenses against or concerning banking institutions and prescribing penalties for violation of the provisions of the act;

Also: Assembly Bill No. 369—An act entitled "An act relating to the liquidation of banks by the Superintendent of Banks; empowering him to levy assessments against the members and stockholders of any bank in process of liquidation by him to an amount which he may determine to be necessary to promptly pay the creditors of such bank in full; to enforce such assessments by suit and empowering the superior court to determine the equities of the members and stockholders of any such bank to any surplus which may remain after the payment of the creditors of such bank in full and to award and distribute the same accordingly";

Also: Assembly Bill No. 1349—An act to amend section 791 of the Political Code, relating to notary public.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 460 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 176 read first time, and referred to Committee on Banking.

Assembly Bill No. 366 read first time, and referred to Committee on Banking.

Assembly Bill No. 368 read first time, and referred to Committee on Banking.

Assembly Bill No. 369 read first time, and referred to Committee on Banking.

Assembly Bill No. 1349 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, MARCH 9, 1917

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Constitutional Amendment No. 10—A resolution to propose to the people of the State of California to amend Article XIII of the Constitution of said State by adding thereto a new section to be numbered 1b, relating to the exemption of the property of cemeteries not conducted for profit from assessment and taxation.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Constitutional Amendment No. 10 referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received and read:

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, March 9, 1917

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 349—An act to form agricultural districts, providing for boards of directors for the government thereof, and for the management and control of the same by the State, and making an appropriation therefor, and repealing all acts and portions of acts in conflict with this act;

Also: Senate Bill No. 396—An act making an appropriation for the investigation of agricultural problems and conditions in Siskiyou County, contingent upon the appropriation by the United States of America of the like or greater sum for the same purpose—has had the same under consideration, and respectfully reports the same back and recommends that they be re-referred to the Committee on Finance with the recommendation they do pass.

KING, Chairman.

Senate Bills Nos. 349 and 396 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 940—An act authorizing the Governor to appoint a commission to investigate and report at the forty-third session of the legislature ways and means of fostering and encouraging the industrial and manufacturing development of the State of California, and for the purpose of encouraging the consumption of California manufactured goods, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to Committee on Finance without recommendation.

KING, Chairman.

Senate Bill No. 940 re-referred to Committee on Finance.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 9, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 98—An act to amend an act entitled "An act to create a police relief, health and life insurance and pension fund in the several counties, cities and counties, cities and towns of the State," approved March 4, 1889, and amended March 31, 1891, amended a second time March 31, 1891, amended March 2, 1897, by amending section 3 thereof relating to the qualifications to receive a pension and the amount thereof;

Also: Senate Bill No. 820—An act to provide for the periodical inspection of steam boilers, with certain exceptions, operated in this State; requiring a permit, to be issued by the Industrial Accident Commission, for the operation of such boilers; making it a misdemeanor to operate such boilers without such permit; and allowing an injunction against such operation without such permit where dangerous to the life or safety of

employees; providing for a hearing before the Industrial Accident Commission prior to refusal of a permit; providing for the determination of competency of inspectors making such inspections and requiring reports of inspections and prescribing maximum fees for such inspections;

Also: Senate Bill No. 443—An act to promote the drainage of wet, swamp and overflowed lands, and to promote the public health in the communities in which they lie; providing for the issuance of bonds and levying of assessments on lands benefited, to pay the costs and expenses thereof;

Also: Senate Bill No. 372—An act to amend an act entitled "An act to provide for the formation, organization and government of storm water districts, for the purpose of protecting the land therein from damage from storm water and from the waters of any innavigable stream, watercourse, canyon or wash, for the construction of the necessary works of protection by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909, by adding five new sections thereto, to be numbered 26*a*, 26*b*, 26*c*, 26*d* and 26*e*.

Also: Senate Bill No. 936—An act to revise and amend an act entitled "An act to define the duties of and to license land surveyors, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 31, 1891," approved March 16, 1907; so as to constitute the Surveyor General, the State Engineer and the Highway Engineer, ex officio, a State Board of Land Surveyors to examine persons applying to become licensed land surveyors; to prescribe the powers and duties of such board; to provide for the issuance, suspension, or revocation of licenses; to provide penalties for violations hereof; and to provide for paying the actual necessary expenses of such board;

Also: Senate Bill No. 900—An act to add a new section to the Code of Civil Procedure, to be numbered 1663, relating to partial distribution of estates of deceased persons;

Also: Senate Bill No. 177—An act to recognize and declare valid all proceedings in Carmichael Irrigation District;

Also: Senate Bill No. 249—An act to recognize and declare valid all the proceedings in Princeton-Cordora-Glenn Irrigation District;

Also: Senate Bill No. 1135—An act making an appropriation for the survey, location and construction of a state highway from the city of Madera to a point on the boundary line separating the county of Madera from the county of Mariposa near Summerdale;

Also: Senate Bill No. 924—An act authorizing any county to permit the construction and maintenance of a highway or boulevard over highways within its limits connecting with main public highways of an adjoining county by the board of supervisors or highway commissioners of such adjoining county, permitting boards of supervisors of such adjoining counties to construct and maintain such bridge or bridges on such highways or boulevards as they may deem necessary, permitting such boards of supervisors to macadamize or pave or gutter such highways or boulevards, providing the manner in which the cost and expense thereof shall be paid, and prescribing the procedure whereby the use, control, maintenance and jurisdiction of any highway or boulevard constructed under the provisions of this act may be retransferred to the county originally granting the use thereof;

Also: Senate Bill No. 777—An act to amend section 7 of an act entitled "An act to carry into effect the provisions of section 14 of Article XIII of the Constitution of the State of California as said constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the state, all relating to revenue and taxation," approved April 1, 1911, as amended February 3, 1913, and January 28, 1915;

And reports that the same have been correctly engrossed.

CANEPA, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 459—An act to make an appropriation to pay the salaries and mileage of Senators for the Forty-second Session of the Legislature of the State of California during the sixty-eighth fiscal year—and reports that the same has been correctly enrolled; and presented the same to the Governor on this 9th day of March, 1917, at 1 o'clock p.m.

CANEPA, Chairman.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Crowley:

SENATE CHAMBER, SACRAMENTO, March 10, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2 of Article IV of the Constitution, I request that the permission of the Senate be granted for the

introduction of the accompanying bill, the title of which is as follows, to wit: An act making an appropriation to defray the expenses of legislative printing for the forty-second session of the Legislature of the State of California.

Request referred to Committee on Rules.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 133—An act prohibiting the photographing or making of likenesses or other means of future identification of any person arrested for the commission of a crime before conviction thereof and prescribing the penalty for the violation thereof.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 42—An act to amend an act known as "The Building and Loan Commission Act," approved April 5, 1911, and amended by an act approved December 18, 1911, by adding thereto a new section to be known and numbered as section 15*a*, relating to the powers and duties of the Building and Loan Commissioner and the licensing of agents.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 43—An act to amend section 17 of an act known as "The Building and Loan Commission Act," approved April 5, 1911, and amended by acts approved December 18, 1911, and May 29, 1915, relating to the powers and duties of the Building and Loan Commissioner.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 935—An act to amend section 638 of the Civil Code, relating to loans by building and loan associations and the notes or obligations taken therefor.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 974—An act to amend section 54 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," relating to the definition and regulation of banking.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Amend Senate Bill No. 974 by striking out all of lines 10 to 15 inclusive on page 1 of the printed bill and all of lines 1 and 2 and down to and including the word "provided" on line 3, page 2; and insert in lieu thereof the following: "other real estate by such bank within five years after title thereto shall have vested in it by purchase or otherwise; *provided, however*, that no exchange of such real estate for other real estate shall be made unless and until written consent thereto shall first be given by the superintendent of banks; *and provided, further*, that any real estate so taken in exchange may be held for such period of time as the superintendent of banks may fix but not to exceed five years."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 59—An act establishing and defining the powers and duties of a state athletic commission for the regulation of boxing, sparring and wrestling matches and exhibitions, and prescribing penalties for violations of the provisions thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, of the title of the bill, strike out the word "thereof" and insert in lieu thereof the words "hereof; and making an appropriation from the moneys received by said commission for the purposes of this act.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 6, of the bill, strike out the words "are paid" and insert in lieu thereof the following words: "payable out of the state athletic commission fund."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, line 3, of the bill after the period following the word "inhabitants" insert the following words: "Said annual license fees shall be paid monthly by the commission into the state treasury to the credit of the state athletic commission fund."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 5, line 7, of the bill, strike out the period, and insert in lieu thereof the following words: "to the credit of the state athletic commission fund each month, and within a period of sixty days subsequent to the end of each fiscal year and after the salary of the secretary and all the other expenses of the state athletic commission have been paid, the residue of all moneys in said fund shall be transferred to the state school land fund. All moneys in the state treasury to the credit of the state athletic commission fund to the amount of six thousand five hundred dollars, or so much thereof as may be necessary, are hereby annually appropriated to pay the salary of the secretary and the expenses of the commission."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 6, at the end of line 23 of the bill, insert the following words: "Said annual fees shall be paid into the state treasury to the credit of the state athletic commission fund."

Amendment adopted.

Bill read second time, and ordered to print and engrossment.

Senate Bill No. 59 re-referred to Committee on Finance.

Senate Bill No. 724—An act authorizing boards of supervisors of the several counties in this State to employ competent persons to cruise the timberlands in their respective counties, for the purpose of assessment.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 573—An act to amend the Penal Code by adding thereto a new section to be numbered 337*b*, relating to the publication, distribution, selling or giving away of tips or other information concerning horse races, or betting upon horse races.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page one of the printed bill strike out all of line 4 and all of lines 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and all of page 2 and all of page 3 down to and including line 25, and insert in lieu thereof the following:

337*b*. It shall be unlawful for any person, firm or corporation to print, publish, distribute, circulate, sell or offer for sale, or give away, any newspaper, form chart, chart, list, sheet, circular, book or publication of any kind, giving, or purporting to give, or referring to, or represented as giving or containing:

(1) Any list, or probable or possible list, of entries for any horse race thereafter anywhere to take place, or any tip, information, prediction, or selection of, advice to, or any key, cipher, or cryptogram indicating or containing or giving any tip, information, publication, or selection of, or advice, as to the winner or probable winner, or a loser or probable loser, or the result or probable result of any such race, or the standing or probable standing of any horse therein, or any statement as to, or comment upon, or reference to, the form, condition or standing of, or the actual, probable or possible state, past, present or future, of the betting, wagering or odds upon or against any horse named in such list, or probable or possible list, or entries.

(2) Or any statement as to, or comment upon, or reference to, the form, condition, or state, at any time of the betting, wagering or odds upon or against any horse said to have participated in any horse race anywhere, or any information, or pretended information, comment, tip or prediction of, or concerning any horse said to have participated in such horse race, which will or may aid, enable, encourage, or assist any person to bet or wager or to establish odds, or to lay a basis upon which to bet or wager at any time thereafter, upon or against such horse in any horse race in which such horse may participate or be intended to participate at any time.

(3) Or, any column of index numbers, or any index number, or any column of numbers, or any number, connected with or referring to, any catalog, club list, publication, printing or writing of any kind in which the racing or speed record or turf standing of any horse or horses is written, printed or kept, or any column of bets or betting or of opening or closing betting or any statement of or any reference to any bet or betting upon or against any horse in such horse race.

(4) Or, any list of probable or possible entries for any horse race anywhere, or names of horses set out as probably or possibly about to compete in any race anywhere, unless such entries or names of horses shall be arranged in such publication in alphabetical order and shall all be printed in type of same size and face and identical appearance, and shall all be printed flush with the left side of the column in which the same are printed or all an equal distance therefrom.

It shall also be unlawful for any person to have in his possession any form chart, chart, sheet, list, circular, book or other publication, other than a newspaper, and which is not contained in any bona fide newspaper of general circulation, the printing, publication, distribution, circulation, selling, offering for sale, or giving away of which is prohibited by this section.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 335—An act relating to the sale and carrying of dangerous weapons, and prescribing penalties for violation of the provisions hereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of the title after the words "An act," and insert in lieu thereof the following:

"Relating to and regulating the carrying, possession, sale or other disposition of firearms capable of being concealed upon the person; prohibiting the sale to or carrying of concealed weapons by persons under the age of eighteen years; prohibiting the possession, carrying, manufacturing and sale of certain other dangerous weapons and the giving, transferring and disposition thereof to other persons within this state; providing for the registering of the sales of firearms; prohibiting the carrying or possession of concealed weapons in municipal corporations; providing for the destruction of certain dangerous weapons as nuisances and making it a felony to use or attempt to use certain dangerous weapons against another."

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all of the bill after the enacting clause, and insert in lieu thereof the following:

"Section 1. (a) Every person who offers, sells, lends, leases, gives or otherwise transfers or disposes of any revolver, pistol or other firearm of a size capable of

being concealed upon the person, to any person in this state under the age of eighteen years is guilty of a misdemeanor.

"(b) Every person under the age of eighteen years who shall have, carry, or have in his possession any of the articles named or described in section one (a) of this act, which is forbidden therein to offer, sell, loan, lease, give or otherwise transfer to him, is a juvenile delinquent.

"Sec. 2. Every person who manufactures or causes to be manufactured, or leases, or keeps for sale, or offers, or gives, or otherwise disposes of any instrument or weapon of the kind commonly known as a blackjack, slungshot, billy, sandclub, sandbag, bludgeon, or metal knuckles to any person within this state is guilty of a misdemeanor, and if he has been previously convicted of a crime made punishable by this section, he is guilty of a felony.

"Sec. 3. Every person who possesses any instrument or weapon of the kind commonly known as a blackjack, slungshot, billy, sandclub, sandbag, bludgeon, metal knuckles, bomb or bombshells, or who carries a dirk or a dagger is guilty of a misdemeanor, and if he has been convicted previously of any felony or of a crime made punishable by this act, he is guilty of a felony.

"Sec. 4. Every person who carries in any city, city and county, town or municipal corporation of this state any pistol, revolver, or other firearm concealed upon his person, without having a license to carry such firearm as hereinafter provided in section seven of this act, shall be guilty of a misdemeanor, and if he has been convicted previously of any felony, or of any crime made punishable by this act, he is guilty of a felony.

"Sec. 5. The unlawful possessing or carrying of any of the instruments, weapons or firearms enumerated in sections one (a) to section four inclusive of this act, by any person other than those authorized and empowered to carry or possess the same as hereinafter provided, is a nuisance, and such instruments, weapons or firearms are hereby declared to be nuisances, and when any of said articles shall be taken from the possession of any person the same shall be surrendered to the magistrate before whom said person shall be taken, except that in any city, city and county, town or other municipal corporation the same shall be surrendered to the head of the police force or police department thereof. The officers to whom the same may be so surrendered, except upon certificate of a judge of a court of record, or of the district attorney of any county that the preservation thereof is necessary or proper to the ends of justice, shall proceed at such time or times as he deems proper, and at least once in each year to destroy or cause to be destroyed such instruments, weapons or other firearms in such manner and to such extent that the same shall be and become wholly and entirely ineffective and useless for the purpose for which it was manufactured.

"Sec. 6. Any person who attempts to use, or who with intent to use the same unlawfully against another, carries or possesses a dagger, dirk, dangerous knife, razor, stiletto, or any loaded pistol, revolver or other firearm, or any instrument or weapon commonly known as a blackjack, slungshot, billy, sandclub, sandbag, metal knuckles, bomb, or bombshell or any other dangerous or deadly instrument or weapon, is guilty of a felony. The carrying or possession of any of the weapons specified in this section, by any person while committing, or attempting or threatening to commit a felony, or breach of the peace, or any act of violence against the person or property of another, shall be presumptive evidence of carrying or possessing such weapon with intent to use the same in violation of this section.

"Sec. 7. It shall be lawful for the board of police commissioners, chief of police, city marshal, town marshal, or other head of the police department of any city, city and county, town, or other municipal corporation of this state, upon proof before said board, chief, marshal or head, that the person applying therefor is of good moral character, and that good cause exists for the issuance thereof, to issue to such person a license to carry concealed a pistol, revolver or other firearm; *provided, however*, that no such license shall be issued to any person under the age of eighteen years; *and provided, further*, that the application to carry concealed such firearm shall be filed in writing and shall state the name and residence of the applicant, the nature of applicant's occupation, the business address of applicant, the nature of the weapon sought to be carried and the reason for the filing of the application to carry the same.

"Sec. 8. Every person in the business of selling, leasing or otherwise transferring a pistol, revolver or other firearm, of a size capable of being concealed upon the person, whether such seller, lessor or transferrer is a retail dealer, pawnbroker or otherwise, except as hereinafter provided, shall keep a register in which shall be entered the time of sale, the date of sale, the name of the salesman making the sale, the place where sold, the make, model, manufacturer's number, caliber or other marks of identification on such pistol, revolver or other firearm. Such register shall be prepared by and obtained from the state printer and shall be furnished by the state printer to said dealers on application at a cost of three dollars per one hundred leaves in duplicate and shall be in the form hereinafter provided. The purchaser of any firearm capable of being concealed upon the person shall sign and the dealer shall require him to sign his name and affix his address to said register in duplicate and the salesman shall affix his signature in duplicate as a witness to the signatures of the purchaser. Any person signing a fictitious name or address is guilty of a

misdemeanor. The duplicate sheet of such register shall on the evening of the day of sale, be placed in the mail, postage prepaid and properly addressed to the board of police commissioners, chief of police, city marshal, town marshal or other head of the police department of the city, city and county, town or other municipal corporation wherein the sale was made; *provided*, that where the sale is made in a district where there is no municipal police department, said duplicate sheet shall be mailed to the county clerk of the county wherein the sale is made. A violation of any of the provisions of this section by any person engaged in the business of selling, bartering or otherwise transferring such firearms is a misdemeanor. This section shall not apply to wholesale dealers, in their business intercourse with the retail dealer, nor to the wholesale or retail dealer in the regular or ordinary transportation of fire arms as a merchandise by mail, express or other mode of shipment, to points outside of the city, city and county, town or municipal corporation wherein they are situated.

"The register provided for in this act shall be substantially in the following form:

Series No. _____
Sheet No. _____

ORIGINAL.

Dealers' Record of Sale of Revolver or Pistol. State of California.

"Notice to dealers: This original is for your files. If spoiled in making out, do not destroy. Keep in books. Fill out in duplicate.

"Carbon duplicate must be mailed on the evening of the day of sale to head of police commissioners, chief of police, city marshal, town marshal or other head of the police department of the municipal corporations wherein the sale is made, or to the county clerk of your county if the sale is made in a district where there is no municipal police department. Violation of this law is a misdemeanor. Use carbon paper for duplicate. Use indelible pencil.

Sold by _____ Salesman _____
City, town or township _____
Description of arm (state whether revolver or pistol) _____
Maker _____ number _____ caliber _____
Name of purchaser _____ age _____ years
Permanent residence (state name of city, town or township, street and number of dwelling) _____
Height _____ feet _____ inches. Occupation _____
Color _____ skin _____ eyes _____ hair _____
If traveling or in locality temporarily, give local address _____
_____
Signature of purchaser _____
(Signing a fictitious name or address is a misdemeanor.) (To be signed in duplicate.)
Witness _____, salesman.

(To be signed in duplicate.)

Series No. _____
Sheet No. _____

DUPLICATE.

Dealers' Record of Sale of Revolver or Pistol. State of California.

"Notice to dealers: This carbon duplicate must be mailed on the evening of the day of sale as set forth in the original of this register page. Violation of this law is a misdemeanor.

Sold by _____ Salesman _____
City, town or township _____
Description of arm (state whether revolver or pistol) _____
Maker _____ number _____ caliber _____
Name of purchaser _____ age _____ years
Permanent address (state name of city, town or township, street and number of dwelling) _____
Height _____ feet _____ inches. Occupation _____
Color _____ skin _____ eyes _____ hair _____
If traveling or in locality temporarily, give local address _____
_____
Signature of purchaser _____
(Signing a fictitious name or address is a misdemeanor.) (To be signed in duplicate.)
Witness _____, salesman.

(To be signed in duplicate.)

"Sec. 9. Nothing in this act shall be construed to apply to sheriffs, constables, marshals, policemen or other duly appointed peace officers, nor to any person summoned by any such officers to assist in making arrest or preserving the peace while said person so summoned is actually engaged in assisting such officer; nor to duly authorized military or civil organizations while parading nor to the members thereof when going to and from the places of meeting of their respective organizations; nor to the possession or transportation by any merchant of unloaded firearms as merchandise; nor to bona fide members of any club or organization now existing or

hereinafter organized, for the purpose of practicing shooting at targets upon established target ranges, whether public or private, while such members are using any of the firearms referred to in this act upon or in such target ranges.

"Sec. 10. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 371—An act authorizing counties to declare noxious or dangerous weeds growing upon the roads or upon private property not within municipalities to be a public nuisance; and creating a lien upon the property fronting upon such roads or upon which such nuisance exists for the cost of abating the same.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 3 of the title, after the word "roads", strike out the words "or upon private property not within" and all of lines 4, 5 and 6 of said title and insert in lieu thereof "not within municipalities to be a public nuisance; and creating a lien upon the abutting property for the cost of abating the same."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, in line 1, after the word "roads", strike out the words "or upon".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, in line 2, strike out the words "private property".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, in line 9, after the word "road", strike out the words "or sidewalk or private property".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1 of the printed bill, in line 12, after the word "name", insert the words "or number".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 1 of the printed bill, in line 13, after the word "property", strike out the words "upon which or".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, in line 3, following the word "roads", strike out the comma and the words "sidewalks or".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2 of the printed bill, in line 4, strike out the words "parcels of private property".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2 of the printed bill, in line 8, after the word "property", strike out the words "on which or".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2 of the printed bill, in line 17, strike out the words "street or".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 2 of the printed bill, in line 24, strike out the words "from which or".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 2 of the printed bill, in line 36, strike out the words "enter upon private property for that" and in line 37 strike out the word "purpose" and insert in lieu thereof the words "remove the same in front of said property."

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 3 of the printed bill, in line 9, following the word "weeds", strike out the words "on each separate lot, or".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 3 of the printed bill, in line 9, strike out the comma and the words "or both" at the end of said line.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

SENATOR SLATER IN THE CHAIR.

At ten o'clock and forty-five minutes a.m., Senator Slater of the Eighth District was called to the chair.

Senate Bill No. 562—An act to amend section 4258 of the Political Code, relating to salaries and fees of officers and to the fees to be allowed trial and grand jurors of counties of the twenty-ninth class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 6, after the word "thousand", insert the words "four hundred".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, strike out lines 18 to 23, inclusive, and insert in lieu thereof the following:

"8. The district attorney, two thousand four hundred dollars per annum, and he is hereby allowed in addition thereto one clerk to be appointed by him, who shall receive nine hundred dollars per annum, said salary to be paid in the same manner at the same time, and out of the same fund as the salaries of other county officers are paid."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, strike out lines 3 to 17, inclusive, and insert in lieu thereof the following:

"12. The county surveyor three thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the surveyor one deputy; who shall be appointed by the surveyor of said county, and shall be paid a salary of one thousand five hundred dollars per annum; the salary of such surveyor shall be paid by such county in equal monthly installments at the same time and in the same manner and out of the same fund as the salaries of other county officers are paid. The county surveyor shall make all maps, plats and block books required by the county assessor; he shall do all work for the county in which the county employs a surveyor or civil engineer; he shall have general advisory supervision over all road and bridge work for the county and shall file annually with the board of supervisors a statement, which shall be published as a part of the proceedings of said board, showing the cost of all new road and bridge construction in the county, also the cost per mile of maintaining the different roads of the county for the preceding fiscal year; *and provided further*, that when in the judgment of the board of supervisors of the county it is necessary to employ additional assistants for the performance of any of said work, the board of supervisors shall allow the necessary actual expense thereof; *and provided further*, that said county surveyor shall be allowed all necessary transportation and expenses incurred by himself or deputies for work performed in the field; the salary of the deputy herein provided for shall be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as other county officers are paid. The salary herein fixed for said surveyor shall be in lieu of all fees, commissions or compensation of whatsoever kind or nature for services performed by said surveyor for said county. All acts or parts of acts relative to such fees, commissions or compensation for work performed for counties of this class by such county surveyor are hereby repealed. The provisions of this section to apply to the present incumbent."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 503—An act to amend section 4280 of the Political Code, relating to the compensation of officers of counties of the fifty-first class.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 163—An act to amend section 4223 of the Political Code, relating to county hospitals.

Bill read second time, ordered engrossed, and on file for third reading.

CONSIDERATION OF DAILY FILE—SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 370—An act to amend section 3714 of the Political Code of the State of California.

Bill read second time, ordered on file for third reading.

Assembly Bill No. 185—An act granting to any city of the State whose corporate limits include or bound upon any harbor, bay, estuary, or other navigable body of water, the power to improve the same and to establish, acquire, construct, improve and maintain in, upon and along the waters thereof, works for use in connection therewith.

Bill read second time, ordered on file for third reading.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Breed, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 588 was refused passage, was continued until the next legislative day.

ADJOURNMENT.

At eleven o'clock a.m., on motion of Senator Breed, the acting President declared the Senate adjourned until Monday, March 12, 1917, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Monday, March 12, 1917.

The Senate met at eleven o'clock a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Caminetti, Chamberlain, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, Luce, McDonald, Maddox, Nealon, Parkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—33.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Saturday, March 10, 1917, the further reading was dispensed with, on motion of Senator Crowley.

LEAVE OF ABSENCE.

Senator King was, on motion of Senator Evans, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Benson, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to W. G. Alexander of San Jose, Mrs. W. G. Alexander of San Jose, and Mrs. Nellie A. Keith of Pacific Grove.

PETITIONS.

The following petitions were received and ordered printed in the Journal:

OROVILLE, BUTTE COUNTY, March 10, 1917.

To the Senate of California.

GREETING: We, the Oroville Woman's Christian Temperance Union, your constituents, qualified electors, do petition your honorable body to pass and incorporate in the laws of our State the following bills, namely

Senate Bill No. 3—Called the county unit bill;
Senate Bill No. 573 and Senate Bill No. 1111—Anti-gambling measures;
Assembly Bill No. 591—Prohibiting cigarettes;
Assembly Constitutional Amendment No. 34—Relating to use of Bible in schools;
Assembly Bill No. 918—Providing for Viticultural Commission;
Assembly Bill No. 618—Relating to separate property of wife;
Senate Bill No. 599—Providing for physical culture in schools.

Respectfully submitted.

OROVILLE WOMAN'S CHRISTIAN TEMPERANCE UNION,
Per L. B. GRAY, Corresponding Secretary.

Also:

LOS ANGELES, March 1, 1917.

To the Senate and Assembly, Sacramento, California.

GENTLEMEN: The Los Angeles Million Club wishes to call your special attention to the bill of the Barbers' Union, which is now before you for consideration, and say

[illegible]

Hoping that you [illegible] and [illegible] to have of its passage, I [illegible]

Yours for [illegible]

LOS ANGELES MILLION CLUB
Mrs. [illegible], Secretary.

Also:

OAKLAND, March 9, 1917.

To the Honorable the Senate of the State of California.

GENTLEMEN: At a regular meeting of the Alameda County Civic Association, held on March 8, 1917, the following resolution was unanimously adopted:

WHEREAS, The people of the city of Oakland, by a special election held on August 22, [illegible] to the highest bidder of certain lands lying back of the western water front for a period [illegible]

WHEREAS, It has been practically agreed that any lease entered into under said charter amendment would not be given for the full [illegible] and

WHEREAS, The city council of the city of Oakland has [illegible] May the terms of any lease offered for sale under said charter amendment; and

WHEREAS, Said [illegible] as contained in Assembly Concurrent Resolution No. 7 has been duly approved by the Assembly and is now before the Senate for action; now therefore be it

Resolved, By the Alameda County Civic Association that we earnestly and respectfully urge the members of the State Senate to [illegible] said charter amendment adopted by the people of Oakland; and be it further

Resolved, That copies of these proceedings be transmitted to the State Senate, to the Honorable Chandler Harbert, Representative [illegible] and be it further

Resolved, That in transmitting the [illegible] to consider [illegible] and urge the ratification of said amendment.

Respectfully,

ALAMEDA COUNTY CIVIC ASSOCIATION
By [illegible], Secretary.

Also:

RESOLUTIONS ADOPTED BY BOARD OF TRUSTEES OF THE CITY OF CALEXICO.

Resolved, That we pay California's legislators to enact the county unit bill and so [illegible] relief from a condition which is [illegible] to the majority of its people;

Resolved, That the clerk of this board shall send copies of the [illegible] to our assemblyman, Hon. R. E. Wills, and Senator Hugh A. Lewis, and to H. J. Brown, [illegible] of the Assembly, and to the Secretary of the Senate at Sacramento.

This certifies that at a regular meeting of the Board of Trustees of the city of Calexico held on February 27, 1917, the above resolutions were adopted by an unanimous vote.

F. P. GREEN,
Clerk of the City of Calexico.

Also:

Resolved, That the Board of Supervisors of the county of Colusa, State of California, respectfully protest against the enactment of Assembly Bills Nos. 154, 156, 157, 158 and 159, respectively, which propose the transferring of state land [illegible] to the State for reclamation and mining purposes, and we urge that no such bills shall pass, or shall be considered or [illegible] before the Legislature of the State of California, by [illegible] and [illegible] of the Senate.

Resolved, That a copy of these resolutions be transmitted to the Senate and Assembly of the State of California, to our Legislative Representative, Hiram Johnson, to the State Senator and Assemblyman who represent the districts in which Colusa County is situated.

State of California, county of Colusa, ss.

I, A. W. Poe, County Clerk of the county of Colusa, State of California, and ex officio Clerk of the Board of Supervisors thereof, do hereby certify that the foregoing is a full, true and correct copy of a resolution passed by the Board of

Supervisors of Calaveras County on the 6th day of March, A. D., 1917, now remaining on file in my office.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Board of Supervisors, this 8th day of March, 1917.

A. W. POE,
[SEAL] County Clerk and ex officio Clerk of the Board of Supervisors.
By J. A. QUINN,
Deputy Clerk.

Also:

To the Members of the Senate of the Legislature of the State of California.

GENTLEMEN: The Chamber of Commerce of Sacramento, Incorporated, desires most respectfully to protest against the passage of any law or the doing of any acts by the Legislature of the State of California which would in any way affect adversely the flood control plan of the State of California.

The protest is based upon many good reasons, among which are the following:

1. The State of California by numerous acts, after due deliberation, adopted as the official plan of the State, the flood control project as established by the Federal Government; created a Reclamation Board to carry out such plans and has created and enlarged various drainage districts.

2. Acting upon the guarantee thus given by the State, very large investments of capital have been made in flood control and reclamation projects. The faith of the State of California and its good name are, therefore, placed in jeopardy by any move to injure or destroy such flood control plan.

3. Owing to the position assumed by the State of California in connection with the flood control plan, the Federal Government has appropriated $[illegible] for the purpose of sharing in the expense of carrying out such plan. This is the first great recognition by Congress of California's equity in flood control problems and to lose this appropriation would be little short of disaster to the entire State.

4. The flood control plan, now being carried out, is the only thing that has ever given relief or offered permanent protection to landholders in danger of floods.

5. Should the flood control plan be impaired, the city of Sacramento would again be placed in imminent danger of floods.

6. The Chamber of Commerce of Sacramento, therefore, respectfully protests against the passage of such measures as the Chandler, Perkitt, Earle, Duncan and other bills now pending and inimical to the great flood control project.

Adopted by the Board of Directors of the Chamber of Commerce of Sacramento, Incorporated, on Thursday, March 9, 1917.

S. GLEN ANDRUS,
[SEAL] Secretary-Manager.

Also:

WHEREAS, The levee system of the City of Sacramento and the Sacramento weir north of the city, now in the course of construction, have been planned in accordance with the flood control plan, devised by the California Debris Commission, for the purpose of preventing floods in the Sacramento Valley, and the said plan has been approved both by the governments of the United States and of the State of California; and

WHEREAS, The welfare of the City of Sacramento demands that the said flood control plan be carried out, so that the flood waters of the Sacramento Valley may be safely carried to the bay; now, therefore, be it

Resolved, By Sacramento Federation of Improvement Clubs, that we favor the continuance of the Reclamation Board of the State of California and oppose the dissolution of the Sacramento and San Joaquin Drainage District, which has for its purpose the doing of a part of the construction work required by the said flood control plan, and are opposed to all bills which in any way seek to destroy the execution of the flood control plan; and be it further

Resolved, That a copy of this resolution be delivered to each of our representatives in the Legislature of the State of California, and, further, that a copy be furnished to the press.

H. F. MILES, President.
CHRIS R. JONES, Secretary.

Also:

WHEREAS, The levee system of the city of Sacramento and the Sacramento weir north of the city, now in the course of construction, have been planned in accordance with the flood control plan, devised by the California Debris Commission for the purpose of preventing floods in the Sacramento Valley, and the said plan has been approved both by the governments of the United States and of the State of California; and

WHEREAS, The welfare of the city of Sacramento demands that the said flood control plan be carried out, so that the flood waters of the Sacramento Valley may be safely carried to the bay; now, therefore, be it

Resolved, By the Building Trades Council of Sacramento, that we favor the continuance of the Reclamation Board of the State of California and oppose the dissolution of the Sacramento and San Joaquin Drainage District, which has for its purpose the doing of a part of the construction work required by the said flood control plan, and are opposed to all bills which in any way seek to destroy the execution of the flood control plan; and be it further

Resolved, That a copy of this resolution be delivered to each of our representatives in the Legislature of the State of California, and, further, that a copy be furnished to the press.

Adopted March 8, 1917.

[SEAL] M. F. CONNORS, Secretary.

Also:

SACRAMENTO, March 7, 1917.

Hon. J. M. Inman, Senator,
Sacramento County.

DEAR SIR: I am instructed by the Executive Board of the Retail Merchants Association to advise you that at its meeting held on this date the following resolution was unanimously adopted and it was decided to petition the legislative representatives of this county to do their utmost in defeating any measure that would do away with the Reclamation Board of the State.

WHEREAS, The levee system of the city of Sacramento and the Sacramento weir north of the city, now in the course of construction, have been planned in accordance with the flood control plan, devised by the California Debris Commission for the purpose of preventing floods in the Sacramento Valley, and the said plan has been approved both by the Governments of the United States and the State of California; and,

WHEREAS, The welfare of the city of Sacramento demands that the said flood control plan be carried out, so that the flood waters of the Sacramento Valley may be safely carried to the bay; now, therefore be it

Resolved, By the Sacramento Retail Merchants Association, that we favor the continuance of the Reclamation Board of the State of California and oppose the dissolution of the Sacramento and San Joaquin Drainage District, which has for its purpose the doing of a part of the construction work required by the said flood control plan, and are opposed to all bills which in any way seek to destroy the execution of the flood control plan.

Very respectfully yours,

E. C. RUTHERFORD, Secretary.

COMMUNICATION.

The following communication was received and ordered printed in the Journal:

CITY OF OAKLAND, March 9, 1917.

Mr. Clifton E. Brooks, Secretary of the Senate.

DEAR SIR: At a meeting of the council of the city of Oakland held on the above date, the enclosed communication from F. M. Smith officially withdrawing application for a lease of western waterfront lands, in said city, was read and placed on file. On motion, I was directed to send you a copy of said communication. Enclosed please find copy.

Respectfully,

L. W. CUMMINGS, City Clerk.
By F. C. MERRITT, Deputy.

OAKLAND, March 9, 1917.

To the City Council of the City of Oakland.

GENTLEMEN: I have already stated through the public press, that I was no longer interested in obtaining the lease for which I made application. I and those interested with me were forced into this position by the attack of the mayor, aided by a majority of a committee of his own selection, whose chief object appeared to me to be to cast aspersions on my motives and, in my opinion, to defeat the will of the people as expressed at the election held for the amendment of the charter in August last. I tried in vain to meet objections urged and offered to join with the city council in submitting any lease which might be agreed upon, to a vote of the people of Oakland and, unless approved by a majority vote, no lease should become operative.

While I have been driven from the field, I am still particularly interested in this portion of the city and hope to live long enough to see it improved along the broad lines I had in contemplation.

I, therefore, deem it proper, at this time, that I should say to you officially that I am not interested any further in securing the lease for which I made application and in order that there may be no misgivings or any controversy concerning my interest in the matter, I hereby respectfully withdraw the application I made for a lease, assuring you that I have no other proposition to substitute in its place.

Very truly yours,

F. M. SMITH.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 529—An act to add a new section to the Penal Code, to be numbered 626*l*, relating to the protection of game.

Also: Assembly Bill No. 635—An act to provide for the payment into the county treasury of any moneys now held by county tax collectors which represent duplicate or excess payments of taxes on property in their respective counties, and to provide for the distribution of such moneys when so paid, and to provide for the payment and distribution of any duplicate collections which may be made hereafter.

Also: Assembly Bill No. 876—An act to add a new section, to be numbered 9*ii*, to an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 529 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 635 read first time, and referred to Committee on County Government.

Assembly Bill No. 876 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 451—An act conveying certain tidelands and lands lying under inland navigable waters, situate in the bay of San Diego to the city of National City, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 451 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 16—Relative to California Orange Day.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Concurrent Resolution No. 16 read first time, and referred to Committee on Agriculture.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1220—An act to provide for a day of rest for employees of the State hospitals, State prisons and other State institutions;

Also: Assembly Bill No. 1149—An act to add a new section to the Political Code, to be numbered 1743*b*, relating to the duty of high school principals concerning the activities and finances of student organization;

Also: Assembly Bill No. 1160—An act to add a new section to the Political Code, to be numbered 4268*a*, relating to fees and mileage of jurors in counties of the thirty-ninth class;

Also: Assembly Bill No. 1162—An act to amend section 4268 of the Political Code, relating to counties of the thirty-ninth class;

Also: Assembly Bill No. 873—An act to amend section 1549 of the Political Code, relating to the powers and duties of the State Board of Education;

Also: Assembly Bill No. 719—An act to add a new section to the Political Code, to be numbered 4256a, relating to the fees and mileage of jurors in counties of the twenty-seventh class;

Also: Assembly Bill No. 278—An act to amend section 1714 of the Code of Civil Procedure, relating to new trials and appeals in proceedings in probate courts;

Also: Assembly Bill No. 195—An act to amend section 1094 of the Political Code, relating to registration.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1220 read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 1149 read first time, and referred to Committee on Education.

Assembly Bill No. 1160 read first time, and referred to Committee on County Government.

Assembly Bill No. 1162 read first time, and referred to Committee on County Government.

Assembly Bill No. 873 read first time, and referred to Committee on Education.

Assembly Bill No. 719 read first time, and referred to Committee on County Government.

Assembly Bill No. 278 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 195 read first time, and referred to Committee on Elections.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 8, 1917.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 49—An act to repeal section 55a of the Penal Code, relative to soliciting, demanding, or pledging votes for or against any particular bill or measure—has had the same under consideration, and respectfully reports the same back and recommends that it do not pass.

Minority report: Do pass.

KEHOE, Chairman.

Senate Bill No. 49 ordered on file for second reading.

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 9, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Carr, F. M., to introduce a bill entitled—"An act to amend section 631d of the Penal Code, relating to the domestication of wild game,"—has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—31.

NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Crowley to introduce a bill entitled "An act making an appropriation to defray the expense of legislative printing for the forty-second session of the Legislature of the State of California" has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Caneva, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—30.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS.

The following bills were introduced in accordance with the above reports:

By Senator Carr, F. M.: Senate Bill No. 1146—An act to amend section 631*d* of the Penal Code, relating to the domestication of wild game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Crowley: Senate Bill No. 1147—An act making an appropriation to defray the expense of legislative printing for the forty-second session of the Legislature of the State of California.

Bill read first time, and referred to Committee on Finance.

REPORTS OF STANDING COMMITTEES—RESUMED.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 12, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 290—An act to amend section 2646 of the Political Code;

Also: Senate Bill No. 133—An act prohibiting the photographing or making of likenesses or other means of future identification of any person arrested for the commission of a crime before conviction thereof and prescribing the penalty for the violation thereof;

Also: Senate Bill No. 42—An act to amend an act known as "The Building and Loan Commission Act," approved April 5, 1911, and amended by an act approved December 18, 1911, by adding thereto a new section to be known and numbered as section 15*a*, relating to the powers and duties of the Building and Loan Commissioner and the licensing of agents;

Also: Senate Bill No. 43—An act to amend section 17 of an act known as "The Building and Loan Commission Act," approved April 5, 1911, and amended by acts approved December 18, 1911, and May 29, 1915, relating to the powers and duties of the Building and Loan Commissioner;

Also: Senate Bill No. 935—An act to amend section 638 of the Civil Code, relating to loans by building and loan associations and the notes or obligations taken therefor;

Also: Senate Bill No. 724—An act authorizing boards of supervisors of the several counties in this State to employ competent persons to cruise the timberlands in their respective counties, for the purpose of assessment;

Also: Senate Bill No. 503—An act to amend section 4280 of the Political Code, relating to the compensation of officers of counties of the fifty-first class;

Also: Senate Bill No. 163—An act to amend section 4223 of the Political Code, relating to county hospitals;

Also: Senate Bill No. 608—An act to amend sections 2 and 3 of an act entitled "An act to prevent the introduction, and provide for the investigation and suppression of contagious or infectious diseases, and appropriating money to be used for such purpose," approved June 7, 1913;
And reports that the same have been correctly engrossed.

CANEPA, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 101—An act to amend section 16 of an act entitled "An act regulating the employment and hours of labor of children; prohibiting the employment of minors under certain ages; prohibiting the employment of certain illiterate minors; providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics and providing penalties for the violation hereof," approved February 20, 1905, as amended by an act approved April 14, 1911, as further amended by an act approved June 2, 1913; and as further amended by an act approved June 5, 1915;

Also: Senate Bill No. 203—An act to amend section 1 of an act entitled "An act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up and repealing all other acts and parts of acts now in force relating to estrays," approved March 23, 1901, as amended, and to add a new section thereto to be numbered 9*a*;
And reports that the same have been correctly re-engrossed.

CANEPA, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 974—An act to amend section 54 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," relating to the definition and regulation of banking;

Also: Senate Bill No. 59—An act establishing and defining the powers and duties of a State Athletic Commission for the regulation of boxing, sparring and wrestling matches and exhibitions, and prescribing penalties for violations of the provisions hereof, and making an appropriation from the moneys received by said commission for the purposes of this act;

Also: Senate Bill No. 573—An act to amend the Penal Code by adding thereto a new section to be numbered 337*b*, relating to the publication, distribution, selling or giving away of tips or other information concerning horse races, or betting upon horse races;

Also: Senate Bill No. 335—An act relating to and regulating the carrying, possession, sale or other disposition of firearms capable of being concealed upon the person; prohibiting the sale to or carrying of concealed weapons by persons under the age of eighteen years; prohibiting the possession, carrying, manufacturing and sale of certain other dangerous weapons and the giving, transferring and disposition thereof to other persons within this State, providing for the registering of the sales of firearms; prohibiting the carrying or possession of concealed weapons in municipal corporations, providing for the destruction of certain dangerous weapons as nuisances and making it a felony to use or attempt to use certain dangerous weapons against another;

Also: Senate Bill No. 371—An act authorizing counties to declare noxious or dangerous weeds growing upon the roads not within municipalities to be a public nuisance; and creating a lien upon the abutting property for the cost of abating the same;

Also: Senate Bill No. 562—An act to amend section 4258 of the Political Code, relating to salaries and fees of officers and to the fees to be allowed trial and grand jurors of counties of the twenty-ninth class;
And reports that the same have been correctly engrossed.

CANEPA, Chairman.

ON BANKING.

SENATE CHAMBER, SACRAMENTO, March 9, 1917.

MR. PRESIDENT: Your Committee on Banking, to which was referred Senate Bill No. 655—An act to amend section 348 of the Code of Civil Procedure, relating to the limitation of time within which to bring actions where money is deposited in a bank;

Also: Senate Bill No. 656—An act to amend section 570 of the Code of Civil Procedure of the State of California, relating to the disposition of unclaimed funds in the hands of a receiver;

Also: Senate Bill No. 878—An act to add a new section to the Civil Code, to be numbered 3320, providing for the damages recoverable from banks on the nonpayment of checks;

Also: Senate Bill No. 879—An act relating to bank transactions after twelve o'clock noon on Saturdays;

Also: Senate Bill No. 880—An act to add a new section to the Penal Code, to be numbered 464, relative to burglary with explosives;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

HANS, Chairman.

Senate Bills Nos. 655, 656, 878, 879 and 880 ordered on file for second reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 650—An act empowering and authorizing the Board of Fish and Game Commissioners to insure the employees of the Fish and Game Commission with the Industrial Accident Commission while in the discharge of their duties.

In the absence of the author, Senate Bill No. 650 was ordered passed, to retain its place on the file.

Senate Bill No. 746—An act to add a new section to the Code of Civil Procedure, to be numbered 1381, relating to joint administration of estates under the value of one thousand five hundred dollars where the property is required by law to pass through several persons who have died.

On motion of Senator Kehoe, Senate Bill No. 746 was passed on file.

Senate Bill No. 148—An act to add a new section to the Code of Civil Procedure to be numbered 1723½, relating to terminations of life estates and evidence thereof.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 148 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Campa, Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, and Thompson—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 590—An act to amend section 19a of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law, approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith."

On motion of Senator Maddux, Senate Bill No. 590 was passed on file.

Senate Bill No. 802—An act to amend section 4 of an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance," approved May 10, 1915, relating to the procurement of a license and the tax therefor.

Senate Bill No. 802 ordered re-referred to Committee on Revenue and Taxation.

Senate Bill No. 90—An act to amend section 290½ of the Civil Code, relating to corporations.

On motion of Senator Jones, Senate Bill No. 90 was passed on file.

Senate Bill No. 101—An act to amend section 16 of an act entitled "An act regulating the employment and hours of labor of children; prohibiting the employment of minors under certain ages; prohibiting the employment of certain illiterate minors; providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics and providing penalties for the violation hereof," approved February 20, 1905, as amended by an act approved April 14, 1911, as further amended by an act approved June 2, 1913; and as further amended by an act approved June 5, 1915.

In the absence of the author, Senate Bill No. 101 was ordered passed, to retain its place on the file.

Senate Bill No. 81—An act to authorize the State Board of Education to collect and compile information concerning California industries and occupations.

Bill read third time.

On motion of Senator Rominger, Senate Bill No. 81 was passed on file.

Senate Bill No. 203—An act to amend an act entitled "An act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other acts and parts of acts now in force relating to estrays," approved March 23, 1901, and to exempt certain counties from provisions thereof.

In the absence of the author, Senate Bill No. 203 was ordered passed, to retain its place on the file.

Senate Bill No. 58—An act to add a new section to the Civil Code, to be numbered 1716, relating to negligence and the enforcement of claims against municipal corporations because of negligence in certain cases.

On motion of Senator Scott, Senate Bill No. 58 was passed on file.

Senate Bill No. 1108—An act to amend section 5 of an act entitled "An act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the act approved March 9, 1885, entitled 'An act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks,' also to repeal an act approved March 15, 1887, entitled 'An act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State,'" approved March 19, 1889, as amended.

On motion of Senator Scott, Senate Bill No. 1108 was passed on file.

Senate Bill No. 1109—An act to amend section 4 of an act entitled "An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements and regulating the acquisition, construction, or completion thereof," which became a law under constitutional provision without the Governor's approval February 15, 1901.

On motion of Senator Scott, Senate Bill No. 1109 was passed on file.

Senate Bill No. 98—An act to amend an act entitled "An act to create a police relief, health and life insurance and pension fund in the several counties, cities and counties, cities and towns of the State," approved March 4, 1889, and amended March 31, 1891, amended a second time March 31, 1891, amended March 2, 1897, by amending section 3 thereof relating to the qualifications to receive a pension and the amount thereof.

Read third time.

On motion of Senator Hans, Senate Bill No. 98 was passed on file.

Senate Bill No. 5—An act relating to the use and furnishing of premiums, prizes, stamps, coupons, tickets, certificates, cards, or other similar devices, for, or with the sale of goods, wares, merchandise; and providing a penalty for the violation thereof.

On motion of Senator Chandler, Senate Bill No. 5 was passed on file.

Senate Bill No. 8—An act to amend section 1 of an act entitled "An act to secure to native-born and naturalized citizens of the United States the exclusive right to be employed in any department of the State, county, city and county and city government in this State, except in certain schools, to validate certain acts, and to repeal all acts in conflict herewith," approved May 19, 1915, relating to exceptions in cases of emergency.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 8 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, Luce, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 820—An act to provide for the periodical inspection of steam boilers, with certain exceptions, operated in this State; requiring a permit, to be issued by the Industrial Accident Commission, for the operation of such boilers; making it a misdemeanor to operate such boilers without such permit; and allowing an injunction against such operation without such permit where dangerous to the life or safety of employees; providing for a hearing before the Industrial Accident Commission prior to refusal of a permit; providing for the determination of competency of inspectors making such inspections and requiring reports of inspections; and prescribing maximum fees for such inspections.

Bill read third time.

On motion of Senator Luce, Senate Bill No. 820 was passed on file.

Senate Bill No. 443—An act to promote the drainage of wet, swamp and overflowed lands, and to promote the public health in the communi-

ties in which they lie; providing for the issuance of bonds and levying of assessments on lands benefited, to pay the costs and expenses thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 443 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Inman, Johnson, Jones, Kehoe, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Thompson—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 372—An act to amend an act entitled "An act to provide for the formation, organization and government of storm water districts for the purpose of protecting the land therein from damage from storm water and from the waters of any innavigable stream, watercourse, canyon or wash, for the construction of the necessary works of protection by said district, and for the levying of taxes and assessments to pay for the cost of construction, repairing and maintaining such improvements," approved March 13, 1909, by adding five new sections thereto, to be numbered 26*a*, 26*b*, 26*c*, 26*d* and 26*e*.

In the absence of the author, Senate Bill No. 372 was ordered passed, to retain its place on the file.

Senate Bill No. 936—An act to amend an act entitled "An act to define the duties of and to license land surveyors, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 31, 1891," approved March 16, 1907; by amending sections 1, 2, 3, 11, and 14 thereof, so as to constitute the Surveyor General, the State Engineer and the Highway Engineer, ex officio, a State Board of Land Surveyors to examine persons applying to become licensed land surveyors; to prescribe the powers and duties of such board; to provide for the issuance, suspension, or revocation of licenses; to provide penalties for violations hereof; and to provide for paying the actual necessary expenses of such board.

Senate Bill No. 936 re-referred to Committee on Judiciary.

Senate Bill No. 900—An act to add a new section to the Code of Civil Procedure, to be numbered 1663, relating to partial distribution of estates of deceased persons.

In the absence of the author, Senate Bill No. 900 was ordered passed, to retain its place on the file.

Senate Bill No. 177—An act to recognize and declare valid all proceedings in Carmichael Irrigation District.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 177 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At twelve o'clock and forty five minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

THIRD READING OF SENATE BILLS—RESUMED.

Senate Bill No. 59—An act establishing and defining the powers and duties of a state athletic commission for the regulation of boxing, sparring and wrestling matches and exhibitions, and prescribing penalties for violations of the provisions thereof.

On motion of Senator Inman, Senate Bill No. 59 was ordered withdrawn from Committee on Finance.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 12, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has engrossed Senate Bill No. 373. "An act to amend an act entitled 'An act to provide for the burial of ex-Union soldiers, sailors and marines in this State who may be entitled to receive the allowance provided by United States expenses,' approved March 15, 1889, and to extend the provisions of said act so as to honorably discharged soldiers, sailors and marines who served in the army and navy of the United States, approved March 24, 1901, by extending the provisions of said act to widows of all such honorably discharged soldiers, sailors and marines who served in the army or navy of the United States," approved March 24, 1911, by designating who shall be appointed by boards of supervisors to carry out the terms of said act," and reports that the same has been correctly engrossed, and presented to the Governor on this 12th day of March, 1917, at twelve o'clock m.

CANEPA, Chairman.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Benson, the following messages from the Assembly were taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1340—An act to amend section 1097 of the Political Code, relating to registration of electors.

Also: Assembly Bill No. 919—An act to amend section 1092 of the Political Code, relating to the publication of the proceedings of the boards of supervisors;

Also: Assembly Bill No. 52—An act to amend section 1861 of the Civil Code, relating to lien of hotelkeepers on property of guests for charges.

Also: Assembly Bill No. 988—An act to amend section 176 of the Code of Civil Procedure, relating to the number of Superior Court judges and providing for the appointments of six additional Superior Court judges in counties of the first class and providing for their compensation;

Also: Assembly Bill No. 1370—An act to increase the number of judges of the Superior Court of the county of Imperial, State of California, and for the appointment of such additional judge;

Also: Assembly Bill No. 27—An act to add a new section to be known as section 9aa, to an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1340 read first time, and referred to Committee on Elections.

Assembly Bill No. 919 read first time, and referred to Committee on County Government.

Assembly Bill No. 52 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 988 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1350 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 27 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 510—An act to repeal section 373 of the Penal Code, relating to pesthouses in cities and towns.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 510 read first time, and referred to Committee on Public Health and Quarantine.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 671—An act amending section 3 of an act entitled "An act authorizing the construction of the unfinished portion of the library building of the University of California, and the construction of a building for general use as a recitation building, of a building for the use of the college of agriculture, and of a building for the use of the college of natural sciences as a chemistry building, upon the grounds of the said University of California at Berkeley; providing for the issuance and sale of State bonds to meet the cost of the foregoing purposes; and providing the necessary moneys for the payment of the principal and interest to become due on said bonds," adopted as an initiative measure by vote of the people November 3, 1914;

Also: Senate Bill No. 648—An act expressing assent of the State of California to the provisions of the act of Congress approved July 11, 1916, entitled "An act to provide that the United States shall aid the states in the construction of rural post roads, and for other purposes."

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 671 ordered to enrollment.

Senate Bill No. 648 ordered to enrollment.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 42—An act to amend an act known as "The Building and Loan Commission Act," approved April 5, 1911, and amended by an act approved December 18, 1911, by adding thereto a new section to be known and numbered as section 15*a*, relating to the powers and duties of the Building and Loan Commissioner and the licensing of agents.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Jones moved to refer Senate Bill No. 42 to Senator Benson as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On line 7 of the title, after the word "of", insert the word "traveling".

AMENDMENT NUMBER TWO.

On page 1, line 8 of the printed bill, after the word "commissions", insert the following: "or other than a local resident agent who has resided in the county in

which he holds such local agency for a period of not less than one year prior to the time that he took such agency,".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 12, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 42, with instructions to amend, respectfully reports the same back, amended as per instructions.

BENSON, Special Committee.

Report read, and on motion of Senator Benson adopted.

Bill ordered to print and re-engrossment.

ADJOURNMENT.

At twelve o'clock and fifty-five minutes p.m., on motion of Senator Benson, the President pro tempore declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Tuesday, March 13, 1917.

The Senate met at ten o'clock a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kelser, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—39.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, March 12, 1917, the further reading was dispensed with, on motion of Senator Stuckenbruck.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Duncan, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mrs. H. C. Compton of Chico.

PETITIONS.

The following petitions were received and ordered printed in the Journal:

To the Senate and Assembly, State of California.

GENTLEMEN: The Stockton Chamber of Commerce, through its board of directors, enters this protest against the so-called Chandler, Purkitt, Tarke, Duncan and other bills now before the Legislature that are inimical to the consummation of the flood control project. It is opposed, particularly, to the Chandler bill, which would make it possible, by an acreage vote on the retention of the Reclamation Board, for 100

large property owners to override the 55,000 holders of smaller properties in the district.

It is now twenty-four years since the first step was taken looking toward a cooperative agreement between the Federal Government and the State of California to solve this big problem. The work is now fairly under way. Through the flood control bill, just signed by the President, Congress has provided an appropriation of $5,000,000 to meet an equal sum from the State to handle the floods of the Sacramento and San Joaquin rivers.

At this time when the biggest forward step has been accomplished, it would be folly to jeopardize the success that is in sight by the enactment of bills that would mean destruction of the Reclamation Board and that would be absolutely in bad faith with the Federal Government, for the Reclamation Board is the agency which has been created by the State to handle the project and represent it in the consummation of this plan.

We are impressed with the realization that had there been a law on the statute books, with a central authority such as the State Reclamation Board to enforce it, during the whole of these twenty-four years, the interests of all of the landowners in the entire great central valley would have been vastly better protected. The Reclamation Board is just as necessary to the delta and to Stockton as is a building ordinance to the city: to serve the greatest good for the greatest number.

Without going further into the situation at this time—for a more adequate opportunity for presenting the merits of our case will be afforded—this organization files this, its solemn protest against the bills referred to, and prays that the members of the two houses will act with extreme deliberation on what is undoubtedly the most important problem before the present session of the Legislature.

Respectfully submitted.

STOCKTON CHAMBER OF COMMERCE.
FRED W. MOORE, President.

J. P. IRISH, JR., Secretary.

Also:

SACRAMENTO, CALIFORNIA, March 10, 1917.

Clifton E. Brooks, Secretary of the Senate.

DEAR SIR: The Rotary Club of Sacramento hereby protests against the passage of any and all bills having for their purpose the abolishing of the State Reclamation Board, or of the Sacramento and San Joaquin Drainage District, or for any interference whatsoever with the flood control plan heretofore adopted by the State, and favors any and all legislation that will continue in existence the State Reclamation Board and favors the consummation of the flood control plan, and in support of this protest against the legislation above referred to and this petition in favor of legislation for the continuance of the State Reclamation Board and the consummation of the flood control plan, we respectfully represent:

1. That the Sacramento River will not carry all of the waters that are presented in the flood seasons and some provision must be made for their safe passage to the bay; that the city of Sacramento has raised its levee system, in accordance with the flood control plan, and likewise is engaged in the construction of the Sacramento By-pass as a part of the plan, and that it is advancing the necessary money for the construction of the Sacramento By-pass, as its construction is a matter of emergency for the safety of the city of Sacramento. If the Sacramento and San Joaquin Drainage District is abolished, or if any act is passed which will lead to its abolishment, or if the flood control plan is in any way interfered with, the levee system of the city of Sacramento will not hold the flood waters, if the weirs and by-passes are not constructed.

2. That the flood control plan now being carried out, under the existing law, was developed after years of study which has been approved by both the Nation and the State and appropriations have been made both by the Nation and the State upon the faith of its being executed and no landowner should be permitted to set up his individual interest against the welfare of the State.

3. That the city of Sacramento, as well as other cities in the Sacramento Valley, are vitally interested in the flood control plan and in its execution, and any legislation directed against it will render unsafe the city of Sacramento from the menace of recurring floods.

The Rotary Club of Sacramento, therefore, having in mind the best interests of the city of Sacramento and the Sacramento Valley and of the State of California, respectfully asks that the State Reclamation Board and the flood control plan be continued in force, and likewise that no legislation be passed providing for the abolishment of the Sacramento and San Joaquin Drainage District, but on the other hand, that such legislation as may be designed to continue the existence of the State Reclamation Board and increase its powers and duties be passed.

ROTARY CLUB OF SACRAMENTO,
J. C. HOBBECHT, President.

CHAS. LUMBARD, Secretary.

The Rotary Club of Sacramento is composed of one representative from each line of business in the city.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 9th adopted Assembly Constitutional Amendment No. 21. Proposed amendment to Article XII of the Constitution, relative to poll taxes.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Constitutional Amendment No. 21 read first time, and referred to Committee on Constitutional Amendments.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following constitutional amendments were offered:

By Senator Luce: Senate Constitutional Amendment No. 43—A resolution to propose to the people of the State of California amendments to the Constitution of the State of California by adding thereto a new section to be known as section 24 of Article VI providing for pro tempore justices of the Supreme Court, and amending section 4 of Article VI relating to the jurisdiction of the Supreme Court and District Courts of Appeal, and amending section 24 of Article VI relating to conditions precedent to draft of salary.

Resolution ordered to print, and referred to Committee on Constitutional Amendments.

By Senator Ballard: Senate Constitutional Amendment No. 44—A resolution to propose to the people of the State of California to amend section 13 of Article VI of the Constitution of the State, relating to inferior courts.

Resolution ordered to print, and referred to Committee on Constitutional Amendments.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 650—An act empowering and authorizing the Board of Fish and Game Commissioners to insure the employees of the Fish and Game Commission with the Industrial Accident Commission while in the discharge of their duties.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 650 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, W. J., Chamberlin, Chandler, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, Luce, Maddux, Nealon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—29.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 746—An act to add a new section to the Code of Civil Procedure, to be numbered 1381, relating to joint administration of estates under the value of one thousand five hundred dollars, where the property is required by law to pass through several persons who have died.

On motion of Senator Kehoe, Senate Bill No. 746 was passed on file.

Senate Bill No. 590—An act to amend section 19o of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 590 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, W. J., Chamberlin, Chandler, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, Luce, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 90—An act to amend section 290½ of the Civil Code, relating to corporations.

In the absence of the author, Senate Bill No. 90 was ordered passed, to retain its place on the file.

Senate Bill No. 101—An act to amend section 16 of an act entitled "An act regulating the employment and hours of labor of children; prohibiting the employment of minors under certain ages; prohibiting the employment of certain illiterate minors; providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics and providing penalties for the violation hereof," approved February 20, 1905, as amended by an act approved April 14, 1911, as further amended by an act approved June 2, 1913; and as further amended by an act approved June 5, 1915.

In the absence of the author, Senate Bill No. 101 was ordered passed, to retain its place on the file.

Senate Bill No. 81—An act to authorize the State Board of Education to collect and compile information concerning California industries and occupations.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 81 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Kehoe, Luce, Maddux, Nealon, Rominger, Rush, Scott, Sharkey, Thompson, and Tyrrell—23.

NOES—Senators Ballard, Duncan, Irwin, Shearer, Slater, and Stuckenbruck—6.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 203—An act to amend an act entitled "An act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other acts and parts of acts now in force relating to estrays," approved March 23, 1901, and to exempt certain counties from provisions thereof.

In the absence of the author, Senate Bill No. 203 was ordered passed, to retain its place on the file.

Senate Bill No. 58—An act to add a new section to the Civil Code, to be numbered 1716, relating to negligence and the enforcement of claims against municipal corporations because of negligence in certain cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 58 passed by the following vote:

AYES—Senators Breed, Burnett, Canepa, Carr, F. M., Chandler, Crowley, Duncan, Flaherty, Hans, Ingram, Inman, Irwin, McDonald, Nealon, Rigdon, Roninger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Tyrrell—22.

NOES—Senators Ballard, Benson, Brown, Carr, W. J., Jones, Kehoe, Luce, Maddux, Shearer, and Thompson—10.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGES FROM THE GOVERNOR—(OUT OF ORDER).

On motion of Senator Benson, the following messages from the Governor were read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, CALIFORNIA, March 13, 1917.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have this day appointed Alexander McCabe Insurance Commissioner, vice J. E. Phelps, term expired, and request your concurrence therein and consent thereto.

Respectfully submitted,

HIRAM W. JOHNSON,
Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, CALIFORNIA, March 13, 1917.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have made the following appointments, and request your concurrence therein and consent thereto:

February 28, 1917. W. C. Barth, of Corona, a member of the Board of Managers of the Southern California State Hospital, vice James E. Cram, resigned.

March 6, 1917. E. G. McDaniel, of Antioch, a member of the Board of Managers of the Napa State Hospital, vice Henry J. Widenmann, resigned.

Respectfully submitted,

HIRAM W. JOHNSON,
Governor.

The messages from the Governor were referred to the Committee on Rules.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1108—An act to amend section 5 of an act entitled "An act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State, for

the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the act approved March 9, 1885, entitled 'An act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks,' also to repeal an act approved March 15, 1887, entitled 'An act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State,'" approved March 19, 1889, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1108 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Jones, Kehoe, McDonald, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1109—An act to amend section 4 of an act entitled "An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements and regulating the acquisition, construction, or completion thereof," which became a law under constitutional provision without the Governor's approval February 15, 1901.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1109 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Kehoe, Luce, McMonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 98—An act to amend an act entitled "An act to create a police relief, health and life insurance and pension fund in the several counties, cities and counties, cities and towns of the State," approved March 4, 1889, and amended March 31, 1891, amended a second time March 31, 1891, amended March 2, 1897, by amending section 3 thereof relating to the qualifications to receive a pension and the amount thereof.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 98 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, Luce, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 5—An act relating to the use and furnishing of premiums, prizes, stamps, coupons, tickets, certificates, cards, or other similar devices, for, or with the sale of goods, wares, merchandise; and providing a penalty for the violation thereof.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Ballard moved to refer Senate Bill No. 5 to Senator Kehoe, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

Insert after section 2 the following

"Sec. 3. Nothing in this act, however, shall prohibit the manufacturer or packer from issuing and redeeming, in any manner, for any goods, wares, or merchandise, his, its, or their own labels, trademarks, wrappers, coupons, or other similar tokens which are attached to, included within, or form a part of the original package of his, its, or their own goods, wares, or merchandise, nor the sale of such goods, wares, or merchandise."

AMENDMENT NUMBER TWO.

On page 2, line 36, strike out the figure "3" and insert in lieu thereof the figure "4".

AMENDMENT NUMBER THREE.

On page 3, line 6, strike out the figure "4" and insert in lieu thereof the figure "5"

AMENDMENT NUMBER FOUR.

On page 3, line 13, strike out the figure "5" and insert in lieu thereof the figure "6".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 13, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 5, with instructions to amend, respectfully reports the same back, amended as per instructions.

KEHOE, Special Committee.

Report read.

The question being on the adoption of the report.

The roll was called, and the report rejected by the following vote:

AYES—Senators Ballard, Burnett, Canepa, Carr, W. J., Chamberlin, Crowley, Gates, Hans, Ingram, Jones, Kehoe, Nealon, Rigdon, Rominger, and Rush—15.

NOES—Senators Benson, Breed, Brown, Carr, F. M., Chandler, Duncan, Evans, Flaherty, Inman, Irwin, Johnson, Luce, Lyon, McDonald, Maddux, Purkitt, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—23.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 5 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Carr, F. M., Chandler, Duncan, Evans, Flaherty, Inman, Irwin, Johnson, Lyon, McDonald, Maddux, Purkitt, Rigdon, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—22.

NOES—Senators Ballard, Burnett, Canepa, Carr, W. J., Chamberlin, Crowley, Gates, Hans, Ingram, Jones, Kehoe, Luce, Nealon, Rominger, Rush, and Tyrrell—16.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 820—An act to provide for the periodical inspection of steam boilers, with certain exceptions, operated in this State; requiring a permit, to be issued by the Industrial Accident Commission, for the operation of such boilers; making it a misdemeanor to operate such boilers without such permit; and allowing an injunction against such

operation without such permit where dangerous to the life or safety of employees; providing for a hearing before the Industrial Accident Commission prior to refusal of a permit; providing for the determination of competency of inspectors making such inspections and requiring reports of inspections; and prescribing maximum fees for such inspections.

Bill read third time, previously.

On motion of Senator Luce, Senate Bill No. 820 was passed on file, to retain its place.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER.

The following reports of standing committee were received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 13, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred the following message from the Governor:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.
SACRAMENTO, CALIFORNIA, March 13, 1917.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have this day appointed Alexander McCabe Insurance Commissioner, vice J. E. Phelps, term expired, and request your concurrence therein and consent thereto.

Respectfully submitted,

HIRAM W. JOHNSON, Governor.

Has had the same under consideration, and respectfully reports the same back and recommends that the Senate advise and consent to the appointment.

BREED, Chairman.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the following message from the Governor:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, CALIFORNIA, March 13, 1917.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have made the following appointments, and request your concurrence therein and consent thereto:

February 28, 1917. W. C. Barth, of Corona, a member of the Board of Managers of the Southern California State Hospital, vice James E. Cram, resigned.

March 6, 1917. E. G. McDaniel, of Antioch, a member of the Board of Managers of the Napa State Hospital, vice Henry J. Widenmann, resigned.

Respectfully submitted,

HIRAM W. JOHNSON, Governor.

Has had the same under consideration, and respectfully reports the same back and recommends that the Senate advise and consent to the appointments.

BREED, Chairman.

MOTION CONFIRMING APPOINTMENTS OF GOVERNOR.

Senator Benson moved that the Senate advise and consent to the several appointments of the Governor.

The President put the question, "Will the Senate advise and consent to the appointment of Alexander McCabe Insurance Commissioner, vice J. E. Phelps, term expired?"

The roll was called, with the following result:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt,

Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—36.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Alexander McCabe Insurance Commissioner, vice J. E. Phelps, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of W. C. Barth of Corona a member of the Board of Managers of the Southern California State Hospital, vice James E. Cram, resigned?"

The roll was called, with the following result:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, Luce, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, and Tyrrell—30.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of W. C. Barth of Corona a member of the Board of Managers of the Southern California State Hospital, vice James E. Cram, resigned.

The President put the question, "Will the Senate advise and consent to the appointment of E. G. McDaniel of Antioch a member of the Board of Managers of the Napa State Hospital, vice Henry J. Widenmann, resigned?"

The roll was called, with the following result:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Thompson, and Tyrrell—35.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of E. G. McDaniel of Antioch a member of the Board of Managers of the Napa State Hospital, vice Henry J. Widenmann, resigned.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 13, 1917.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 235—An act to repeal sections 3664, 3665, 3666, 3667, 3668, 3669, 3670, and 3671 of the Political Code, to re-enact said sections, and to add twenty-nine new sections to said code, to be numbered sections 3664*a*, 3664*b*, 3664*c*, 3664*d*, 3665*a*, 3665*b*, 3665*c*, 3666*a*, 3666*b*, 3666*c*, 3667*a*, 3667*b*, 3667*c*, 3668*a*, 3668*b*, 3668*c*, 3669*a*, 3669*b*, 3669*c*, 3669*d*, 3669*e*, 3670*a*, 3670*b*, 3670*c*, 3671*a*, 3671*b*, 3671*c*, 3671*d*, 3671*e*, all relating to taxation of public service and other corporations, banks and insurance companies for the benefit of the State—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to Committee on Revenue and Taxation.

KEHOE, Chairman.

Senate Bill No. 235 re-referred to Committee on Revenue and Taxation.

NOTICE OF MOTION TO RECONSIDER.

Senator Duncan gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 5 was passed.

RECALL OF SENATE BILL FROM ASSEMBLY.

On motion of Senator Duncan, the Assembly was requested to return Senate Bill No. 5.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., the hour of recess was extended until one o'clock and ten minutes p.m.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator McDonald moved to reconsider the vote whereby Senate Bill No. 588 was refused passage.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Senate Bill No. 588 was refused passage, carried by the following vote:

AYES—Senators Breed, Burnett, Carr, W. J., Chamberlin, Crevoiey, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Slater, and Tyrrell—26.

NOES—None.

Senate Bill No. 588—An act to amend section 628 of the Penal Code, relating to the protection of fish.

Bill read third time previously.

POINT OF ORDER.

During the discussion of Senate Bill No. 588, Senator Luce raised the point of order that "Debate was being engaged in under the guise of asking questions."

DECISION ON POINT OF ORDER.

The President announced his decision, and declared the point of order well taken.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 588 refused passage by the following vote:

AYES—Senators Ballard, Burnett, Canepa, Carr, F. M., Crowley, Duncan, Flaherty, Hans, Ingram, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, and Slater—19.

NOES—Senators Benson, Breed, Brown, Carr, W. J., Evans, Gates, Inman, Irwin, Johnson, Jones, Kehoe, Luce, Maddux, Thompson, and Tyrrell—15.

RECESS.

The hour of one o'clock and ten minutes p.m. having arrived, the President pro tempore declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Honorable Arthur H. Breed, President pro tempore of the Senate, in the chair.

Minute Clerk Joseph A. Beek at the desk.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 49—An act to repeal section 55*a* of the Penal Code, relative to soliciting, demanding, or pledging votes for or against any particular bill or measure.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 880—An act to add a new section to the Penal Code, to be numbered 464, relative to burglary with explosives.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 879—An act relating to bank transactions after twelve o'clock noon on Saturdays.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 878—An act to add a new section to the Civil Code, to be numbered 3320, providing for the damages recoverable from banks on the nonpayment of checks.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 656—An act to amend section 570 of the Code of Civil Procedure of the State of California, relating to the disposition of unclaimed funds in the hands of a receiver.

AMENDMENT FROM FLOOR.

During the second reading of the bill, the following amendment was offered and its adoption moved by Senator Hans:

On page 1, line 5 of the printed bill, after the word "person" strike out the following: "whole claim has been proven but".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 655—An act to amend section 348 of the Code of Civil Procedure, relating to the limitation of time within which to bring actions where money is deposited in a bank.

AMENDMENT FROM FLOOR.

During the second reading of the bill, the following amendment was offered and its adoption moved by Senator Hans:

On line 10 of the printed bill, after the word "liquidation" strike out the period and insert in lieu thereof a comma, and the following: "but in such case action must be brought within four years from the date of the determination of such insolvency."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

SECRETARY CLIFTON E. BROOKS AT THE DESK.

CONSIDERATION OF DAILY FILE—THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 232—An act providing for the examination, certification and registration of plumbers, prescribing penalties for violations of the provisions hereof, and repealing an act entitled "An act to grant to boards of health and health officers, in cities, and cities and counties, the power to regulate the plumbing and drainage of buildings, and to provide for the registration of plumbers," approved March 3, 1885.

On motion of Senator Lyon, Assembly Bill No. 232 was passed on file, to retain its place.

Assembly Bill No. 130—An act to amend section 10 of the Political Code, relating to holidays.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 130 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, W. J., Chandler, Flaherty, Gates, Hans, Ingram, Inman, King, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 205—An act to amend section 628i of the Penal Code.

On motion of Senator Sharkey, Assembly Bill No. 205 was passed on file, to retain its place.

Assembly Bill No. 92—An act to amend section 2697 of the Political Code, relating to the abandonment of highways.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 92 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, W. J., Chandler, Flaherty, Gates, Hans, Ingram, Inman, Johnson, King, Lyon, Maddux, Nealon, Rigdon, Rominger, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 24—An act to recognize and declare valid all proceedings in Carmichael Irrigation District.

Bill read third time.

The question being on the passage of the bill.

CALL OF THE SENATE.

The roll was called on the final passage of Assembly Bill No. 24.

Pending the announcement of the vote, Senator Inman moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Carr, W. J., Chandler, Flaherty, Gates, Hans, Ingram, Inman, Johnson, King, Luce, Lyon, Maddux, Nealon, Rigdon, Rominger, Rush, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—24.

The Secretary announced the absentees.

Time, two o'clock and thirty-five minutes p.m.

The President pro tempore directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At two o'clock and thirty-seven minutes p.m., Senators Kehoe, Jones, Tyrrell, Evans, Burnett, Carr, F. M., Crowley, Irwin, and Brown were

brought to the bar of the Senate, and, on motion of Senator Slater, were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At two o'clock and forty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Inman.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Assembly Bill No. 24 finally passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, F. M., Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Rigdon, Rominger, Rush, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—32.

NOES—Senator Thompson—1.

MINUTE CLERK JOSEPH A. BELK AT THE DESK.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Senate Bill No. 3, heretofore set as a special order for two o'clock and thirty minutes p.m., the same was taken up for consideration.

Senate Bill No. 3—An act to amend an act entitled "An act to provide for the regulation of the traffic in alcoholic liquors by establishing local option; authorizing the filing of petitions praying for elections to vote upon the question whether the sale of alcoholic liquors shall be licensed within the territory described in such petitions; providing for the calling and holding of such elections; making it the duty of the proper governing body to declare such territory to be no-license territory unless a majority of votes is cast in favor of license; providing that no licenses, permits or other authority to sell or distribute alcoholic liquors in no-license territory shall be granted; forfeiting and declaring void all such licenses or permits theretofore issued and in force; making it a penal offense to sell, give away or distribute alcoholic liquors within such territory, with certain exceptions; and providing penalties for such offenses," approved April 4, 1911, by amending sections 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, thereof, and by adding thereto a new section to be known and numbered as section 20*a*.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 3 refused passage by the following vote:

AYES—Senators Benson, Brown, Chandler, Duncan, Evans, Gates, Irwin, Johnson, Jones, Kehoe, King, Luce, Rigdon, Rominger, and Thompson—15.

NOES—Senators Ballard, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Flaherty, Hans, Ingram, Inman, Lyon, McDonald, Maddux, Nealon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—23.

NOTICE OF MOTION TO RECONSIDER.

Senator Carr, W. J., gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 3 was refused passage.

SECRETARY CLIFTON E. BROOKS AT THE DESK.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Crowley, the following messages from the Assembly were taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 788—An act to amend section 1055 of the Political Code, relating to publication of election proclamation;

Also: Assembly Bill No. 935—An act to amend section 348 of the Code of Civil Procedure of the State of California, relating to the limitation of time within which to bring actions where money is deposited in a bank;

Also: Assembly Bill No. 937—An act to amend section 570 of the Code of Civil Procedure of the State of California, relating to the disposition of unclaimed funds in the hands of a receiver;

Also: Assembly Bill No. 239—An act to amend sections 2979*a*, 2984, 3061 and 3064 of the Political Code, relating to health officers;

Also: Assembly Bill No. 240—An act to amend section 13 of an act entitled "An act for the preservation of public health of the people of the State of California and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907, as amended by acts approved April 1, 1911, and June 13, 1913;

Also: Assembly Bill No. 268—An act to amend section 1469 of the Code of Civil Procedure, relating to administration of estate not exceeding two thousand dollars in value.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 788 read first time, and referred to Committee on Elections.

Assembly Bill No. 935 read first time, and referred to Committee on Banking.

Assembly Bill No. 937 read first time, and referred to Committee on Banking.

Assembly Bill No. 239 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 240 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 268 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Constitutional Amendment No. 1—Proposed amendment to Article II of the Constitution, relative to the right of suffrage.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Constitutional Amendment No. 1 referred to Committee on Constitutional Amendments.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 18—Relative to the printing of additional copies of the constitutional booklet authorized by Senate Concurrent Resolution No. 16, of 1915.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Concurrent Resolution No. 18 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 262—An act amending section 636 of the Penal Code, relating to the regulation of use of nets, lines and seines in the waters of the State of California, and providing a penalty for the violation thereof.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 262 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 738—An act to amend sections 3746, 3756 and 3817 of the Political Code, relating to the time when taxes are due and delinquent, penalties thereon, the tax collector's published notice thereof, and to the redemption of property sold to the State and penalties thereon;

Also: Assembly Bill No. 706—An act to amend sections 7 and 8 and to add three new sections to be known as section 8½, section 8c and section 8d of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended.

Also: Assembly Bill No. 238—An act to repeal section 3062 of the Political Code, relating to health officers;

Also: Assembly Bill No. 826—An act empowering the State Board of Health to examine sources from which shellfish are taken, making it unlawful to take shellfish from contaminated sources if determined by said board to be a menace to health; making violations of this act misdemeanors and providing for the punishment of same;

Also: Assembly Bill No. 742—An act to amend section 3074 of the Political Code relating to the Bureau of Vital Statistics and duties of State Registrar.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 738 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 706 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 238 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 826 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 742 read first time, and referred to Committee on Public Health and Quarantine.

ADJOURNMENT.

At four o'clock and fifty-five minutes p.m., on motion of Senator Benson, the President pro tempore declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Wednesday, March 14, 1917.

The Senate met at ten o'clock a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Caldera, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Lee, Lyon, McDonald, Maddux, Nealon, Parkitt, Rigdon, Roninger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—38.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, March 13, 1917, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Crowley, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Congressman John I. Nolan of San Francisco.

Also:

On request of Senator Breed, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Principal Herbert Lee and the following students of the University High School of Oakland:

Katharine Merriam, Marion Brandt, Marion Grover, Sherwood Spurgin, Ina Mackenzie, Jocelyn Stebbeys, Dorothy Dokes, J. Donald Crain, Harold Martin, Don Wright, Edward Dodds, John Hatfield, Jesse Hobert, James G. Robb, Edward Ross, Edna Beardman, Ed Gove, Gladys Boone, Owen Schloss, Milton Mausshardt, John Simon, Harriet Small, John Cochead, John R. Woodbridge, W. F. Barker, Hobart G. Erwin, J. Loyd Eaton, Dale Merritt, Jack L. Merrill, Thos. Porter, Elliott B. Davis, Jr., Fairfax M. Cone, Mary Wilson, Dorothy Rowe, Elizabeth Worthen, Ethelma Rowe, Clifton Gilbert, Richard Wayden, Chester Robinson, Helen Grant, Nada Monser, Eleanor Davies, Mildred Gorham, Ruth Munro, Mabel Akers, Evelyn McGrath, Marie Fulcher, Phyllis Kett, Maybel Wyllie, Loretta Ross, Verne Buck, Alice Sharps, Helen Hartley, Ethel Matthews, Grace Halsey, Kathleen Harnett, Eda Kirby, Christopher M. Jenks, Loring Davis, Henry R. Snyder, John M. Rhodes, Luis F. Switzer, Westcott Porter, Geo. W. Allen, Albert L. Raymond, Clarence A. V. Sande, Helen M. Mulhern, Jonemary Cochrance, Bernice Ruggins, Gertrude Seaver, Mildred Pierce, Gertrude Kennedy, Ruth Freylach, Mabel Laxe Derkes, Marie W. Davis, William Wilson, James George Stitt, John W. Nash, T. W. Michels, B. A. Walsh, Frank Seely, Louis Siegriest, Arthur Rowe, Arthur Rice, Garnet Black, Thomas Kennedy, Truman Mitchell, Edna Stone, E. W. Jacobsen, Norris Nash.

PETITIONS.

The following petitions were presented and ordered printed in the Journal:

By Senator Slater:

Forestville Grange, No. 367, P. of H., has adopted the resolution of Napa Grange, No. 307, P. of H., protesting against the passage of bills introduced in the State Legislature looking to the payment of bounties for the destruction of certain so-called predatory birds in order that so-called game birds may be preserved. Owing to the fact that by their destruction of insects, linnets, English sparrows, rats, gophers, etc., the so-called predatory birds are friends of the farmer, therefore, we request you to work toward the end that said bills be not passed.

Respectfully,

LEILA O. WHITE, Secretary.

FORESTVILLE, CAL., March 13, 1917.

By Senator Brown:

LOS ANGELES, CALIFORNIA, March 8, 1917.

Hon. Hiram W. Johnson, Governor of the State of California; Hon. W. D. Stephens President of the Senate of the State of California; Hon. C. C. Young, Speaker of the Assembly of the State of California; Senators and Assemblymen of the State of California, in session assembled at Sacramento, California

GREETINGS: At a meeting of the City Council of the City of Los Angeles, held this day, the following message from the Mayor was adopted:

To the City Council, Los Angeles, California.

HONORED MEMBERS: I hereby suggest for adoption the following resolution:

"WHEREAS, The State of California is producing great quantities of foodstuffs, sufficient, in fact, to respond to the demand of the eastern markets and California's markets also; and

"WHEREAS, It appears that the larger tracts of land devoted to the raising of vegetables for human consumption are under the control of individuals who are seeking to profit to an unreasonable degree by reason of the shortage of foodstuffs in the eastern states, such excessive demands resulting in the raising of prices for ordinary supplies so high that they are almost, if not quite, prohibitory for the use of the common people; now, therefore, be it

"*Resolved*, By the Mayor and Council of the City of Los Angeles, that the Governor and the members of both houses of the Legislature, and particularly the members of both houses of the Legislature coming from the city and county of Los Angeles, be requested and urged to immediately present and pass measures which will effectually break any combination which has or may in the future enable the facts to obtain as hereinabove set out; and further, in order that such legislation may be effective, that such legislation provide for severe penal punishment for all persons connected with any combine whose purpose is to raise the price of foodstuffs over and above a reasonable figure justified by the supply and demand thereof.

"Very truly yours,

"F. T. WOODMAN, Mayor."

I hereby certify that the foregoing message of the Mayor of the City of Los Angeles was adopted by the City Council at its meeting held March 8, 1917.

CHAS. L. WILDE, City Clerk.

Also:

Senator W. E. Brown and Colleagues, Sacramento:

WHEREAS, The constantly increasing cost of living is due principally to the extortions of the middleman; and

WHEREAS, The Legislature of California two years ago enacted the measure known as the Brown-McPherson Act, endorsed by the C. W. F. C.; and

WHEREAS, Said measure eliminating the middleman would act as a normal regulator of prices for food produce; and

WHEREAS, State Market Director refuses to utilize the appropriation allowed by the State Legislature for the defined purposes of the act; and

WHEREAS, Such conduct is an unworthy affront to the State Legislature of California and its sovereign people; now, therefore, be it

Resolved, That The Outlook Association does most earnestly urge that you, our representatives, defeat Assembly Bill No. 86 and Senate Bill No. 325, and take whatever action may be deemed requisite to have the State Market Act put into effect.

Respectfully,

THE OUTLOOK ASSOCIATION.

AGNES SPENCER, Secretary. MARY F. SCHERFEE, President.

By Senator Inman:

WHEREAS, The levee system of the city of Sacramento and the Sacramento weir north of the city, now in the course of construction, have been planned in accordance with the flood control plan, devised by the California Debris Commission for the purpose of preventing floods in the Sacramento Valley, and the said plan has been approved both by the governments of the United States and of the State of California; and

WHEREAS, The welfare of the city of Sacramento demands that the said flood control plan be carried out, so that the flood waters of the Sacramento Valley may be safely carried to the bay; now, therefore, be it

Resolved, By the Sacramento Valley Home Products League, that we favor the continuance of the Reclamation Board of the State of California and oppose the dissolution of the Sacramento and San Joaquin Drainage District, which has for its purpose the doing of a part of the construction work required by the said flood control plan, and are opposed to all bills which in any way seek to destroy the execution of the flood control plan; and be it further

Resolved, That a copy of this resolution be delivered to each of our representatives in the Legislature of the State of California, and, further, that a copy be furnished to the press.

C. T. FARNHAM, Secretary.

Also:

WHEREAS, The county of Yolo is materially interested in the carrying out of the flood control plan heretofore adopted by the State and Nation for the prevention of floods in the Sacramento Valley in connection with the Sacramento River and its tributaries, and the reclamation districts situated within Yolo County have spent large amounts of money in reclaiming their lands in accordance with such plan, and the taxable wealth of the county has been increased thereby; now, therefore, be it

Resolved, By the Board of Supervisors of Yolo County:

1. That the flood control plan now being carried out should not be abandoned and that the power of the State Reclamation Board be not repealed or interfered with, and that the Sacramento and San Joaquin Drainage District should be continued in force so as to provide legal machinery for the carrying out of the plan.

2. That a certified copy of this resolution be transmitted to the Governor and the Legislature of the State of California.

I hereby certify that the foregoing resolution was adopted at a regular meeting of the Board of Supervisors of Yolo County on March 12, 1917.

[SEAL]

H. R. SAUNDERS,
Clerk of the Board of Supervisors of the County of Yolo, State of California.

Also:

WHEREAS, The flood protection works of the Sacramento River West Side Levee District, consisting of a levee on the west bank of the Sacramento River, between the towns of Colusa, Colusa County, and Knights Landing, Yolo County, are a part of the flood control plans of the State of California; and

WHEREAS, The plans of said levee have been filed with the State Reclamation Board, and approved by the said board, and an assessment of $730,000 has been levied on the lands of said district, which assessment is now in the course of equalization; and

WHEREAS, Any abandonment of said flood control plans by the State of California would mean a return of the unorganized and disastrous flood conditions that existed in the Sacramento Valley prior to the adoption of said flood control plan, and there then would be no certainty as there is now that said levee would be ample and adequate to protect the lands of said district from the flood waters of the Sacramento River; and

WHEREAS, There has been introduced into the Legislature of the State of California several bills having for their object the abandonment by the State of the flood control plan, and the dissolution of the Sacramento and San Joaquin Drainage District, and the control of said district by the State Reclamation Board; now, therefore, be it

Resolved, That we are opposed to the efforts now being made to destroy the flood control plan under which our works have been and are being constructed, and we believe we are entitled to the protection of the State after having accepted in good faith the flood control plan as adopted by the State in 1913, and under which plan we have already expended over one-half million dollars in construction work;

Resolved, That this district become a member of the Association of Reclamation Districts of the State of California, and the president of the board of commissioners be hereby authorized to sign the by-laws and constitution of said association;

Resolved, That the president and manager of this district are instructed to cooperate with other organizations in an effort to defeat by all proper means the bills now before the Legislature having for their object the abandonment of the flood control plan;

Resolved, That copies of this resolution be sent to members of the Legislature of the State of California now convened at Sacramento.

I hereby certify that the above is a full, true and correct copy of a resolution duly and regularly passed at a special meeting of the board of commissioners of the Sacramento River West Side Levee District held on the first day of March, 1917, duly and regularly called in accordance with the by-laws of the said district at which said meeting there was a quorum present and acting, and that said resolution has not been amended, rescinded or revoked.

[SEAL.] HARRY A. KUNZ, Secretary.

Also:

WHEREAS, The flood protection works of the Knights Landing Ridge Drainage District, consisting of a cut or by-pass through what is known as the Knights Landing Ridge, connecting Colusa and Yolo basins in Yolo County, are a part of the flood control plans of the State of California; and

WHEREAS, The plans of said by-pass have been filed with the State Reclamation Board, and approved by the said board, and an assessment of $800,000 has been levied on the lands of said district; and

WHEREAS, Any abandonment of said flood control plans by the State of California would mean a return of the unorganized and disastrous flood conditions that existed in the Sacramento Valley prior to the adoption of said flood control plan, and there then would be no certainty as there is now that said by-pass would be ample and adequate to protect the lands of said district from flood waters; and

WHEREAS, There has been introduced into the Legislature of the State of California several bills having for their object the abandonment by the State of the flood control plan, and the dissolution of the Sacramento and San Joaquin Drainage District, and the control of said district by the State Reclamation Board; now, therefore, be it

Resolved, That this district is opposed to the efforts now being made to destroy the flood control plan under which our works have been and are being constructed, and this district believes that it is entitled to the protection of the State after having accepted in good faith the flood control plan as adopted by the State in 1913, and under which plan it has already expended over $600,000 in construction work;

Resolved, That this district become a member of the Association of Reclamation Districts of the State of California, and the president of the board of commissioners be hereby authorized to sign the by-laws and constitution of said association.

Resolved, That the president and manager of this district are instructed to cooperate with other organizations in an effort to defeat by all proper means the bills now before the Legislature having for their object the abandonment of the flood control plan;

Resolved, That copies of this resolution be sent to members of the Legislature of the State of California now convened at Sacramento.

I hereby certify that the above is a full, true and correct copy of a resolution duly and regularly passed at a special meeting of the board of commissioners of the Knights Landing Ridge Drainage District, held on the 2d day of March, 1917, duly and regularly called in accordance with the by-laws of the said district at which said meeting there was a quorum present and acting, and that said resolution has not been amended, rescinded or revoked.

[SEAL.] HARRY A. KUNZ, Secretary.

Also:

WHEREAS, The levee system of the city of Sacramento and the Sacramento weir north of the city, now in the course of construction, have been planned in accordance with the flood control plan, devised by the California Debris Commission for the purpose of preventing floods in the Sacramento Valley, and the said plan has been approved both by the governments of the United States and of the State of California; and

WHEREAS, The welfare of the city of Sacramento demands that the said flood control plan be carried out, so that the flood waters of the Sacramento Valley may be safely carried to the bay; now, therefore, be it

Resolved, by Sacramento County Retail Hardware Association, That we favor the continuance of the Reclamation Board of the State of California and oppose the dissolution of the Sacramento and San Joaquin Drainage District, which has for its purpose the doing of a part of the construction work required by the said flood control plan, and are opposed to all bills which in any way seek to destroy the execution of the flood control plan; and be it further

Resolved, That a copy of this resolution be delivered to each of our representatives in the Legislature of the State of California, and, further, that a copy be furnished to the press.

SACRAMENTO COUNTY RETAIL HARDWARE ASSOCIATION.
JOHN H. LINDENMAYER, President.

RAYMOND A. HARVIE, Secretary.

Also,

[illegible]

W. A. RHODEN, President.

[illegible]

Also,

[illegible]

[illegible] are not constructed.

[illegible] individual interest against the welfare of the State.

[illegible]

ROTARY CLUB OF SACRAMENTO,
By J. C. HOBRECHT, President.

[illegible]

[illegible]

The following petitions were received, and ordered printed in the Journal:

LOS ANGELES, CALIFORNIA, March 1, 1917.

Hon. Hiram W. Johnson, Governor of the State of California; Hon. W. D. Stephens, President of the Senate of the State of California; Hon. C. C. Young, Speaker of the Assembly of the State of California; Senators and Assemblymen of the State of California, in Session Assembled at Sacramento, California.

GREETINGS: WHEREAS, There is now pending before the Legislature of the State of California Senate Bill No. 430, entitled "An act to provide for the establishment within municipalities, of districts or zones within which the use of property, height of improvements and proportional area of the lot which may be lawfully covered by improvements, may be regulated by ordinance," and Senate Bill No. 431, entitled "An act authorizing and empowering municipalities to provide a procedure for the fixing and establishing of setback lines on private property bordering on the whole or part of any street, avenue or highway, to prohibit the erection of buildings, fences or other structures between such setback lines and fences or other structures between such setback lines and the lines of any such street, avenue or highway, and to condemn any and all property necessary or convenient for that purpose," and Senate Bill No. 905, entitled, "An act to add three new sections to an act entitled 'An act relating to immigrants and immigration, creating a commission of immigration and housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, providing for the investigation by said commission of all things affecting immigrants and for the care, protection and welfare of immigrants and making an appropriation for the purpose of carrying out the provisions hereof,' approved June 12, 1913, to be numbered 15, 16 and 17 and making an appropriation to carry out the provisions hereof"; and

WHEREAS, There is also before the Legislature Senate Constitutional Amendment No. 16, entitled, "A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California by adding a new section to Article XI thereof, to be designated as section 20, of said Article XI of the Constitution of the State of California, relating to the taking of property for public use and additional adjoining or neighboring property, and for the payment therefor"; and

WHEREAS, In the opinion of the City Council of the city of Los Angeles the said proposed bills above referred to should be adopted by the Legislature of the State of California now in session, and placed upon the statute books of the State; now therefore be it

Resolved, That the City Council in session assembled this 1st day of March, 1917, request the legislators from southern California to use their influence in seeing that said bills above referred to are adopted at this session of the Legislature.

I, Chas. L. Wilde, City Clerk of the city of Los Angeles, hereby certify that the foregoing resolution was adopted by the City Council at its meeting held March 1, 1917.

CHAS. L. WILDE, City Clerk.

Also:

OROVILLE, BUTTE COUNTY, CALIFORNIA, March 14, 1917.

California State Senate, Sacramento, California.

HONORABLE BODY: The Woman's Christian Temperance Union of the city of Oroville most solicitously urge that you do all in your power to prevent the passage of the following bills:

Senate Constitutional Amendment No. 41, introduced by Senator Victor J. Canepa, providing for the formation of segregated districts within which prostitution may be licensed and permitted, and Senate Constitutional Amendment No. 19, to establish a state athletic commission to supervise boxing.

Yours for humanity's greatest good,

SELINA DUNSTONE BINET,
President W. C. T. U., Oroville, California.

Also:

PASADENA, CALIFORNIA, March 12, 1917.

To the Honorable Senate of the State of California:

At a meeting of John F. Godfrey Post, No. 93, Department of California and Nevada, G. A. R., held at their hall on the 10th inst., it was resolved and unanimously carried that we as a post earnestly request you to pass Senate Bill No. 917.

Yours very truly,

C. T. HILTON, Adjutant.

COMMUNICATION.

The following communication was received and ordered printed in the Journal:

OROVILLE, BUTTE CO., CAL., March 14, 1917.

Hon. Senators, Sacramento, Cal.

GENTLEMEN: The Woman's Christian Temperance Union of the city of Oroville, most respectfully petition that you vote against Senate Bill No. 723, introduced by Senator W. R. Sharkey, requiring compulsory military training in the high schools of our State.

Very respectfully,

MRS. E. C. BINET,
President W. C. T. U. of Oroville.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day herewith returns Senate Bill No. 5—An act relating to the use and furnishing of premiums, prizes, stamps, coupons, tickets, certificates, cards, or other similar devices, for, or with the sale of goods, wares, merchandise; and providing a penalty for the violation thereof—which was recalled by Senate.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 5 ordered on file.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 14, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined:

Senate Bill No. 42—An act to amend an act known as "The Building and Loan Commission Act," approved April 5, 1911, and amended by an act approved December 18, 1911, by adding thereto a new section to be known and numbered as section 15*a*, relating to the powers and duties of the Building and Loan Commissioner and the licensing of traveling agents—and reports that the same has been correctly re-engrossed.

CANEPA, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 49—An act to repeal section 55*a* of the Penal Code, relative to soliciting, demanding, or pledging votes for or against any particular bill or measure;

Also: Senate Bill No. 880—An act to add a new section to the Penal Code, to be numbered 464, relative to burglary with explosives;

Also: Senate Bill No. 879—An act relating to bank transactions after twelve o'clock noon on Saturdays;

Also: Senate Bill No. 878—An act to add a new section to the Civil Code, to be numbered 3320, providing for the damages recoverable from banks on the nonpayment of checks;

And reports that the same have been correctly engrossed.

CANEPA, Chairman.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, March 13, 1917.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 76—An act defining commission merchants, providing for filing of bond, and certificates showing names of persons doing business or advertising as commission merchants, and providing penalties for the violation of the requirements herein contained—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

KING, Chairman.

Senate Bill No. 76 ordered on file for second reading.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following resolution was offered:

By Senator Benson: Senate Concurrent Resolution No. 20—Relating to the publication of an index of the laws of California.

Resolution ordered to print, and referred to Committee on Judiciary.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 746—An act to add a new section to the Code of Civil Procedure, to be numbered 1381, relating to joint administration of estates under the value of one thousand five hundred dollars, where the property is required by law to pass through several persons who have died.

Read third time, previously.

On motion of Senator Kehoe, Senate Bill No. 746 was passed on file.

Senate Bill No. 90—An act to amend section 290½ of the Civil Code, relating to corporations.

In the absence of the author, Senate Bill No. 90 was ordered passed, to retain its place on the file.

Senate Bill No. 101—An act to amend section 16 of an act entitled "An act regulating the employment and hours of labor of children; prohibiting the employment of minors under certain ages; prohibiting the employment of certain illiterate minors; providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics and providing penalties for the violation hereof," approved February 20, 1905, as amended by an act approved April 14, 1911, as further amended by an act approved June 2, 1913; and as further amended by an act approved June 5, 1915.

In the absence of the author, Senate Bill No. 101 was ordered passed, to retain its place on the file.

Senate Bill No. 203—An act to amend an act entitled "An act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other acts and parts of acts now in force relating to estrays," approved March 23, 1901, and to exempt certain counties from provisions thereof.

Read third time, previously.

On motion of Senator King, Senate Bill No. 203 was passed on file.

Senate Bill No. 820—An act to provide for the periodical inspection of steam boilers, with certain exceptions, operated in this State; requiring a permit to be issued by the Industrial Accident Commission, for the operation of such boilers; making it a misdemeanor to operate such boilers without such permit; and allowing an injunction against such operation without such permit where dangerous to the life or safety of employees; providing for a hearing before the Industrial Accident Commission prior to refusal of a permit; providing for the determination of competency of inspectors making such inspections and requiring reports of inspections; and prescribing maximum fees for such inspections.

On motion of Senator Luce, Senate Bill No. 820 was passed on file.

Senate Bill No. 777—An act to amend section 7 of an act entitled "An act to carry into effect the provisions of section 14 of Article

XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, as amended February 3, 1913, and January 28, 1915.

Read third time.

On motion of Senator Evans, Senate Bill No. 777 was passed on file.

SENATOR BENSON IN THE CHAIR.

At ten o'clock and twenty minutes a.m., Senator Benson of the Twenty-seventh District was called to the chair.

Senate Bill No. 42—An act to amend an act known as "The Building and Loan Commission Act," approved April 5, 1911, and amended by an act approved December 18, 1911, by adding thereto a new section to be known and numbered as section 15*a*, relating to the powers and duties of the Building and Loan Commissioner and the licensing of agents.

In the absence of the author, Senate Bill No. 42 was ordered passed, to retain its place on the file.

Senate Bill No. 43—An act to amend section 17 of an act known as "The Building and Loan Commission Act," approved April 5, 1911, and amended by acts approved December 18, 1911, and May 29, 1915, relating to the powers and duties of the Building and Loan Commissioner.

In the absence of the author, Senate Bill No. 43 was ordered passed, to retain its place on the file.

Senate Bill No. 935—An act to amend section 638 of the Civil Code, relating to loans by building and loan associations and the notes or obligations taken therefor.

In the absence of the author, Senate Bill No. 935 was ordered passed, to retain its place on the file.

Senate Bill No. 974—An act to amend section 54 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," relating to the definition and regulation of banking.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 974 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Rush, Shearer, Slater, and Thompson—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 59—An act establishing and defining the powers and duties of a state athletic commission for the regulation of boxing, spar-

ring and wrestling matches and exhibitions, and prescribing penalties for violations of the provisions thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 59 was refused passage by the following vote:

AYES—Senators Canepa, Crowley, Flaherty, Inman, McDonald, Nealon, Rush, and Shearer—8.

NOES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, W. J., Chamberlin, Chandler, Duncan, Evans, Gates, Ingram, Irwin, Jones, Kehoe, King, Luce, Maddux, Purkitt, Rigdon, Rominger, Slater, Stuckenbruck, Thompson, and Tyrrell—25.

Senate Bill No. 724—An act authorizing boards of supervisors of the several counties in this State to employ competent persons to cruise the timberlands in their respective counties, for the purpose of assessment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 724 was refused passage by the following vote:

AYES—Senators Benson, Breed, Carr, F. M., Carr, W. J., Gates, Ingram, Jones, Kehoe, Luce, Lyon, McDonald, Scott, and Tyrrell—13.

NOES—Senators Ballard, Burnett, Canepa, Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Inman, Irwin, Johnson, King, Maddux, Nealon, Purkitt, Rominger, Rush, Shearer, Slater, Stuckenbruck, and Thompson—22.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Duncan moved to reconsider the vote whereby Senate Bill No. 5 was refused passage.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Senate Bill No. 5 was refused passage, carried by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, W. J., Chamberlin, Crowley, Duncan, Flaherty, Gates, Ingram, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Scott, Slater, Thompson, and Tyrrell—26.

NOES—Senators Carr, F. M., Chandler, Inman, Irwin, and Johnson—5.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., the hour of recess was extended until twelve o'clock and thirty-five minutes p.m.

Senate Bill No. 5—An act relating to the use and furnishing of premiums, prizes, stamps, coupons, tickets, certificates, cards, or other similar devices, for, or with the sale of goods, wares, merchandise; and providing a penalty for the violation thereof.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 5 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Carr, F. M., Chandler, Duncan, Evans, Flaherty, Inman, Irwin, Johnson, King, Lyon, McDonald, Maddux, Purkitt, Rigdon, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—23.

NOES—Senators Ballard, Burnett, Canepa, Carr, W. J., Chamberlin, Crowley, Gates, Ingram, Jones, Kehoe, Luce, Nealon, and Tyrrell—13.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER.

Senator Carr, W. J., moved to reconsider the vote whereby Senate Bill No. 3 was refused passage.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Carr, W. J., the further consideration of the motion to reconsider the vote whereby Senate Bill No. 3 was refused passage, was continued until the next legislative day.

RECESS.

The hour of twelve o'clock and thirty-five minutes p.m. having arrived, the acting President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m. the Senate reconvened.

Honorable Arthur H. Breed, President pro tempore of the Senate, in the chair.

Minute Clerk Joseph A. Beek at the desk.

CONSIDERATION OF ASSEMBLY AMENDMENTS—(OUT OF ORDER).

On motion of Senator Johnson the Senate took up for consideration Assembly amendments to Senate Bill No. 45 out of the regular order.

Senate Bill No. 45—An act to amend section 1599 of the Political Code, relating to school elections.

AMENDMENT NUMBER ONE.

Pages 1 and 2, beginning with line 3, strike out all reading matter up to and including line 11 on page 2 and insert in lieu thereof the following:

"1599. Each county superintendent of schools shall furnish uniform ballots for the election of school trustees in his county, and no other form of ballot shall be used. The expense of printing and distributing such ballots to the various districts shall be paid as other current expenses of his office. The form of said ballots shall be as follows:

"Official ballot provided by the office of the superintendent of schools, to be used in the election of school trustees in _____ district, in the county of _____. Immediately following the above there shall be at least twelve spaces for the insertion of the names of candidates, each space with a blank square for the expression of the will of the voter.

"The name of the county shall be printed in as a part of the official ballot.

"The school trustees must provide for printing, stamping or writing into this ballot the designation of the district and the name of each candidate for office who has officially announced himself five days prior to the date of the election by filing or having filed with the clerk of the board of trustees a written statement that he is a candidate for the office of trustee.

"In casting his vote the elector must stamp or write a cross in the square space immediately following the name of the candidate for whom he desires to vote, or, should the elector desire to vote for a candidate whose name does not appear on the ballot, he shall himself write the name of said candidate in the space provided for that purpose on the ballot. Where the elector writes the name of a candidate on the ballot he may, but it shall not be necessary for him to, designate his vote by writing or stamping the cross after such name. After properly marking his ballot he shall hand it to the inspector, who shall then, in his presence, deposit the same in the ballot box and the judges shall enter the elector's name on the poll list.

"The board of school trustees may arrange for secret ballot by providing a booth or private room in which the voter may prepare his ballot, and in districts employing two or more teachers they must arrange for such secret ballot in the manner prescribed above.

"No electioneering shall be carried on within one hundred feet of the polls."

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 45?"

The roll was called, and Assembly amendment to Senate Bill No. 45 was concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Crowley, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, Jones, King, Maddux, Nealon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—25.

NOES—None.

Senate Bill No. 45 ordered to enrollment.

CONSIDERATION OF DAILY FILE—THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 232—An act providing for the examination, certification and registration of plumbers, prescribing penalties for violations of the provisions hereof, and repealing an act entitled "An act to grant to boards of health and health officers, in cities, and cities and counties, the power to regulate the plumbing and drainage of buildings, and to provide for the registration of plumbers," approved March 3, 1885.

On motion of Senator Benson, Assembly Bill No. 232 was passed on file.

Assembly Bill No. 205—An act to amend section 628*i* of the Penal Code.

On motion of Senator Sharkey, Assembly Bill No. 205 was passed on file.

Assembly Bill No. 346—An act to recognize and declare valid the Paradise Irrigation District and all proceedings in relation thereto and to the organization thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 346 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR JONES IN THE CHAIR.

At two o'clock and fifteen minutes p.m., Senator Jones of the Twenty-eighth District was called to the chair.

Assembly Bill No. 388—An act to recognize and declare valid the Stratford Irrigation District, and all proceedings in relation thereto and to the organization thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 388 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Flaherty, Gates, Ingram, Irwin, Johnson, Jones, Kehoe, King, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Shearer, Slater, Stuckenbruck, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 402—An act to recognize and declare valid the Terra Bella Irrigation District, and all proceedings in relation thereto and to the organization thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 402 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Jones, Kehoe, King, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 403—An act to recognize and declare valid the Lindsay-Strathmore Irrigation District, and all proceedings in relation thereto and to the organization thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 403 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, Jones, Kehoe, King, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 823—An act recognizing and declaring valid the West Side Irrigation District, and approving and declaring valid all proceedings on formation and organization of said district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 823 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 370—An act to amend section 3714 of the Political Code of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 370 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, Jones, Kehoe, King, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 185—An act granting to any city of the State whose corporate limits include or bound upon any harbor, bay, estuary, or other navigable body of water, the power to improve the same and to establish, acquire, construct, improve and maintain in, upon and along the waters thereof works for use in connection therewith.

Bill read third time.

On motion of Senator Rominger, Senate Bill No. 185 was passed on file.

THIRD READING OF SENATE BILLS—[RESUMED]

Senate Bill No. 372—An act to amend an act entitled "An act to provide for the formation, organization and government of storm water districts, for the purpose of protecting the land therein from damage from storm water and from the waters of any innavigable stream, watercourse, canyon or wash, for the construction of the necessary works of protection by said district, and for the levying of taxes and assessments to pay for the cost of construction, repairing and maintaining such improvements," approved March 13, 1909, by adding five new sections thereto, to be numbered 26*a*, 26*b*, 26*c*, 26*d* and 26*e*.

Bill read third time, previously.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 372 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 573—An act to amend the Penal Code by adding thereto a new section to be numbered 337*b*, relating to the publication, distribution, selling or giving away of tips or other information concerning horse races, or betting upon horse races.

In the absence of the author, Senate Bill No. 573 was ordered passed, to retain its place on the file.

Senate Bill No. 335—An act relating to the sale and carrying of dangerous weapons, and prescribing penalties for violation of the provisions hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 335 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Canepa, Chamberlin, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, McDonald, Maddux, Nealon, Perkitt, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—28.

NOES—Senators Ballard, Carr, F. M., and Carr, W. J.—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 900—An act to add a new section to the Code of Civil Procedure, to be numbered 1663, relating to partial distribution of estates of deceased persons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 900 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Duncan, Evans, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 371—An act authorizing counties to declare noxious or dangerous weeds growing upon the roads or upon private property not within municipalities to be a public nuisance; and creating a lien upon the property fronting upon such roads or upon which such nuisance exists for the cost of abating the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 371 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Jones, Kehoe, King, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 562—An act to amend section 4258 of the Political Code, relating to salaries and fees of officers and to the fees to be allowed trial and grand jurors of counties of the twenty-ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 562 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, King, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 503—An act to amend section 4280 of the Political Code, relating to the compensation of officers of counties of the fifty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 503 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson,

Jones, Kehoe, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Slater, Stuckenbruck, Thompson, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 163—An act to amend section 4223 of the Political Code, relating to county hospitals.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 163 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M. Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Shearer, Slater, Stuckenbruck, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 49—An act to repeal section 55a of the Penal Code, relative to soliciting, demanding, or pledging votes for or against any particular bill or measure.

On motion of Senator Duncan, Senate Bill No. 49 was passed on file.

Senate Bill No. 880—An act to add a new section to the Penal Code, to be numbered 464, relative to burglary with explosives.

In the absence of the author, Senate Bill No. 880 was ordered passed, to retain its place on the file.

Senate Bill No. 879—An act relating to bank transactions after twelve o'clock noon on Saturdays.

In the absence of the author, Senate Bill No. 879 was ordered passed, to retain its place on the file.

Senate Bill No. 878—An act to add a new section to the Civil Code, to be numbered 3320, providing for the damages recoverable from banks on the nonpayment of checks.

In the absence of the author, Senate Bill No. 878 was ordered passed, to retain its place on the file.

REQUESTS FOR INTRODUCTION OF BILLS—[OUT OF ORDER].

The following requests for permission to introduce bills were presented:

By Senator McDonald:

SENATE CHAMBER, SACRAMENTO, March 14, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2 of Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend section 628 of the Penal Code, relating to the protection of fish.

Request referred to Commitee on Rules.

Also:

By Senator Burnett:

SENATE CHAMBER, SACRAMENTO, March 14, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2 of Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend section 1054 of the Code of Civil Procedure, relating to the extension of time in which an act is to be done.

Request referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 14, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 151—An act conveying certain tide lands and lands lying under inland navigable waters, situate in the bay of San Diego to the city of National City, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof;

Also: Senate Bill No. 671—An act to amend section 3 of an act entitled "An act authorizing the construction of the unfinished portion of the library building of the University of California, and the construction of a building for general use as a recitation building, of a building for the use of the College of Agriculture, and of a building for the use of the College of Natural Sciences as a chemistry building, upon the grounds of said University of California at Berkeley; providing for the issuance and sale of state bonds to meet the cost of the foregoing purposes; and providing the necessary moneys for the payment of the principal and interest to become due on said bonds," adopted as an initiative measure by vote of the people November 3, 1914;

Also: Senate Bill No. 648—An act expressing assent of the State of California to the provisions of the act of Congress approved July 11, 1916, entitled "An act to provide that the United States shall aid the states in the construction of rural post roads, and for other purposes";

And reports that the same have been correctly enrolled, and presented the same to the Governor on this 14th day of March, 1917, at eleven o'clock and thirty minutes a.m.

CANEPA, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 656—An act to amend section 570 of the Code of Civil Procedure of the State of California, relating to the disposition of unclaimed funds in the hands of a receiver;

Also: Senate Bill No. 655—An act to amend section 348 of the Code of Civil Procedure, relating to the limitation of time within which to bring actions where money is deposited in a bank;

And reports that the same have been correctly engrossed.

CANEPA, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 14, 1917.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 423—An act to repeal Title XV of Part IV of division third of the Civil Code of the State of California, and to add a new Title XV of Part IV of division third of said code in place thereof, relating to negotiable instruments, and to make the law of negotiable instruments in the State of California uniform with the law of other states—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

KEHOE, Chairman.

Senate Bill No. 423 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 461—An act to amend section 5 of an act entitled "An act to provide for the maintenance and support, in certain cases, of indigent, incompetent, and incapacitated persons, other than persons adjudged insane and confined within the State hospitals, becoming a public charge upon the counties or cities and counties within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons," approved March 23, 1901, and to add thereto a new section to be numbered 10;

Also: Senate Bill No. 1139—An act to amend section 2 of an act entitled "An act providing for the disposition of certain property," passed April 21, 1851, relating to tidelands covered by the waters of Carquinez Straits;

Also: Senate Bill No. 422—An act to amend section 1624 of the Civil Code, and repealing Article II of Chapter III of Title IV of division second of the Civil Code, and repealing sections 3308, 3309, 3310, 3311, 3312, 3313, 3314, 3353, 3354, 3355, 1739 and 1740, of the Civil Code, Chapter II of Title I of Part IV of division third of the Civil Code, Chapter III of Title I of Part IV of division third of the Civil Code, Chapter IV of Title I of Part IV of division third of the Civil Code, and to

add Chapters II, III, IV, V, VI and VII of Title I of Part IV of division third of said Civil Code in place thereof, relating to the sale of personal property;
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Senate Bills Nos. 461, 1139 and 422 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 212—An act to amend section 398 of the Code of Civil Procedure, relating to the transfer of actions in the superior court—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

KEHOE, Chairman.

Senate Bill No. 212 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 523—An act to amend sections 4115 and 4146 of the Political Code, relating to the duties of coroners and treasurers and to add a new section to said code, to be numbered 4146*a*, relating to the disposition of property belonging to certain deceased persons;

Also: Assembly Bill No. 460—An act to amend section 103 of the Code of Civil Procedure, relating to justices' courts and justices.
Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended.

KEHOE, Chairman.

Senate Bill No. 523 and Assembly Bill No. 460 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 478—An act creating a board of commissioners on uniform state laws and making an appropriation therefor;

Also: Senate Bill No. 936—An act to revise and amend an act entitled "An act to define the duties of and to license land surveyors, and to repeal an act entitled 'An act to define the duties of and to license land surveyors, approved March 31, 1891,' approved March 16, 1907; so as to constitute the Surveyor General, the State Engineer and the Highway Engineer, ex officio, a state board of land surveyors to examine persons applying to become licensed land surveyors, to prescribe the powers and duties of such board, to provide for the issuance, suspension, or revocation of licenses; to provide penalties for violations hereof, and to provide for paying the actual necessary expenses of such board.
Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended, and be re-referred to Committee on Finance.

KEHOE, Chairman.

Senate Bills Nos. 478 and 936 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1349—An act to amend section 791 of the Political Code, relating to notaries public;

Also: Senate Bill No. 421—An act to repeal Article III of Chapter III of Title VII of Part IV of the Civil Code of the State of California, and to enact a new Article III of Chapter III of Title VII of Part IV of the Civil Code of the State of California, relating to bills of lading;
Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended.

KEHOE, Chairman.

Assembly Bill No. 1349 and Senate Bill No. 421 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 14, 1917.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Concurrent Resolution No. 11—Relative to revision of California statutes affecting municipal corporations—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

TYRRELL, Chairman.

Assembly Concurrent Resolution No. 11 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1279—An act amending an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the distributing, government and municipal control of such annexed territory," approved June 11, 1913, and amended April 29, 1915, by amending sections 3, 4, and 5;

Also: Assembly Bill No. 1280—An act to amend an act entitled "An act to provide for the consolidation of municipal corporations," approved June 11, 1913, and amended April 29, 1915, by amending sections 3, 4, and 5;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

TYRRELL, Chairman.

Assembly Bills Nos. 1279 and 1280 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 257—An act to amend an act entitled "An act to allow incorporated towns and villages to establish, equip and maintain systems of street lights on public highways, to provide for the formation, government and operation of highway lighting districts, the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and the creation of ex officio boards of supervisors," approved March 20, 1909, and the acts amendatory thereof, by adding a new section thereto to be numbered section 18½, relating to the annexation of additional territory to highway lighting districts—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

TYRRELL, Chairman.

Senate Bill No. 257 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 23—An act to amend section 12 of an act entitled "An act to provide for the incorporation and organization and management of municipal water districts, and to provide for the acquisition or construction by said districts of waterworks, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved May 1, 1911—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

TYRRELL, Chairman.

Senate Bill No. 23 ordered on file for second reading.

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, March 13, 1917.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 281—An act to add a new section to the Political Code to be numbered 6336, concerning insurance and surety companies, agents and brokers, requiring that policies or contracts of insurance, or surety bonds shall show the correct premium consideration and the risks insured thereunder; prohibiting the giving of rebates on insurance or surety bonds and providing penalty therefor and for the suspension of certificate of authority of any insurance or surety company and the revoking or suspension of the license of any agent or broker violating the same, and prescribing the powers and duties of the Insurance Commissioner in relation thereto—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

BURNETT, Chairman.

Assembly Bill No. 281 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 353—An act to amend section 421 of the Civil Code, relating to investments by insurance companies—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BURNETT, Chairman.

Assembly Bill No. 353 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 283—An act to add a new section to the Political Code to be numbered 633a, concerning the licensing of insurance brokers, and providing for the issuance and revoking of licenses by the Insurance Commissioner, and providing penalties for a violation thereof—has had the same under consideration, and respectfully reports the same back, with amendments, and recommends that it do pass, as amended.

BURNETT, Chairman.

Assembly Bill No. 283 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 284—An act to amend section 633 of the Political Code, relating to the licensing of insurance agents—has had the same under consideration, and respectfully reports the same back, with amendments, and recommends that it do pass, as amended.

BURNETT, Chairman.

Assembly Bill No. 284 ordered on file for second reading.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—OUT OF ORDER.

The following resolution was offered:

By Senator Purkitt: Senate Joint Resolution No. 9—Relating to needy Indians within the State of California.

Senate Joint Resolution No. 9 referred to Committee on Federal Relations.

RECESS.

At three o'clock and five minutes p.m., on motion of Senator Breed, the acting President declared the Senate at recess until three o'clock and fifty minutes p.m.

RECONVENED.

At three o'clock and fifty minutes p.m., the Senate reconvened.

Honorable Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

MESSAGE FROM THE GOVERNOR.

On motion of Senator Benson, the following message from the Governor was read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.
SACRAMENTO, March 14, 1917.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have today made the following appointments, and request your concurrence therein and consent thereto:

John L. Davis, of Sacramento, a member of the Board of Trustees of the State Burying Grounds.

Stephen A. Downey, of Sacramento, a member of the Board of Trustees of the State Burying Grounds.

William H. Larkin, of Sacramento, a member of the Board of Trustees of the State Burying Grounds.

Horace Wilson, of San Francisco, member of the Board of Managers of the Agnews State Hospital, vice self, term expired.

Prescott F. Cogswell, of El Monte, a member of the Board of Trustees of the Whittier State School, vice self, term expired.

Respectfully submitted.

HIRAM W. JOHNSON,
Governor.

Message from the Governor referred to Committee on Rules.

REPORT OF STANDING COMMITTEE.—(OUT OF ORDER).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 14, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred the following message from the Governor:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, CALIFORNIA, March 14, 1917.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have today made the following appointments, and request your concurrence therein and consent thereto:

John L. Davis of Sacramento, a member of the Board of Trustees of the State Burying Grounds.

Stephen A. Downey of Sacramento, a member of the Board of Trustees of the State Burying Grounds.

William H. Larkin of Sacramento, a member of the Board of Trustees of the State Burying Grounds.

Horace Wilson of San Francisco, a member of the Board of Managers of the Agnews State Hospital, vice self, term expired.

Prescott F. Cogswell of El Monte, a member of the Board of Trustees of the Whittier State School, vice self, term expired.

Respectfully submitted.

HIRAM W. JOHNSON, Governor.

Has had the same under consideration, and respectfully reports the same back and recommends that the Senate advise and consent to the several appointments.

BREED, Chairman.

MOTION CONFIRMING APPOINTMENTS OF GOVERNOR.

Senator Benson moved that the Senate advise and consent to the several appointments of the Governor.

The President put the question, "Will the Senate advise and consent to the appointment of John L. Davis of Sacramento, a member of the Board of Trustees of the State Burying Grounds?"

The roll was called, with the following result:

AYES—Senators Ballard, Benson, Breed, Burnett, Campa, Carr, F. M., Crowley, Duncan, Evans, Flaherty, Ingram, Johnson, Kehoe, McDonald, Nealon, Rigdon, Rush, Scott, Sharkey, Shearer, and Stuckenbruck—21.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of John L. Davis of Sacramento, a member of the Board of Trustees of the State Burying Grounds.

The President put the question, "Will the Senate advise and consent to the appointment of Stephen A. Downey of Sacramento, a member of the Board of Trustees of the State Burying Grounds?"

The roll was called, with the following result:

AYES—Senators Ballard, Benson, Breed, Burnett, Campa, Carr, F. M., Crowley, Duncan, Evans, Flaherty, Ingram, Johnson, Kehoe, McDonald, Nealon, Rigdon, Rush, Scott, Sharkey, Shearer, and Stuckenbruck—21.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Stephen A. Downey of Sacramento, a member of the Board of Trustees of the State Burying Grounds.

The President put the question, "Will the Senate advise and consent to the appointment of William H. Larkin of Sacramento, a member of the Board of Trustees of the State Burying Grounds?"

The roll was called, with the following result:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Crowley, Duncan, Evans, Flaherty, Ingram, Johnson, Kehoe, King, McDonald, Nealon, Rigdon, Rush, Scott, Sharkey, Shearer, and Stuckenbruck—22.
NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of William H. Larkin of Sacramento, a member of the Board of Trustees of the State Burying Grounds.

The President put the question, "Will the Senate advise and consent to the appointment of Horace Wilson of San Francisco, a member of the Board of Managers of the Agnews State Hospital, vice self, term expired?"

The roll was called, with the following result:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Chandler, Crowley, Duncan, Evans, Flaherty, Ingram, Johnson, Kehoe, King, McDonald, Nealon, Rigdon, Rush, Scott, Sharkey, Shearer, and Stuckenbruck—23.
NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Horace Wilson of San Francisco, a member of the Board of Managers of the Agnews State Hospital, vice self, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of Prescott F. Cogswell of El Monte, a member of the Board of Trustees of the Whittier State School, vice self, term expired?"

The roll was called, with the following result:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Chandler, Crowley, Duncan, Evans, Flaherty, Ingram, Johnson, Kehoe, King, McDonald, Nealon, Rigdon, Scott, Shearer, and Stuckenbruck—21.
NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Prescott F. Cogswell of El Monte, a member of the Board of Trustees of the Whittier State School, vice self, term expired.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, March 14, 1917.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending sections 1 and 14 of Article XIII thereof, both relating to revenue and taxation, so as to permit taxation of certain public utilities owned or operated by counties, cities and counties, or municipal corporations;

Also: Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section 22 of Article XII thereof, relating to the powers and duties of the Railroad Commission of the State of California;

Also: Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section 23 of Article XII thereof, relating to the powers and duties of the Railroad Commission of the State of California;

Has had the same under consideration, and respectfully reports the same back and recommends that they be not adopted.

BALLARD, Chairman.

Senate Constitutional Amendments Nos. 11, 21 and 22 ordered on file.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, March 14, 1917.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 1144—An act to add a new section to the Civil Code, numbered 1464*a*, and providing that contracts for the sale and delivery of crops or products of land may be made to run with and bind the land described therein—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to the Committee on Judiciary without recommendation.

KING, Chairman.

Senate Bill No. 1144 re-referred to Committee on Judiciary.

ADJOURNMENT.

At four o'clock p.m., on motion of Senator Benson, the President pro tempore declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Thursday, March 15, 1917.

The Senate met at ten o'clock a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kelsey, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—39.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, March 14, 1917, the further reading was dispensed with, on motion of Senator Crowley.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1245—An act to forbid solicitation of contributions or payments from candidates for office for specified purposes; to forbid the payment or promise of payment by candidates for such purposes; to forbid receipt of money from candidates for specified purposes; and fixing a penalty for a violation of the terms of this act;

Also: Assembly Bill No. 1246—An act to amend section 1096 of the Political Code and to add to the Political Code a new section to be known as section 1096*a*, all relating to affidavits of registration and to the registering or to the change in registration of political affiliation;

Also: Assembly Bill No. 583—An act to amend section 476*a* of the Penal Code, relating to the issuance of bank checks;

Also: Assembly Bill No. 104—An act to amend section 626*p* of the Penal Code;

Also: Assembly Bill No. 550—An act to amend section 628b of the Penal Code, relating to the protection of fish;

Also: Assembly Bill No. 25—An act to legalize the organization of permanent road divisions and validate all proceedings for the issuance of bonds of said divisions where authority for issuance of said bonds has already been given by a vote of at least two-thirds of the electors of any permanent road divisions.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1245 read first time, and referred to Committee on Elections.

Assembly Bill No. 1246 read first time, and referred to Committee on Elections.

Assembly Bill No. 583 read first time, and referred to Committee on Banking.

Assembly Bill No. 404 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 550 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 25 read first time, and referred to Committee on Roads and Highways.

REPORT OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 15, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Burnett to introduce a bill entitled "An act to amend section 1054 of the Code of Civil Procedure relating to the extension of time in which an act is to be done"—has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, Jones, King, Lyon, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

SENATOR TYRRELL IN THE CHAIR.

At ten o'clock and thirty minutes a.m., Senator Tyrrell of the Sixteenth District was called to the chair.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator McDonald to introduce a bill entitled: "An act to amend section 628 of the Penal Code, relating to the protection of fish"—has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, King, Lyon, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS.

The following bills were introduced in accordance with the above report:

By Senator Burnett: Senate Bill No. 1148—An act to amend section 1054 of the Code of Civil Procedure, relating to the extension of time in which an act is to be done.

Bill read first time, and referred to Committee on Judiciary.

By Senator McDonald: Senate Bill No. 1149—An act to amend section 628 of the Penal Code, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, March 15, 1917.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 658—An act to amend sections 1, 2, 15, 16, 30, 32, 56 and 61b of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

MADDUX, Chairman.

Senate Bill No. 658 ordered on file for second reading.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(OUT OF ORDER).

The following resolution was offered:

By Senator Scott: Senate Joint Resolution No. 10—Relating to the erection of a monument in the Capitol Park at Sacramento, commemorative of the soldiers, sailors and marines who have heretofore defended or may hereafter defend the nation's honor and integrity in times of war.

Resolution referred to Committee on Federal Relations.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Carr, W. J., the further consideration of the motion to reconsider the vote whereby Senate Bill No. 3 was refused passage, was continued until the next legislative day.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 746—An act to add a new section to the Code of Civil Procedure, to be numbered 1381, relating to joint administration of estates under the value of one thousand five hundred dollars, where the property is required by law to pass through several persons who have died.

In the absence of the author, Senate Bill No. 746 was ordered passed, to retain its place on the file.

Senate Bill No. 90—An act to amend section 290½ of the Civil Code, relating to corporations.

In the absence of the author, Senate Bill No. 90 was ordered passed, to retain its place on the file.

Senate Bill No. 101—An act to amend section 16 of an act entitled "An act regulating the employment and hours of labor of children; prohibiting the employment of minors under certain ages; prohibiting the employment of certain illiterate minors; providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics and providing penalties for the violation hereof," approved February 20, 1905, as amended by an act approved April 14, 1911, as further amended by an act approved June 2, 1913; and as further amended by an act approved June 5, 1915.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Lyon moved to refer Senate Bill No. 101 to Senator Gates, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 2, of the printed bill, strike out the word "fourteen" and insert in lieu thereof the word "twelve".

AMENDMENT NUMBER TWO.

On page 2, line 8, strike out the words "of the age of fourteen or fifteen years" and insert in lieu thereof the words "between the age of twelve years and fifteen years inclusive".

AMENDMENT NUMBER THREE.

On page 2, strike out all beginning with line 14 to and including the word "renewal" on line 33, and insert in lieu thereof the words: "Such boys shall have in their possession a street trade certificate which shall be issued to such boys upon application, by the same persons authorized to issue age and schooling certificates. Said certificates shall be renewed annually on the first day of January. Such street trade certificate shall be prepared by the Commissioner of the Bureau of Labor Statistics in the following form: Name of boy; age; height; complexion; residence; name of school attended if any; grade; name of parent or guardian. Such certificates shall not authorize the recipient to engage in trades or occupations above mentioned before the hour of five o'clock a.m. or after the hour of eight o'clock p.m. of each day; provided, that nothing in this section shall apply to boys ten years of age or over employed outside of school hours in the distribution of newspapers or periodicals upon regular delivery routes."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 15, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 101, with instructions to amend, respectfully reports the same back, amended as per instructions.

GATES, Special Committee.

Report read, and on motion of Senator Lyon, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 203—An act to amend an act entitled "An act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other acts and parts of acts now in force relating to estrays," approved March 23, 1901, and to exempt certain counties from provisions thereof.

On motion of Senator King, Senate Bill No. 203 was passed on file.

Senate Bill No. 820—An act to provide for the periodical inspection of steam boilers, with certain exceptions, operated in this State; requiring a permit, to be issued by the Industrial Accident Commission, for the operation of such boilers; making it a misdemeanor to operate such

boilers without such permit; and allowing an injunction against such operation without such permit where dangerous to the life or safety of employees; providing for a hearing before the Industrial Accident Commission prior to refusal of a permit; providing for the determination of competency of inspectors making such inspections and requiring reports of inspections; and prescribing maximum fees for such inspections.

In the absence of the author, Senate Bill No. 820 was ordered passed, to retain its place on the file.

Senate Bill No. 777—An act to amend section 7 of an act entitled "An act to carry into effect the provisions of section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, as amended February 3, 1913, and January 28, 1915.

On motion of Senator Evans, Senate Bill No. 777 was passed on file.

Senate Bill No. 42—An act to amend an act known as "The Building and Loan Commission Act," approved April 5, 1911, and amended by an act approved December 18, 1911, by adding thereto a new section to be known and numbered as section 15*a*, relating to the powers and duties of the Building and Loan Commissioner and the licensing of agents.

In the absence of the author, Senate Bill No. 42 was ordered passed, to retain its place on the file.

Senate Bill No. 573—An act to amend the Penal Code by adding thereto a new section to be numbered 337*b*, relating to the publication, distribution, selling or giving away of tips or other information concerning horse races, or betting upon horse races.

In the absence of the author, Senate Bill No. 573 was ordered passed, to retain its place on the file.

Senate Bill No. 49—An act to repeal section 55*a* of the Penal Code, relative to soliciting, demanding, or pledging votes for or against any particular bill or measure.

On motion of Senator Duncan, Senate Bill No. 49 was passed on file.

Senate Bill No. 880—An act to add a new section to the Penal Code, to be numbered 464, relative to burglary with explosives.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 880 passed by the following vote:

AYES—Senators Benson, Burnett, Canepa, Chamberlin, Evans, Flaherty, Gates, Hans, Ingram, Irwin, King, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 879—An act relating to bank transactions after twelve o'clock noon on Saturdays.

On motion of Senator Hans, Senate Bill No. 879 was passed on file.

Senate Bill No. 878—An act to add a new section to the Civil Code, to be numbered 3320, providing for the damages recoverable from banks on the nonpayment of checks.

On motion of Senator Hans, Senate Bill No. 878 was passed on file.

Senate Bill No. 656—An act to amend section 570 of the Code of Civil Procedure of the State of California, relating to the disposition of unclaimed funds in the hands of a receiver.

On motion of Senator Hans, Senate Bill No. 656 was passed on file.

Senate Bill No. 655—An act to amend section 348 of the Code of Civil Procedure, relating to the limitation of time within which to bring actions where money is deposited in a bank.

On motion of Senator Hans, Senate Bill No. 655 was passed on file.

Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending sections 1 and 14 of Article XIII thereof, both relating to revenue and taxation, so as to permit taxation of certain public utilities owned or operated by counties, cities and counties, or municipal corporations.

On motion of Senator Irwin, Senate Constitutional Amendment No. 11 was passed on file.

Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section 22 of Article XII thereof, relating to the powers and duties of the Railroad Commission of the State of California.

On motion of Senator Irwin, Senate Constitutional Amendment No. 21 was passed on file.

Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section 23 of Article XII thereof, relating to the powers and duties of the Railroad Commission of the State of California.

On motion of Senator Irwin, Senate Constitutional Amendment No. 22 was passed on file.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 76—An act defining commission merchants and consignors; providing for filing of bond and certificates showing names of persons doing business or advertising as commission merchants, and providing penalties for the violation of the requirements herein contained.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 461—An act to amend section 5 of an act entitled "An act to provide for the maintenance and support, in certain cases, of indigent, incompetent, and incapacitated persons, other than persons adjudged insane and confined within the state hospitals, becoming a public charge upon the counties or cities and counties within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons," approved March 23, 1901, and to add thereto a new section to be numbered 10.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1139—An act to amend section 2 of an act entitled "An act providing for the disposition of certain property," passed April 21, 1851, relating to tidelands covered by the waters of Carquinez Straits.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 422—An act to amend section 1624 of the Civil Code, and repealing Article II of Chapter III of Title IV of division second of the Civil Code, and repealing sections 3308, 3309, 3310, 3311, 3312, 3313, 3314, 3353, 3354, 3355, 1739 and 1740 of the Civil Code, Chapter II of Title I of Part IV of division third of the Civil Code, Chapter III of Title I of Part IV of division third of the Civil Code, Chapter IV of Title I of Part IV of Division third of the Civil Code, and to add Chapters II, III, IV, V, VI and VII of Title I of Part IV of division third of said Civil Code in place thereof, relating to the sale of personal property.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 423—An act to repeal Title XV of Part IV of division third of the Civil Code of the State of California, and to add a new Title XV of Part IV of division third of said code in place thereof, relating to negotiable instruments, and to make the law of negotiable instruments in the State of California uniform with the law of other states.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 22, line 6, after the word "notice" insert the word "has".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 257—An act to amend an act entitled "An act to allow incorporated towns and villages to establish, equip and maintain systems of street lights on public highways, to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and the creation of ex officio boards of supervisors," approved March 20, 1909, and the acts amendatory thereof, by adding a new section thereto, to be numbered section 18½, relating to the annexation of additional territory to highway lighting districts.

On motion of Senator Tyrrell, Senate Bill No. 257 was passed on file.

Senate Bill No. 23—An act to amend section 12 of an act entitled "An act to provide for the incorporation and organization and management of municipal water districts, and to provide for the acquisition or construction by said districts of waterworks, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved May 1, 1911.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 8 of the title after the figures "1911" and before the period, insert the words "as amended".

Amendment adopted.

AMENDMENT NUMBER TWO.

Page 2, line 17, before the comma after the word "wise" insert the word "acquiring".

Amendment adopted.

AMENDMENT NUMBER THREE.

Page 3, line 25, commencing with the word "The" strike out down to and including the period after the word "district" in line 32.

Amendment adopted.

AMENDMENT NUMBER FOUR.

Page 4, line 21, after the word "posts" insert the words "on either side of the road or trail,".

Amendment adopted.

AMENDMENT NUMBER FIVE.

Page 4, line 30, strike out the words "public or".

Amendment adopted.

AMENDMENT NUMBER SIX.

Page 5, before line 1, insert a new paragraph to read as follows:

"Any municipal, political or public corporation of the state having jurisdiction over lands lying within or contiguous to the lands owned by such water district, may enter into a contract with such board of directors for the affording of special protection to such municipal, political or public corporation and the inhabitants thereof, on the part of such water district, by the cutting of additional fire trails and by the maintenance of more effective fire patrol, and shall be and hereby are authorized to use the funds of such municipal, political or public corporation for such purpose."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 421—An act to repeal Article III of Chapter III of Title VII of Part IV of the Civil Code of the State of California, and to enact a new Article III of Chapter III of Title VII of Part IV of the Civil Code of the State of California, relating to bills of lading.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 15, after the word "eight" insert the letter "h".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 1, after the word "bill," strike out all of remainder of line 1, and all of line 2, and insert in lieu thereof the following: "or in any notice, contract, rule, regulation or tariff, that it is nonnegotiable shall be null and void and shall not affect its negotiability within the meaning of this article unless upon its face and in writing agreed to by the shipper."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 5, after the word "Alaska," strike out the comma and add the words "and Panama" and a comma.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 15, after the word "Alaska," strike out the comma and add the words "and Panama" and a comma.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 4, after line 16, insert as follows: "Section 2128*h*. Weight, load and count where freight loaded by shipper."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 4, after the foregoing amendment, add the following: "Sec. 2128*i*. Carrier loading freight must count packages or ascertain character of freight."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 4, line 17, after the figures "2128," strike out the letter "*h*" and insert in lieu thereof the letter "*j*".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 4, line 19, after the figures "2128," strike out the letter "*i*" and insert in lieu thereof the letter "*k*".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 4, line 20, after the figures "2128," strike out the letter "*j*" and insert in lieu thereof the letter "*l*".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 4, line 21, after the figures "2128," strike out the letter "*k*" and insert in lieu thereof the letter "*m*".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 4, line 29, after the letter (b) insert the following: "Possession of the bill of lading and". Also change the capital letter "A" to a small letter "a" in the word "an".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 5, line 24, strike out the word "A" and insert in lieu thereof the word "Such".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 6, line 26, after the word "loss" insert a comma and the word "theft".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 6, line 32, after the word "fees", strike out the period and insert in lieu thereof a comma and the following: "provided a voluntary indemnifying bond without order of court shall be binding upon the parties thereto."

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 7, line 37, after the letter (a) strike out all of the remainder of the line and insert in lieu thereof the following: "The owner of goods covered by a non negotiable bill subject to existing right of stoppage in transitu, or".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 8, line 6, strike out the word "If"; also strike out the comma and the word "*however*", and insert in lieu thereof the following: "2128*h*. When package freight or bulk is loaded by the shipper and".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 8, line 19, after the word "shippers", insert the word "weight" and a comma.

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 8, line 24, after the word "bill", strike out the period and insert in lieu thereof a semicolon and the following: "*provided, however*, where the shipper of bulk freight installs and maintains adequate facilities for weighing such freight, and the same are available to the carrier, then the carrier, upon written request of such shipper and when given a reasonable opportunity so to do, shall ascertain the kind and quantity of bulk freight within a reasonable time after such written request, and the carriers shall not in such cases insert in the bill of lading the words "Shipper's weight," or other words of like purport, and if so inserted contrary to the provisions of this section, said words shall be treated as null and void and as if not inserted therein."

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 8, after the foregoing amendment insert a new section as follows: "2128*i*. When the goods are loaded by a carrier, such carrier shall count the packages of goods, if package freight, and such carrier shall not, in such cases, insert in the bill of lading or in any notice, receipt, contract, rule, regulation, or tariff, "Shipper's weight, load and count," or other words of like purport, indicating that the goods were loaded by the shipper and the description of them made by him or in case of bulk freight and freight not concealed by packages the description made by him. If so inserted, contrary to the provisions of this section, said words shall be treated as null and void and as if not inserted therein."

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 8, line 25, after the figures "2128", strike out the letter "*h*" and insert in lieu thereof the letter "*j*".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 8, line 35, after the figures "2128", strike out the letter "*i*" and insert in lieu thereof the letter "*k*".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 9, line 3, after the figures "2128", strike out the letter "*j*" and insert in lieu thereof the letter "*l*".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 9, line 13, after the figures "2128", strike out the letter "*k*" and insert in lieu thereof the letter "*m*".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 9, line 17, after the word "goods", strike out the comma and insert the word "themselves" and a comma.

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 10, line 15, after the word "negotiated", strike out the comma and insert the words "free from existing equities" and a comma.

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 12, line 20, after the word "duress", insert a comma and the following: "loss, theft".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 12, line 24, after the word "duress", insert a comma and the following: "loss, theft".

Amendment adopted.

AMENDMENTS FROM THE FLOOR.

During second reading of bill, the following amendments were offered and their adoption moved by Senator Gates:

AMENDMENT NUMBER ONE.

On page 1, line 1, at the beginning of said line, insert the following:

"SECTION 1. Article three, of chapter three, of title seven, of part four, of the Civil Code is hereby repealed."

"SEC. 2. A new article is hereby added to the Civil Code, to be numbered article three, chapter three, title seven, of part four, and to read as follows:".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 5, line 31, strike out the letter "k" and insert in lieu thereof the letter "m".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 6, line 5, strike out the letter "k" and insert in lieu thereof the letter "m".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 18, line 7, at the end of said line, strike out the "period" and insert in lieu thereof a "comma" and the following: "*provided, however*, that nothing contained herein shall be construed as limiting in any way the powers of the railroad commission under the Public Utilities Act or any reenactment, revision or amendment thereof."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 212—An act to amend section 398 of the Code of Civil Procedure, relating to the transfer of actions in the superior court.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 523—An act to amend sections 4115 and 4146 of the Political Code, relating to the duties of coroners and treasurers and to add a new section to said code, to be numbered 4146*a*, relating to the disposition of property belonging to certain deceased persons.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 4 of the title, strike out the words "relating to the duties of coroners and treasurers".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 6 of the title, after the comma following the words "forty-six *a*", insert the word "all".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 6 of the title, after the word "to", insert the words "the duties of coroners and treasurers".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 205—An act to amend section 628*i* of the Penal Code.

On motion of Senator Sharkey, Assembly Bill No. 205 was passed on file.

Assembly Concurrent Resolution No. 11—Relative to revision of California statutes affecting municipal corporations.

On motion of Senator Tyrrell, Assembly Concurrent Resolution No. 11 was passed on file.

Assembly Bill No. 185—An act granting to any city of the State whose corporate limits include or bound upon any harbor, bay, estuary, or other navigable body of water, the power to improve the same and to establish, acquire, construct, improve and maintain in, upon and along the waters thereof works for use in connection therewith.

On motion of Senator McDonald, Assembly Bill No. 185 was passed on file.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 1349—An act to amend section 791 of the Political Code, relating to notaries public.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 7, after the word "exceed" strike out the words "one hundred and thirty" and insert in lieu thereof the words, "six hundred".

On demand of Senators Crowley, Benson and McDonald, the Secretary called the roll on the adoption of the committee amendment, with the following result:

AYES—Senators Ballard, Carr, W. J., Chamberlin, Duncan, Evans, Gates, Inman, Irwin, Kehoe, Lyon, Maddox, Purkitt, Rominger, and Stuckenbruck—14.

NOES—Senators Benson, Burnett, Canepa, Carr, F. M., Chandler, Crowley, Flaherty, Ingram, Johnson, Jones, Luce, McDonald, Nealon, Rigdon, Scott, Sharkey, Slater, Thompson, and Tyrrell—19.

Amendment refused adoption.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 460—An act to amend section 103 of the Code of Civil Procedure, relating to justices' courts and justices.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, lines 32 and 33, strike out the words "four hundred".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 14, strike out the word "town" and insert in lieu thereof the word "county".

Amendment adopted.

AMENDMENT FROM THE FLOOR.

During the second reading of the bill the following amendments were offered and their adoption moved by Senator Burnett:

AMENDMENT NUMBER ONE.

On page 1, line 14 of the printed bill, strike out the word "five" and insert in lieu thereof the word "six".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 1279—An act amending an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the districting, government and municipal control of such annexed territory," approved June 11, 1913, and amended April 29, 1915, by amending sections 3, 4 and 5.

On motion of Senator Tyrrell Assembly Bill No. 1279 was passed on file.

Assembly Bill No. 1280—An act to amend an act entitled "An act to provide for the consolidation of municipal corporations," approved June 11, 1913, and amended April 29, 1915, by amending sections 3, 4 and 5.

On motion of Senator Tyrrell, Assembly Bill No. 1280 was passed on file.

Assembly Bill No. 281—An act to add a new section to the Political Code, to be numbered 633*b*, concerning insurance and surety companies, agents and brokers, requiring that policies or contracts of insurance,

or surety bonds shall show the correct premium consideration and the risks insured thereunder; prohibiting the giving of rebates on insurance or surety bonds and providing penalty therefor and for the suspension of certificate of authority of any insurance or surety company and the revoking or suspension of the license of any agent or broker violating the same, and prescribing the powers and duties of the Insurance Commissioner in relation thereto.

On motion of Senator Kehoe, Assembly Bill No. 281 was re-referred to Committee on Insurance.

Assembly Bill No. 283—An act to add a new section to the Political Code, to be numbered 633*a*, concerning the licensing of insurance brokers, and providing for the issuance and revoking of licenses by the Insurance Commissioner, and providing penalties for a violation thereof.

On motion of Senator Kehoe, Assembly Bill No. 283 was re-referred to Committee on Insurance.

Assembly Bill No. 284—An act to amend section 633 of the Political Code, relating to the licensing of insurance agents.

On motion of Senator Kehoe, Assembly Bill No. 284 was re-referred to Committee on Insurance.

Assembly Bill No. 353—An act to amend section 421 of the Civil Code, relating to investments by insurance companies.

Bill read second time, and ordered on file for third reading.

SECOND READING OF SENATE BILLS—RESUMED.

Senate Bill No. 257—An act to amend an act entitled "An act to allow incorporated towns and villages to establish, equip and maintain systems of street lights on public highways, to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and the creation of ex officio boards of supervisors," approved March 20, 1909, and the acts amendatory thereof, by adding a new section thereto, to be numbered section 18½, relating to the annexation of additional territory to highway lighting districts.

On motion of Senator Jones, Senate Bill No. 257 was re-referred to Committee on Municipal Corporations.

RECESS.

The hour of eleven o'clock and thirty-five minutes a.m. having arrived, the acting President declared the Senate at recess until three o'clock p.m., for the purpose of meeting with the Assembly in joint convention.

IN JOINT CONVENTION.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, March 15, 1917.

At eleven o'clock and forty-five minutes a.m., the Senate and Assembly met in Joint Convention.

The Hon. Arthur H. Breed, President pro tempore of the Senate, directed Clifton E. Brooks, the Secretary of the Senate, to call the roll of the Senators.

SENATE ROLL CALL.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Roninger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—39.

The President pro tempore of the Senate declared a quorum of the Senate present.

Hon. C. C. Young, Speaker of the Assembly, directed B. O. Boothby, the Chief Clerk of the Assembly, to call the roll of Assemblymen.

ASSEMBLY ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Allen, Ambrose, Anderson, Argabrite, Arnerich, Ashley, Baker, Baldwin, Barthett, Brackett, Brown, C. H., Brown, T. V., Bruck, Burke, Byrne, Calahan, Carlson, Collins, Dennett, Doran, Edwards, Eksward, Farmer, Finley, Friedman, Gebhart, Gelder, Godsil, Goetting, Green, L., Greene, C. W., Harris, Hawes, Hawson, Hayes, D. R., Hayes, J. J., Hilton, Horbach, Hudson, Johnson, A. B., Johnston, J. W., Kline, Knight, Kylberg, Long, Lyon, C. W., Lyons, H., McCray, Madison, Manning, Marks, Martin, Mathews, Merriam, Mitchell, Morris, Morrison, Mouser, Parker, Pettis, J. A., Pettit, M., Phillips, Polsley, Prendergast, Quinn, Ream, Rose, Ryan, Satterwhite, Shepherd, Smith, Tarke, Vicini, Watson, Williams, Wills, Wishard, Wright, Yonkin, and Mr. Speaker—80.

The Speaker of the Assembly declared a quorum of the Assembly present.

APPOINTMENTS OF JOINT COMMITTEE ON INAUGURAL CEREMONIES.

Hon. Arthur H. Breed, President pro tempore of the Senate, appointed the following Senators as members of the Joint Committee to escort the Governor and Lieutenant Governor to the bar of the Assembly: Senators Tyrrell, Luce, Crowley, Gates, and Slater.

Hon. C. C. Young, Speaker of the Assembly, appointed the following Assemblymen as members of the Joint Committee to escort the Governor and Lieutenant Governor to the bar of the Assembly: Messrs. Argabrite, Dennett, Horbach, Kylberg, Mathews, Prendergast, and Wright.

REPORT OF JOINT COMMITTEE.

Senator Tyrrell, chairman of the Joint Committee of the Senate and Assembly to wait upon the Governor and Lieutenant Governor, appeared at the bar of the House and announced to the President pro tempore of the Senate the presence of His Excellency Hiram W. Johnson, Governor and United States Senator-elect, and of Honorable William D. Stephens, Lieutenant Governor.

PRESENTATION OF GOVERNOR HIRAM W. JOHNSON.

The Honorable Arthur H. Breed, President pro tempore of the Senate, then presented Governor Hiram W. Johnson to the Joint Convention. The Governor then delivered his address as follows:

ADDRESS BY GOVERNOR HIRAM W. JOHNSON TO THE JOINT CONVENTION.

I come to you today with the mandate from our people for the most exalted office within their gift, voluntarily to relinquish the highest office of our State. While I have the fullest appreciation of the great honor that has been done me, and my

heart overflows with gratitude for the overwhelming expression of confidence given me by the people, I yet find today's task the most difficult of all my life. Here, in this very spot, was where we consecrated ourselves six years ago and dedicated ourselves to the reformation and regeneration of our State. Here, and even in this very chamber, has been the scene of our efforts and our striving and our struggle. Here have been our accomplishment, our achievement and our triumph. And today, we find our whole State, as we, ourselves, were six years ago, consecrated and dedicated to justice, humanity and true democracy. Measurably our work has been done, but the fact that it has been done, and has been so overwhelmingly endorsed and approved by our people makes the parting with it [illegible]

The work of your predecessors is their lasting monument. Neither marble nor bronze are needed to commemorate their labors and their victory. They [illegible] are indelibly inscribed in the hearts of a grateful people. We need not fear for the policies they initiated and which have been so successfully administered. In the beginning and during the formative process of the [illegible] of our State, there were differences of opinion, harsh criticism and even bitter hostility. None now decry them. The wisdom of your predecessors, their vindication and their justification, have come today when no man in public life would impair or destroy the new philosophy of government embodied in the Railroad Commission, the Board of Control, the Industrial Accident Commission and the like activities of the State. These policies and the various laws that deal with human and social relations, none would dare touch with profane hands now. During our generation, they are safe from attack or destruction. Though they form such an important part of the achievement of yourselves and of your predecessors, it is not for them, in this solemn moment that I appeal. A human government, recognizing no privileged class, demanding and obtaining for such individual, however humble, the right to his good share of God's sunlight and happiness, develops other attributes as well. Long forgotten before 1911, there have come to us since the [illegible] in public life. There's another viewpoint now, a [illegible] in California's government a real character, a quickened public conscience, a religious fervor of service, an idealism translated into everyday action, aye, the very soul of democracy triumphant. It is for the maintenance and the protection and the preservation of these that I speak.

Two years ago, I stood upon this platform by the side of one who, in the previous four years of intense, heartbreaking struggle, had [illegible] Jack Johnson was the embodiment of that which we invoke in our public life, of that character and conscience and fervor and idealism we have measurably attained. His spirit has ever abided with me. May his spirit abide with you and with my successor!

To my successor, who now takes the oath, as our Chief Executive, we entrust not alone the material policies, the written laws, which have marked our progress and advancement and have placed California the first of all the lands, where democracy obtains; but we entrust as well the subtler, and the finer and the nobler thing that has come to us with our struggle and our triumphs and our humanitarian [illegible] the public service that knows naught but the will of the people, and thinks of naught but best to perform that will and its duty, the aroused conscience of a great people, the untainted and untarnished idealism that must be kept unscathed, the very soul of democracy. To him we turn these over as a sacred trust. We do it in full expectation that he has the will to do and the courage to protect, the firmness uncompromisingly to maintain them, and with this expectation, I ask for him from you the same cordial, ungrudging and generous support you have ever accorded me.

I am loth to say good-bye! "The mystic chords of memory" swell within me. Each successive step of our advance passes in review as I stand before you, the first feeble but determined efforts against oligarchy that had made of our wonderful State a railroad satrapy, the militant, aggressive attack, the revolution that made us free, the consecration and dedication which set our faces to the light dimly seen afar, and finally a great people emerging out of political bondage to independence and freedom. We have fought the good fight and we have won. The victory and its fruits I leave with you.

May God give you the vision and the firmness and the courage to keep the faith!

RESIGNATION OF GOVERNOR HIRAM W. JOHNSON.

The following communication was received and read:

To the Legislature of the State of California:

I resign hereby as the Governor of the State of California.

HIRAM W. JOHNSON.

Dated at Sacramento, California, noon, March 15, 1917.

ADDRESS BY PRESIDENT PRO TEMPORE OF THE SENATE, ARTHUR H. BREED.

The Honorable Arthur H. Breed, President pro tempore of the Senate, addressed the Joint Convention as follows:

Governor Johnson, on behalf of the Legislature, I wish to state that this is a most extraordinary and solemn occasion.

Six years and more ago, after a strenuous campaign against intrenched interests then in power, the masterful leader of that revolutionary campaign was elected to the governorship of this State, and took the oath of office in this chamber.

From that hour till the present time the State's political affairs have been guided by the genius of Hiram W. Johnson.

This great office of Governor has been ably and completely filled by our distinguished and eminent friend.

In the conduct of the office he has attracted the eyes of all in this State to the wonderful accomplishments that he has been able to attain during the brief years since he came to power.

Not only have the eyes of the people of California been observing the fruitful career of Governor Johnson, but the eyes of the nation as well have been attracted to him.

It was inevitable that this hour of parting should come, for the people of California love to honor him who so faithfully serves them, and the time was sure to arrive when they would demand of Governor Johnson that he represent them in the United States Senate, the greatest legislative body in the world.

When this demand was made, what a multitude of voices joined in making it!

By an overwhelming majority of 300,000, you, sir, have been requested by the electorate of California to represent this great State in our nation's capital.

It is a time of great crisis in national affairs; momentous problems are present for solution. The whole world is in the throes of the most terrible war in history.

Issues of the utmost vital interest to America are involved in the titanic combat.

We know what a great exponent American principles will have in you, and we know that desire for justice and love of humanity and the spirit of patriotism animates your every thought.

We know the splendid abilities with which God has endowed you, and while we regret that at this solemn hour we must say a word of parting to our beloved Chief, yet we are consoled in the thought that you are going now with your broad experience and your great equipment for service into a larger forum, where you will have a wider opportunity to serve the people and their highest interests which have ever been dear to your heart.

Those of us who have fought with you, sir, in the creation of the "California" policies will continue to fight to perpetuate and maintain those policies.

We will continue that fight because we believe in those policies. We will continue it because we know that the great electorate of this State believes in those policies.

We will continue it because it is a fight based upon reason and waged for the good of humanity.

We, your friends in California, will follow with eager and friendly eyes the unfolding of your career as a national legislator.

I speak for all when I say that we expect that your career will in no distant future be crowned by the presidency itself.

Senator Johnson, it becomes my duty to accept, regretfully, on behalf of the Legislature, your resignation as Governor. In doing so, I, on behalf of the Legislature of California, extend respectful salutations to you as United States Senator and bid you "Godspeed."

RESOLUTION.

Senator Benson and Assemblyman Ryan offered the following resolution:

Resolved, That the Legislature, assembled in joint session, does hereby accept the resignation of Hiram W. Johnson as Governor of the State of California, this day presented. That we do so with a keen appreciation of the lofty ideals of public service which have controlled his efforts as the Chief Executive of our State and with a grateful realization of the tremendously important and beneficent achievements which have marked his administration of the duties of that high office; and, be it further

Resolved, That while we deeply regret the necessity for the severance of the tie which has bound us to him in the performance of the official duties to our State government and will sorely miss the pleasure and inspiration of his presence, we extend to him and to our people sincere congratulations upon his entry into a wider field of patriotic activity. His accomplishments in California give assurance of a splendid and conspicuous service in behalf of our nation and to his new and broader field of public duty we wish him sincere Godspeed; and, be it further

Resolved, That we do hereby extend greetings to Honorable William D. Stephens and tender him our best wishes in the performance of his duties as Governor of our State.

Resolution read, and on motion of Senator Benson, seconded by Assemblyman Ryan, adopted.

RESIGNATION OF HIRAM W. JOHNSON TRANSMITTED TO SECRETARY OF STATE.

Sergeant-at-Arms Thos. A. Brown of the Senate and Sergeant-at-Arms W. J. Leflar of the Assembly were ordered to appear before the bar of the House and to transmit to the Secretary of State the resignation of Hiram W. Johnson as Governor of the State of California, and also a copy of the resolution as presented by Senator Benson and Assemblyman Ryan.

ADMINISTERING THE OATH OF OFFICE.

The Hon. E. C. Hart, Justice of the Third District Court of Appeal of the State of California, administered the oath of office to Lieutenant Governor William D. Stephens as follows:

"I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of Governor and Lieutenant Governor according to the best of my ability, so help me God."

PRESENTATION OF GOVERNOR WILLIAM D. STEPHENS.

Hon. Arthur H. Breed, President pro tempore of the Senate, then presented Governor William D. Stephens to the Joint Convention, with the following remarks:

Members of the Legislature and People of the State of California:

It was not a very long time ago that the members of the Senate of the State of California first had the pleasure of being under the wise and dignified guidance of a man who came to them as their presiding officer.

Yet, in the short space that has elapsed since the opening of the forty-second session of the Legislature and the present time the members of the Senate and all who have come in contact with this man of great heart and deep sympathies have learned to respect and value him as a true Californian.

I have the distinguished honor and pleasure of presenting to you our new Governor, William D. Stephens.

INAUGURAL ADDRESS BY GOVERNOR WILLIAM D. STEPHENS.

Governor William D. Stephens then addressed the Joint Convention as follows:

Gentlemen of the Legislature:

The Chief Executive of our State having resigned, I have taken, in accordance with our Constitution, the oath of office as Governor.

Realizing the responsibilities of the trust I am assuming, I here and now dedicate myself anew to California.

Members of the Senate and Assembly, to you as well as to the Governor, the people look for conscientious, efficient, unselfish service. Working together we will not disappoint them.

Within a few days, I shall take the opportunity of communicating to you some suggestions concerning the State's welfare.

With your help, I shall endeavor to carry on and strengthen those sound governmental policies for which we have labored so long.

I shall earnestly strive to guard and to extend the remarkable human welfare and public welfare legislation accomplished during the last six years, by the people of California, under the leadership of my distinguished predecessor, Governor Johnson.

We must continue to advance. There must be no lagging in our efforts.

May God grant that these forward steps be taken with our State and people prospering and our nation honorably at peace with all the world.

READING AND APPROVAL OF MINUTES.

Minutes of the Joint Convention were read, and on motion, approved.

ADJOURNMENT.

On motion of Assemblyman Smith, the President pro tempore of the Senate declared the Joint Convention adjourned, *sine die*.

IN SENATE.

RECONVENED.

At three o'clock, p.m., the Senate reconvened.

The Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 232—An act providing for the examination, certification and registration of plumbers, prescribing penalties for violations of the provisions hereof, and repealing an act entitled "An act to grant to boards of health and health officers, in cities, and cities and counties, the power to regulate the plumbing and drainage of buildings, and to provide for the registration of plumbers," approved March 3, 1885.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Lyon moved to refer Assembly Bill No. 232 to Senator Gates as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 3 of the title, after the word "plumbers", strike out the words "prescribing penalties for violations of the pro".

AMENDMENT NUMBER TWO.

Strike out all of lines 4 to 8 of the title, inclusive, and insert in lieu thereof the following: "prescribing powers and duties of the state board of health in reference thereto, and penalties for a violation of the provisions hereof".

AMENDMENT NUMBER THREE.

On page 2, line 1, after the word "journeyman" strike out the comma.

AMENDMENT NUMBER FOUR.

On page 3 of the printed bill strike out all of lines 19 to 23, inclusive, and insert in lieu thereof the following:

"SEC. 6. Nothing in this act contained shall be deemed to repeal or in any manner supersede the authority conferred upon the board of health, department of public health, or health officer, by the charter of any incorporated city or city and county, or the power, under such charter, to enact ordinances providing for the conduct of any of the matters and things embraced within the terms of this act."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 15, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 232, with instructions to amend, respectfully reports the same back, amended as per instructions.

GATES, Special Committee.

Report read.

Assembly Bill No. 232 ordered to print.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Senator Luce:

Resolved, That the sum of $20.00 be allowed C. Olivier for services as cloak room attendant to date during this session of the Legislature, and that the Controller be directed to draw his warrant for said amount and the Treasurer to pay the same.

Resolution referred to Committee on Contingent Expenses.

REQUESTS FOR INTRODUCTION OF BILLS—(OUT OF ORDER).

The following requests for permission to introduce bills were presented:

By Senator Purkitt:

SENATE CHAMBER, SACRAMENTO, March 15, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2 of Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend an act entitled "An act to promote drainage," approved March 18, 1885, by adding a new section thereto to be numbered 204, providing for the disincorporation of drainage districts.

Request referred to Committee on Rules.

Also:

MR. PRESIDENT: In accordance with the provisions of section 2 of Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to repeal an act entitled "An act providing for the investigation by the State Veterinarian, the Secretary of the State Board of Health and the State Commissioner of Horticulture of injury to animal life and vegetation in California, caused by smelter wastes, and making an appropriation therefor," approved June 16, 1913.

Request referred to Committee on Rules.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 43—An act to amend section 17 of an act known as "The Building and Loan Commission Act," approved April 5, 1911, and amended by acts approved December 18, 1911, and May 29, 1915, relating to the powers and duties of the Building and Loan Commissioner.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 43 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Canepa, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, Jones, King, Nealon, Rigdon, Rominger, Rush, Sharkey, Shearer, Slater, and Stuckenbruck—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 935—An act to amend section 638 of the Civil Code, relating to loans by building and loan associations and the notes or obligations taken therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 935 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Canepa, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, King, Nealon, Purkitt, Rigdon, Rominger, Rush, Sharkey, Shearer, and Slater—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ADJOURNMENT.

At three o'clock and thirty-five minutes p.m., on motion of Senator Jones, the President pro tempore declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Friday, March 16, 1917.

The Senate met at ten o'clock a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—38.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, March 15, 1917, the further reading was dispensed with, on motion of Senator Slater.

LEAVE OF ABSENCE.

Senator Maddux was, on motion of Senator Slater, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Stuckenbruck, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Alice F. Wright, teacher, and the following pupils of the civic class of the Lodi Union High School of Lodi:

Mattie Steele, Ruth Hart, Mable Allen, Gertrude Mutschelknaus, Elsie Hendricks, Walter Tindell, Miriam Madison, Clair Willms, Edward Devine, Peter J. Rempel, Elmer Brown, Otto Kohnke, Sydney Smith, Grace Stafford, Isabelle Smith, Helen Smith, Lila Jahant, Vivian Ridley, Florence Bauer, Merritt Jorz, Lawrence Werly, Margaret Willms, Woodson Hawes, Emmd Woodson, Harold Pampel, Augusta Michaelis, Jennie Adams, Mary Wilder, Emma Helfeldt, Arthur Knudsen, Vesla L. Burdg, Josephine Lytle, Nino McArthur, Edward Walters, Phyllis Lavers, Lois Campbell, Magdalena Kraft, Ottilia Weihe and Lena Graffigna.

Also:

On request of Senator Carr, F. M., the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Dr. Goodwin and Miss Florence L. Weeks of the faculty, and the following pupils of the Fremont High School of Oakland:

Carroll W. Thompson, Gladys Washburn, Marjorie Richards, Merle F. Morse, Carlton Isham, Clara V. Schenck, Robert E. Reaves, J. Walter Collenberg, Hilliano Pittman, James T. Parker, I. Glen Doty, Rupert Prindocle, Paul A. Bayler, F. Ben Parker, R. C. Woodburn, Alice Damm, Walter Jensen, Ethel Frank, Raymond A. Branstello, Bertha Anderson, Ruby Woodcock, Elsie H. Gunn, Adele Walker, Olga Paulsen, Bertha Shannon, Anne S. Ireland, Marguerite Wilde, Norma Kennedy, Viva Tayler, Florence Lichtenstein, Miss A. Markovits, Margaret Meyer, Robert Bibby, Harry Austin, Madeline Russo, Bernice Grismore, Violet Winter, Katherine

Snyder, Hazel Painter, Vena Hanson, Merle Gunter, Helen McCarty, Harriet Rogers, Jean Fletcher, Fred Biles, Harriet MacDonald, Stella Porter, Helen E. Jones, Dorothy Beck, Francis Nielson, Lura Dake, Nina McCord, Margaret Tomson, Olga Angel, Mrs. A. S. Ireland, Gertrude Markovits, Adele Taravellin, Stanley Holmes, Liddell Peck, Ralph Wood, Elsie Young, Grace Meltzer, Ethel McEvoy, Florence Guarini, Adele Mundy, Violet Stockholm, Florence Copland, Eloise Hellwig, Emma Schmidt, Dave Price, William Del Val, Vena Hanson, Amelia Creley, Ethel Fake, Rudolph Kreis, Myrtle Cook, Antonette M. Halverson, Josephine Wilson, Audrey Hollenbeck, Helen Mounts, Alice Cohen, Florence Tibbetts, David Hengerty, Donald Petrie, Joseph Barroquillo, Thelma McGuire, Elizabeth Newton, John Mason, Walter Costa, Harold A. Nelson, Don Gillis, Wesley Schneider, Charles Wright, Alfred Lawrence, Talcott Gawne, Charles Anderson, Otto Herrle, Fred Bills, Esther Hoerst, Belle Manning, Jean Fletcher, Willie Connelley, Ethel Arnold, Rex Mars, Vivian Henry, Jean Rodger, Florence McGrath, Bertha Peterson, Emma Weisser, Gladys Kitchel, Gertrude Brown, Dorothy Spitz, Reginald E. Meadows, Peter Kozlowski, Thetis D. Junker, Gladys Shiddell, Pauline Frank, E. Roy Benson, Ed Mann, Farley Granger, Clifford Tayler, Vic Larsen, James Chapen, William Noblitt, Victor Lawrence, Milton Housner, George P. Edgar, M. Val, Florence Plane, Ethel Schmidt, Margaret Fulcher, Hazel Sullivan, Bertha Anderson, Donald Gillies.

PETITIONS.

The following petitions were presented and ordered printed in the Journal:

By Senator Inman:

To the Honorable Members of the Senate and Assembly of California:

The Chamber of Commerce of Sacramento, incorporated, desires most respectfully to protest against the passage of any laws or the doing of any acts by the Legislature of the State of California which would in any way affect adversely the flood control plan of the State of California. The protest is based upon many good reasons among which are the following

1. The State of California by numerous acts, after due deliberation, adopted as the official plan of the State, the flood control project as established by the federal government; created a Reclamation Board to carry out such plans and also created and enlarged various drainage districts.

2. Acting upon the guarantee thus given by the State, very large investments of capital have been made in flood control and reclamation projects. The faith of the State of California and its good name are, therefore, placed in jeopardy by any move to injure or destroy such flood control plan.

3. Owing to the position assumed by the State of California in connection with the flood control plan, the federal government has appropriated $5,000,000 for the purpose of sharing in the expense of carrying out such plan. This is the first great recognition by Congress of California's equity in flood control problems and to lose this appropriation would be little short of disaster to the entire State.

4. The flood control plan, now being carried out, is the only thing that has ever given relief or offered permanent protection to landholders in danger of flood.

5. Should the flood control plan be impaired, the city of Sacramento would again be placed in imminent danger of floods.

6. The Chamber of Commerce of Sacramento, therefore, respectfully protests against the passage of such measures as the Chandler, Purkitt, Tarke, Duncan and other bills now pending and inimical to the great flood control project.

Adopted Thursday, March 9, 1917.

[Seal.] Attest: S. GLEN ANDRUS.

Also:

To the Governor and Members of the Legislature of the State of California:

WHEREAS, The city of Sacramento is vitally interested in the carrying out of the flood control project and in the continuance of the Sacramento and San Joaquin Drainage District; and

WHEREAS, The city of Sacramento, realizing the danger that the city is subjected to if the recurrence of such floods as have occurred in the past can not be prevented, has in the past spent large sums of money in carrying out such project and is now engaged in the building of the Bryte Bend Weir, also known as the Sacramento by-pass, and being a part of the system under the control of the Sacramento and San Joaquin Drainage District; and

WHEREAS, Such by-pass is being built at a cost of $635,000.00 under a law of the State of California, creating the Sacramento and San Joaquin Drainage District, by which the city of Sacramento is to receive warrants of such district in part payment for such work; and

WHEREAS, Senate Bill No. 846 and other bills are now pending in the Legislature seeking to abolish the Sacramento and San Joaquin Drainage District, or submitting the existence thereof to an election and also to abolish the State Reclamation Board,

Resolved, By the City Commission of the city of Sacramento that we are unalterably opposed to any such measures and do urgently request our Senators and Assemblymen to vote against any and all such bills.

Resolved, further, That the prosperity and continued existence of the city of Sacramento depend upon the preservation of this valley from floods, and to that end the powers conferred upon the State Reclamation Board should be enlarged so that the board should have full and ample power to do whatever may be necessary to protect the city of Sacramento and surrounding country from inundation.

Resolved, further, That the abolition of the Sacramento and San Joaquin Drainage District, unless provision be made by the State of California for the payment of the warrants issued and to be issued to the city of Sacramento by such district in payment for the lands acquired and the work done by the city of Sacramento under contract with the Sacramento and San Joaquin Drainage District, pursuant to the statute creating such district, would be repudiation and a breach of faith. We do not believe that the State of California will repudiate its obligations, nor do we believe that the Legislature will set the wheels of progress back and bring upon us the flood dangers of the past, and to which we will still be subjected until the plans of the Sacramento and San Joaquin Drainage District have been completed.

Resolved, further, That we do request the members of the Legislature to vote against Senate Bill No. 846 and against every other measure that would jeopardize the Sacramento and San Joaquin Drainage District or impair the efficiency of the State Reclamation Board.

Adopted by the City Commission of the city of Sacramento this 13th day of March, 1917.

G. C. SIMMONS,
President of the City Commission.

[Seal.] Attest: M. J. DESMOND, City Clerk.

Also:

WHEREAS, The State of California, by the several acts creating and enlarging the drainage district, and providing for the appointment of a reclamation board to take charge of said district, also accepted and endorsed for the State, the flood control project established by the federal engineers, for rendering harmless the floods of the Sacramento River; and

WHEREAS, The United States Government by an act of February, 1917, has joined the State in adopting said flood control project, and has provided for an appropriation of $5,000,000 as the federal government's share of the expense of said project, to be met by parallel appropriations by the State; and

WHEREAS, This association of interest between the State and the federal government, having been solicited by the State, its destruction now by the withdrawal of the State, would not only be bad faith on the part of the State, but would be destructive of all efforts to control the floods of the Sacramento River; therefore,

Resolved, By the Chamber of Commerce of the city of Oakland that the Chandler, Purkitt, Tarlee, Duncan and other bills now before the Legislature and being avowedly for the purpose of destroying the flood control project, are inimical to the interests of the State, and we recommend to the Legislature that they do not pass.

I hereby certify that the foregoing is a true and correct copy of resolutions passed by the board of directors of the Oakland Chamber of Commerce, at a special meeting held March 6, 1917.

JOSEPH E. CAINE, Secretary.

Also:

WHEREAS, Reclamation District No. 730 is materially interested in the carrying out of the flood control plan heretofore adopted by the State and nation for the prevention of floods in the Sacramento Valley in connection with the Sacramento River and its tributaries, and the reclamation districts situated within Yolo County have spent large amounts of money in reclaiming their lands in accordance with such plans; and now therefore, be it

Resolved, By the trustees of Reclamation District No. 730 of Yolo County:

1. That the flood control plan now being carried out should not be abandoned and that the powers of the Reclamation Board of the State of California be not repealed or interfered with, and that the Sacramento and San Joaquin Drainage District should be continued in force so as to provide legal machinery for the carrying out of the plans;

2. That copies of this resolution be certified to by the secretary of this district and transmitted to the Governor of the State of California and the Legislature.

I hereby certify that the foregoing resolution was adopted at a regular meeting of the board of trustees of Reclamation District No. 730 on the 5th day of March, 1917.

HARRY L. HUSTON, Secretary.

Also:

WHEREAS, There are certain measures pending in the Legislature of the State of California for the repeal of the act creating the Sacramento and San Joaquin Drainage District, or for the purpose of submitting the proposition to an election, thus placing the whole matter in doubt and confusion; and

WHEREAS, The safety of the Sacramento and San Joaquin valleys depends upon the continuance of the Sacramento and San Joaquin Drainage District, and the carrying out of the flood control plan as adopted by the Congress of the United States;

Resolved, By the Galt Development Club of Sacramento County that we do urgently protest against the passage of Senate Bill No. 846, or any other measure that will endanger the existence of the Sacramento and San Joaquin Drainage District, or repeal the legislation providing for the prevention of floods in the Sacramento and San Joaquin valleys;

Resolved, further, That a copy of this protest, attested by the president and secretary of the Galt Development Club, be forwarded to the Senate and Assembly of the State of California.

We hereby certify that the above is a true, full and correct copy of resolution adopted by the Galt Development Club at a meeting held on March 6, 1917.

J. E. MAXWELL, President.
W. F. BOTZBOCHE, Secretary.

Also:

WHEREAS, Reclamation District No. 1600 is materially interested in the carrying out of the flood control plan heretofore adopted by the State and nation for the prevention of floods in the Sacramento Valley in connection with the Sacramento River and its tributaries, and the reclamation districts situated within Yolo County have spent large amounts of money in reclaiming their lands in accordance with such plans; and now therefore, be it

Resolved, by the trustees of Reclamation District No. 1600 of Yolo County

1. That the flood control plan now being carried out should not be abandoned and that the powers of the Reclamation Board of the State of California be not repealed or interfered with, and that the Sacramento and San Joaquin Drainage District should be continued in force so as to provide legal machinery for the carrying out of the plans;

2. That copies of this resolution be certified to by the secretary of this district and transmitted to the Governor of the State of California and the Legislature.

I hereby certify that the foregoing resolution was adopted at a regular meeting of the Board of Trustees of Reclamation District No. 1600 on the 5th day of March, 1917.

JAMES L. HARE, Secretary.

Also:

WHEREAS, The county of Yolo is materially interested in the carrying out of the flood control plan heretofore adopted by the State and nation for the prevention of floods in the Sacramento Valley in connection with the Sacramento River and its tributaries, and the reclamation districts situated within Yolo County have spent large amounts of money in reclaiming their lands in accordance with such plan, and the taxable wealth of the county has been increased thereby; now, therefore, be it

Resolved, by the Yolo County Board of Trade

1. That the flood control plan now being carried out should not be abandoned and the power of the State Reclamation Board be not repealed or interfered with and that the Sacramento and San Joaquin Drainage District should be continued in force so as to provide legal machinery for the carrying out of the plan.

2. That a certified copy of this resolution be transmitted to the Governor and the Legislature of the State of California.

I hereby certify that the foregoing resolution was adopted by the Yolo County Board of Trade on March 13th, 1917.

FRED SHAFFER,
Secretary of the Yolo County Board of Trade.

Also:

The following resolution filed by the Secretary:

FRESNO PARLOR NO. 25, NATIVE SONS OF THE GOLDEN WEST.

FRESNO, CALIFORNIA, March 12, 1917.

WHEREAS, We believe that the admission of our State into the Union is an historical event of such significance as to be worthy of commemoration, and we believe that its public celebration has a tendency to inculcate patriotism in the hearts of the children of our State, and,

WHEREAS, We believe that the participation of our children in a public celebration is better suited to impress the minds of the children with the significance of

the occasion than the exercises commemorating the day now authorized by law in the schools; now, therefore, be it

Resolved, That we, the members of Fresno Parlor No. 25, Native Sons of the Golden West, in open parlor assembled, do hereby declare ourselves to be in favor of the enactment into law of Assembly Bill No. 130, and that it is our earnest desire that our representatives in the Legislature of our State do all in their power to secure the passage of the said bill.

L. N. BARBER,
PENN CUMMINGS,
B. W. GEARHART, Committee.

I do hereby certify that the above resolution was duly passed at the regular meeting of the said parlor, on March 12th, 1917

[SEAL] L. N. BARBER, Recording Secretary.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 887—An act to amend section 1 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the city of Oakland, and regulating the management, use and control thereof," approved May 1, 1911.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 887 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 745—An act to amend section 6 of an act entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911, as amended;

Also: Assembly Bill No. 990—An act to add a new section to the Political Code, to be numbered 4147*a*, relating to the powers and duties of deputy coroners;

Also: Assembly Bill No. 1292—An act to amend section 28 of an act entitled "An act to regulate fees of office and salaries of certain officers, and to repeal certain other acts in relation thereto," approved March 5, 1870, as amended March 1, 1872.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk

Assembly Bill No. 745 read first time, and referred to Committee on Insurance.

Assembly Bill No. 990 read first time, and referred to Committee on County Government.

Assembly Bill No. 1292 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1917

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 479—An act to provide for the keeping of a record of slaughtered live stock and of the hides, marks and brands thereof; to make it unlawful to drive live stock from their accustomed range, to prevent the destruction, altering, mutilating or disfiguring of hides, marks and brands; to require notice to be given to the county clerk by persons having another person's live stock in their possession; and to provide for the enforcement of its provisions and for the punishment of the violations thereof;

Also: Assembly Bill No. 20—An act to amend section 671 of the Code of Civil Procedure, relating to judgment liens;

Also: Assembly Bill No. 224—An act to repeal section 633 of the Penal Code;

Also: Assembly Bill No. 225—An act to repeal section 63 of the Penal Code;

Also: Assembly Bill No. 323—An act to amend section 4306 of the Political Code, relating to fees of justices of the peace;

Also: Assembly Bill No. 65—An act to amend section 137 of the Civil Code, relating to temporary alimony and permanent support and maintenance of wife;

Also: Assembly Bill No. 104—An act to amend section 840 of the Penal Code, relating to the time when an arrest may be made.

Also: Assembly Bill No. 466—An act to amend section 3787 of the Political Code, relative to deeds to property sold for delinquent taxes.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 479 read first time, and referred to Committee on Agriculture.

Assembly Bill No. 20 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 224 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 225 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 323 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 65 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 104 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 466 read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 16, 1917.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 1107—An act to appropriate money to pay the expenses incurred in the publication of bond acts presented to the people at the election of November 7, 1916—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

CHANDLER, Chairman.

Senate Bill No. 1107 ordered on file for second reading.

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 16, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Purkitt to introduce a bill entitled: "An act to amend an act entitled 'An act to promote drainage,' approved March 18, 1885, by adding a new section thereto to be numbered 20½, providing for the disincorporation of drainage districts"—has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Jones, Kehoe, King, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Purkitt to introduce a bill entitled: "An act to repeal an act entitled

'An act providing for the investigation by the State Veterinarian, the Secretary of the State Board of Health and the State Commissioner of Horticulture of injury to animal life and vegetation, in California, caused by smelter wastes, and making an appropriation therefor,' approved June 16, 1913"—has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills were introduced, in accordance with the above reports:

By Senator Purkitt: Senate Bill No. 1150—An act to amend an act entitled "An act to promote drainage," approved March 18, 1885, by adding a new section thereto, to be numbered 20½, providing for the disincorporation of drainage districts.

Bill read first time, and referred to Committee on Irrigation.

Also: Senate Bill No. 1151—An act to repeal an act entitled "An act providing for the investigation by the State Veterinarian, the secretary of the State Board of Health and the State Commissioner of Horticulture of injury to animal life and vegetation in California, caused by smelter wastes, and making an appropriation therefor," approved June 16, 1913.

Bill read first time, and referred to Committee on Agriculture.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 15, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 76—An act defining commission merchants and consignors; providing for filing of bond and certificates showing names of persons doing business or advertising as commission merchants, and providing penalties for the violation of the requirements herein contained;

Also: Senate Bill No. 461—An act to amend section 5 of an act entitled "An act to provide for the maintenance and support, in certain cases, of indigent, incompetent, and incapacitated persons, other than persons adjudged insane and confined within the State hospitals, becoming a public charge upon the counties or cities and counties within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons," approved March 23, 1901, and to add thereto a new section to be numbered 10;

Also: Senate Bill No. 1139—An act to amend section 2 of an act entitled "An act providing for the disposition of certain property," passed April 21, 1851, relating to tidelands covered by the waters of Carquinez Straits;

And reports that the same have been correctly engrossed.

CANEPA, Chairman.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, March 16, 1917.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 1027—An act to amend the Code of Civil Procedure by adding thereto a new section, to be numbered and known as section 1128, providing for the contesting

of elections held under the initiative and referendum provisions of Article IV, section 1, of the Constitution of the State of California—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

FLAHERTY, Chairman.

Senate Bill No. 1027 ordered on file for second reading.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, March 16, 1917.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 138—An act to prohibit employers from demanding or receiving any money or other consideration from an employee as a condition of employment—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

LYON, Chairman.

Senate Bill No. 438 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 930—An act to amend sections 9 and 10 of an act entitled "An act to establish and support a Bureau of Labor Statistics," approved March 3, 1883—has had the same under consideration, and respectfully reports the same back without recommendation, and be re-referred to the Committee on Finance.

LYON, Chairman.

Senate Bill No. 930 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 111—An act providing that all justices of the peace in townships having a population of less than 15,000 shall act as labor and employment agents—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

LYON, Chairman.

Senate Bill No. 111 ordered on file for second reading.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, March 16, 1917.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 14—Relative to the establishment by the government of the United States of a national park at "Pinnacles National Monument"—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

RUSH, Chairman.

Assembly Joint Resolution No. 14 ordered on file.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, March 16, 1917.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 683—An act to add a new section to the Penal Code, to be numbered 632c, relating to the protection of trout—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

Minority report: Do not pass.

SLATER, Chairman.

Senate Bill No. 683 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 61—An act to amend section 633 of the Penal Code, relating to the protection of fish;

Also: Senate Bill No. 80—An act to amend section 626 of the Penal Code, relating to the protection of game;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

SLATER, Chairman.

Senate Bills Nos. 61 and 80 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 361—An act to amend section 626*a* of the Penal Code, relating to the protection of fish and game—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

SLATER, Chairman.

Assembly Bill No. 361 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 286—An act to amend section 3 of an act entitled "An act to regulate and license the taking and catching of game fishes, and to define game fish and to provide revenue therefrom, for fish preservation and restoration," approved June 16, 1913;

Also: Assembly Bill No. 332—An act to amend section 627*a* of the Penal Code, relating to the transportation of game;

Also: Assembly Bill No. 328—An act to amend section 626*l* of the Penal Code, relating to the protection of fish and game;

Also: Assembly Bill No. 404—An act to amend section 626*p* of the Penal Code;

Also: Assembly Bill No. 550—An act to amend section 628*b* of the Penal Code, relating to the protection of fish;

Also: Assembly Bill No. 689—An act to amend an act entitled "An act to regulate the issuance of licenses for resale to hunters and anglers and market fishermen," approved May 20, 1915;

Also: Assembly Bill No. 744—An act to amend section 4449*b* of the Political Code, relating to county fish and game wardens;

Also: Assembly Bill No. 287—An act to amend section 3 of an act entitled "An act to regulate and license the hunting of wild birds and animals, and to provide revenue therefrom, for game and fish preservation and restoration," approved March 22, 1909;

Also: Assembly Bill No. 401—An act to amend section 599*f* of the Penal Code, relating to the protection of elk;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

SLATER, Chairman.

Assembly Bills Nos. 286, 332, 328, 404, 550, 689, 744, 287, and 401 ordered on file for second reading.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, March 16, 1917.

MR. PRESIDENT—Your Committee on Labor and Capital, to which was referred Senate Bill No. 736—An act to add a new section to the Penal Code, to be numbered 653*f*, relating to the restricting of the number of individuals who may learn a trade—has had the same under consideration, and respectfully reports the same back and recommends that it do not pass—majority report.

Minority report—Do pass.

LYON, Chairman.

Senate Bill No. 736 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 14, 1917.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 532—An act repealing Chapter 1 and Articles I to VI inclusive of Chapter 2 of Title X of Part IV, division third, of the Civil Code, and to add a new Chapter 1 of Title X of Part IV, division third, in place thereof, and to amend Article VII of Chapter 2 of Title X of Part IV, division third, of the Civil Code, by making said Article VII, Chapter 2 of Title X of Part IV, division third, of the Civil Code of the State of California, relating to partnerships—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

KEHOE, Chairman.

Senate Bill No. 532 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 818—An act to promote the comfort, health, safety and general welfare of the

people of this State as affected by injury causing the disability or death of employees in the course of their employment, providing for a complete plan of workmen's compensation by creating a liability on the part of immediate employers, principal employers, contracting employers and their insurance carriers to compensate employees and their dependents for such disability or death, irrespective of the fault of any party, providing the means and methods of enforcing such liability and providing for certain liens upon compensation, and regulating compensation insurance coverage against such liability, securing the payment of compensation and confirming the establishment and transactions of the State Compensation Insurance Fund; and requiring safety in all employments and places of employment in this State and providing the means and methods of enforcing such safety; and requiring reports of industrial injuries; and providing penalties for offenses as defined herein, by employers, their officers and agents, and by employees and other persons and corporations; and defining the powers and duties of the Industrial Accident Commission under this act, and providing for a review of its orders, decisions and awards, and repealing sections 2, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 75a, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86 and 87 of Chapter 176, Statutes of 1913, and all other acts and parts of acts inconsistent herewith, except sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 88 and 90 of said Chapter 176, Statutes of 1913—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

KEHOE, Chairman.

Senate Bill No. 818 ordered on file for second reading.

SENATOR INMAN IN THE CHAIR.

At ten o'clock and thirty minutes a.m., Senator Inman of the Seventh District was called to the chair.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, MARCH 15, 1917.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 601—An act to amend an act entitled "An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements, and regulating the acquisition, construction or completion thereof," which became a law under the constitutional provision without the Governor's approval, February 25, 1901, as subsequently amended, by adding a new section thereto to be numbered section 6½, relating to the cancellation of unsold bonds—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

TYRRELL, Chairman.

Assembly Bill No. 601 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 15, 1917.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 1133—An act to amend section 4290 of the Political Code, relating to fees and salaries of county officers;

Also: Senate Bill No. 175—An act to amend section 4263 of the Political Code, relating to the compensation of officers in counties of the thirty-fourth class,

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended.

INMAN, Chairman.

Senate Bills Nos. 1133 and 175 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 890—An act to amend Section 2643 of the Political Code, relating to the powers of boards of supervisors over roads;

Also: Senate Bill No. 536—An act to amend section 4277 of the Political Code, relating to salaries, fees and compensation of officers of counties of the forty-eighth class;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

INMAN, Chairman.

Senate Bills Nos. 890 and 536 ordered on file for second reading.

Also:

[illegible]

INMAN, Chairman.

Senate Bill No. [illegible] ordered on file for second reading.

Also:

[illegible]

INMAN, Chairman.

Assembly Bill No. [illegible] ordered on file for second reading.

Also:

[illegible]

INMAN, Chairman.

Assembly Bills Nos. [illegible], 111 and 254 ordered on file for second reading.

REQUEST THAT AMENDMENTS BE PRINTED IN JOURNAL.

Senator [illegible] asked for and was granted unanimous consent to have proposed amendments to Senate Bill No. 1027 printed in the Journal.

AMENDMENTS TO SENATE BILL NO. ONE THOUSAND TWENTY-SEVEN.

AMENDMENT NUMBERED ONE.

[illegible] proposition submitted to a vote of the electors."

AMENDMENT NUMBERED TWO.

[illegible]

AMENDMENT NUMBERED THREE.

[illegible]

AMENDMENT NUMBERED FOUR.

[illegible]

AMENDMENT NUMBER FIVE.

On page 1, line 13, strike out the word "specifies" and insert in lieu thereof the words "shall specify".

AMENDMENT NUMBER SIX.

On page 2, line 8, strike out the word "contest" and insert in lieu thereof the word "recount".

AMENDMENT NUMBER SEVEN.

On page 2, line 8, strike out the period at the end of the line, insert in lieu thereof a comma and the following: "or the fact that the result of the election in any precinct is substantially misstated in the election returns from that precinct or in the official canvass thereof, shall be sufficient cause for a recount under this section".

AMENDMENT NUMBER EIGHT.

On page 2, lines 14 and 15, strike out all the words within parenthesis and insert in lieu thereof the following: "or 'referendum' or constitutional amendment".

AMENDMENT NUMBER NINE.

On page 2, line 15, strike out the word "contest" and insert in lieu thereof the word "recount".

AMENDMENT NUMBER TEN.

On page 2, line 21, insert between the word "mailing" and the word "and" the words "and posting".

AMENDMENT NUMBER ELEVEN.

On page 2, line 23, strike out the word "five" and insert in lieu thereof the word "three".

AMENDMENT NUMBER TWELVE.

On page 2, line 25, insert between the words "of" and "posting" the words "mailing and".

AMENDMENT NUMBER THIRTEEN.

On page 2, line 30, strike out the word "contest" and insert in lieu thereof the the word "recount".

AMENDMENT NUMBER FOURTEEN.

On page 2, line 32, insert between the words "cases" and "to" the words, "if more than one such petition is on file".

AMENDMENT NUMBER FIFTEEN.

On page 2, line 37, strike out the word "contest" and insert in lieu thereof the word "recount".

AMENDMENT NUMBER SIXTEEN.

On page 3, line 1, strike out the words "a contest" and insert in lieu thereof the words "such recount".

AMENDMENT NUMBER SEVENTEEN.

On page 3, line 2, strike out the word "contest" and insert in lieu thereof the word "matter".

AMENDMENT NUMBER EIGHTEEN.

On page 3, line 44, strike out the words "in the contest".

AMENDMENT NUMBER NINETEEN.

On page 3, line 12, strike out the word "contest" and insert in lieu thereof the word "matter".

AMENDMENT NUMBER TWENTY.

On page 3, lines 15 and 16, strike out the words "to the contest".

AMENDMENT NUMBER TWENTY-ONE.

On page 3, line 17, strike out the word "contest" and insert in lieu thereof the word "recount".

AMENDMENT NUMBER TWENTY-TWO.

On page 3, line 21, strike out the word "contests" and insert in lieu thereof the word "petitions".

AMENDMENT NUMBER TWENTY-THREE.

On page 3, line 23, strike out the words "contest or contests" and insert in lieu thereof the words "recount or recounts".

[illegible]

On page 3, line 27, strike out the words "contest, or contests" and insert in lieu thereof the words "[illegible]".

[illegible]

On page 3, line 29, strike out the word "contest" and insert in lieu thereof the word "recount".

[illegible]

On page 3, line 30, strike out the word "recount" and insert in lieu thereof the word "same".

[illegible]

On page 3, line 31, [illegible] and inserting" the word "so"; also strike out the word "contest" and insert in lieu thereof the word "recount".

[illegible]

On page 4, line 2, insert after the comma, following the word "required", the following words: "[illegible]". Insert a period after the foregoing words and change the first letter of the next word to a capital.

[illegible]

On page 4, line 7, strike out the words "contest or contests" and insert in lieu thereof the words "recount or recounts".

[illegible]

On page 4, line 8, [illegible] and insert in lieu thereof the following: "election contests had under the provisions of section 1111 of this code".

[illegible]

On page 4, line 17, after the word "court" and before the period insert a comma and the words, "together with a certified copy of the judgment".

[illegible]

On page 4, line 23, strike out the words "the court may, in the"; also strike out all of lines 24, 25 and 26, and in lieu of all thus struck out insert the following: "[illegible] equal to the costs which would ordinarily accrue in a similar action. But if the recount discloses any serious fraud or error in the conduct of the election, or in the voting or counting of the ballots, the cost of the recount shall be borne by the county, whether it appears that the legal effect of the election will be changed by such fraud or error, or not.

"While any recount provided for in this section is pending and until the same is finally decided, the force and effect of the election shall be the same as if no recount [illegible]."

[illegible]

On page 1, line 2, strike out the words "and known as section".

AMENDMENT NUMBER THIRTY-FOUR.

Amend title by striking out of line 3 the words "and known as section".

REPORT OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

[illegible]

SENATE CHAMBER, SACRAMENTO, March 16, 1917.

Mr. President: Your Committee on Contingent Expenses, to which was referred [illegible]

Resolved: That the sum of $[illegible] be allowed [illegible] for services as clerk, room [illegible] and that the Controller be directed to draw his warrant for said amount and the Treasurer to pay the same; [illegible] and respectfully reports the same back and recommends that it be adopted.

NEALON, Chairman.

Report and resolution read.

Senator Nealon moved that the report and resolution be adopted.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Caminetti, Cogswell, Cutten, Evans, Flaherty, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Lane, Lipe, M. Donald, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Shearer, Sisson, Stetson, Stewart, Stringer, Tyrrell—29.

NOES—None.

PRESIDENT PRO TEMPORE IN THE CHAIR

At ten o'clock and forty-five minutes a.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

CONSIDERATION OF DAILY FILE

THIRD READING OF SENATE BILLS

Senate Bill No. 746—An act to add a new section to the Code of Civil Procedure, to be numbered 1381, relating to joint administration of estates under the value of one thousand five hundred dollars, where the property is required by law to pass through several persons who have died.

On motion of Senator Kehoe, Senate Bill No. 746 was transferred to unfinished business file.

Senate Bill No. 90—An act to amend section 2904 of the Civil Code relating to corporations.

On motion of Senator Jones, Senate Bill No. 90 was passed on file.

Senate Bill No. 203—An act to amend an act entitled "An act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other acts and parts of acts now in force relating to estrays," approved March 23, 1901, and to exempt certain counties from provisions thereof.

In the absence of the author, Senate Bill No. 203 was ordered passed to retain its place on the file.

Senate Bill No. 820—An act to provide for the periodical inspection of steam boilers, with certain exceptions, operated in this State; requiring a permit, to be issued by the Industrial Accident Commission, for the operation of such boilers; making it a misdemeanor to operate such boilers without such permit; and allowing an injunction against such operation without such permit where dangerous to the life or safety of employees; providing for a hearing before the Industrial Accident Commission prior to refusal of a permit; providing for the determination of competency of inspectors making such inspections and requiring reports of inspections; and prescribing maximum fees for such inspections.

On motion of Senator Luce, Senate Bill No. 820 was passed on file.

Senate Bill No. 777—An act to amend section 7 of an act entitled "An act to carry into effect the provisions of section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, as amended February 3, 1913, and January 28, 1915.

On motion of Senator Evans, Senate Bill No. 777 was passed on file.

Senate Bill No. 42—An act to amend an act known as "The Building and Loan Commission Act," approved April 5, 1911, and amended by an act approved December 18, 1911, by adding thereto a new section to be known and numbered as section 15a, relating to the powers and duties of the Building and Loan Commissioner and the licensing of agents.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 42 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Campo, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, Lane, Nevin, Purkitt, Rigney, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 573—An act to amend the Penal Code by adding thereto a new section to be numbered 337b, relating to the publication, distribution, selling or giving away of tips or other information concerning horse races, or betting upon horse races.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 573 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Duncan, Evans, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, Lane, Nevin, Purkitt, Rigney, Rominger, Sharkey, Shearer, Scott, Thompson, and Tyrrell—25.

NOES—Senators Campo, Chamberlin, Crowley, Flaherty, and Scott—5.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 49—An act to repeal section 55a of the Penal Code, relative to soliciting, demanding, or pledging votes for or against any particular bill or measure.

On motion of Senator Duncan, Senate Bill No. 49 was passed on file.

Senate Bill No. 879—An act relating to bank transactions after twelve o'clock noon on Saturdays.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 879 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Campo, Carr, F. M., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, Lane, Nevin, Purkitt, Rigney, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Thompson, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 878—An act to add a new section to the Civil Code, to be numbered 3320, providing for the damages recoverable from banks on the nonpayment of checks.

Bill read third time.

On motion of Senator Hans, Senate Bill No. 878 was passed on file.

Senate Bill No. 656—An act to amend section 579 of the Code of Civil Procedure of the State of California, relating to the disposition of unclaimed funds in the hands of a receiver.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 656 passed by the following vote:

AYES—Senators Breed, Carter, Chandler, [illegible], Dennett, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Lyon, Nealon, Parkitt, Rigdon, Rominger, Rush, Scott, Stevens, Stull and Thompson—[illegible].

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY J. W. RAVENSCROFT AT THE DESK.

Senate Bill No. 655—An act to amend section 348 of the Code of Civil Procedure, relating to the limitation of time within which to bring actions where money is deposited in a bank.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 655 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Carter, [illegible], Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Lyon, Nealon, Rigdon, Rush, Scott, Stevens, Stull, Thompson, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending sections 1 and 14 of Article XIII thereof, both relating to revenue and taxation, so as to permit taxation of certain public utilities owned or operated by counties, cities and counties, or municipal corporations.

On motion of Senator Irwin, Senate Constitutional Amendment No. 11 was passed on file.

Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section 22 of Article XII thereof, relating to the powers and duties of the Railroad Commission of the State of California.

On motion of Senator Irwin, Senate Constitutional Amendment No. 21 was passed on file.

Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section 23 of Article XII thereof, relating to the powers and duties of the Railroad Commission of the State of California.

On motion of Senator Irwin, Senate Constitutional Amendment No. 22 was passed on file.

Senate Bill No. 76—An act defining commission merchants and consignors, providing for filing of bond and certificates showing names of persons doing business or advertising as commission merchants, and providing penalties for the violation of the requirements herein contained.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill Senator Lyon moved to refer Senate Bill No. 76 to Senator Gates, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 28, on the printed bill, strike out the words "five thousand" and insert in lieu thereof the words "one thousand".

The question being on the motion to refer to Special Committee of One.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Duncan, Scott, and Carr, F. M.

Thereupon the Secretary was directed to call the roll.

The roll was called, and the motion to refer to Special Committee of One lost by the following vote:

AYES—Senators Bickard, Carson, Carr, W. J., Chamberlin, Gates, Inman, King, Lee, Lyon, and Tyrrell—10.

NOES—Senators Beard, Brown, Carr, F. M., Crawley, Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Irwin, Jones, Kelso, McDonald, Nordan, Puckett, Rominger, Scott, Sharkey, Shearer, Slater, Stockton, and Thompson—23.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator King moved to refer Senate Bill No. 76 to Senator Rominger, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 28, on the printed bill, strike out the word "five" and insert in lieu thereof the word "one".

The question being on the motion to refer to Special Committee of One.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Duncan, Scott, and Slater.

Thereupon the Secretary was directed to call the roll.

The roll was called, and the motion to refer to Special Committee of One lost by the following vote:

AYES—Senators Bickard, Brown, Carson, Carr, W. J., Chamberlin, Crowley, Evans, Flaherty, Gates, Inman, Jones, King, Lee, Lyon, Rominger, and Tyrrell—16.

NOES—Senators Beard, Bond, Carr, F. M., Duncan, Hans, Ingram, Irwin, Kelso, McDonald, Nordan, Puckett, Reyden, Scott, Sharkey, Shearer, Slater, Stockton, and Thompson—19.

On motion of Senator Duncan, Senate Bill No. 76 was passed on file.

SECRETARY CLIFTON E. BROOKS AT THE DESK.

Senate Bill No. 464—An act to amend section 5 of an entitled "An act to provide for the maintenance and support, in certain cases, of indigent, incompetent, and incapacitated persons, other than persons adjudged

insane and confined within the state hospitals becoming a public charge upon the counties or cities and counties within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons," approved March 23, 1901, and to add thereto a new section, to be numbered [illegible]

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. [illegible] passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Crowley, Duncan, Evans, Flaherty, [illegible], [illegible], Johnson, [illegible], [illegible], [illegible], Lyon, McDonald, Nealon, [illegible], [illegible], [illegible], Scott, [illegible], [illegible], and Slater—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1139. An act to amend section 2 of an act entitled "An act providing for the disposition of certain property," passed April 21, 1851, relating to tidelands granted by the State of California to Straits.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1139 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Crowley, Flaherty, [illegible], [illegible], Johnson, [illegible], [illegible], [illegible], McDonald, Nealon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 658. An act to amend sections 1, 2, 15, 16, 31, 32, 60 and 61*b* of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, last line of title, after the figures "1897" strike out the period and insert a comma and the following: "as amended."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 2, after the word "organization" insert the words "and government".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 232—An act providing for the examination, certification and registration of plumbers, prescribing powers and duties of the State Board of Health in reference thereto, and penalties for a violation of the provisions hereof.

On motion of Senator Lyon, Assembly Bill No. 232 was pased on file.

Assembly Bill No. 205—An act to amend section 628*i* of the Penal Code.

On motion of Senator Sharkey, Assembly Bill No. 205 was passed on file.

Assembly Concurrent Resolution No. 11—Relative to revision of California Statutes affecting municipal corporations.

Assembly concurrent resolution read third time.

The question being on the passage of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 11 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Chandler, Crowley, Duncan, Evans, Flaherty, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rominger, Scott, Sharkey, Shearer, Slater, and Tyrrell—29.

NOES—None.

Title read and approved.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 185—An act granting to any city of the State whose corporate limits include or bound upon any harbor, bay, estuary, or other navigable body of water, the power to improve the same and to establish, acquire, construct, improve and maintain in, upon and along the waters thereof works for use in connection therewith.

Bill read third time previously.

On motion of Senator Lyon, Assembly Bill No. 185 was passed on file.

Assembly Bill No. 460—An act to amend section 103 of the Code of Civil Procedure, relating to justices' courts and justices.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Lyon moved to refer Assembly Bill No. 460 to Senator Ballard as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 14, strike out the figure "6" and insert in lieu thereof the figure "5".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 16, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 460, with instructions to amend, respectfully reports the same back, amended as per instructions.

BALLARD, Special Committee.

Report read, and on motion of Senator Lyon, adopted.

Bill ordered to print and re-engrossment.

Assembly Bill No. 1349—An act to amend section 791 of the Political Code, relating to notaries public.

Bill read third time.

On motion of Senator Scott, Assembly Bill No. 1349 was passed on file.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., the hour of recess was extended until twelve o'clock and fifty minutes p.m.

Assembly Bill No. 353—An act to amend section 421 of the Civil Code relating to investments by insurance companies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 353 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Crowley, Duncan, Evans, Flaherty, Freeman, Irwin, Jones, Johnson, Jones, Kelso, King, Luce, Lyon, McDonald, Nealon, Parkin, Rosenberg, Rush, Scott, Shearer, Slater, Stockenbruck, and Tyrrell—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECOND READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 1280—An act to amend an act entitled "An act to provide for the consolidation of municipal corporations," approved June 11, 1913, and amended April 29, 1915, by amending sections 3, 4 and 5.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1279—An act amending an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the districting, government and municipal control of such annexed territory," approved June 11, 1913, and amended April 29, 1915, by amending sections 3, 4 and 5.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following report of standing committee was received and read:

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 16, 1917.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 320—An act to amend section 1858 of the Political Code, relating to the apportionment of the elementary school funds and the counting of attendance in the elementary and secondary schools of the State;

Also: Senate Bill No. 322—An act to amend section 1619 of the Political Code, relating to the duties of boards of school trustees and city boards of education;

Also: Senate Bill No. 323—An act to amend section 1751 of the Political Code, relating to the admission of pupils to high schools;

Also: Senate Bill No. 325—An act to amend section 1532, relating to the powers and duties of the Superintendent of Public Instruction, and to repeal section 1505 of the Political Code;

Also: Senate Bill No. 326—An act to add a new section to the Political Code to be numbered 1750c, and to amend sections 1760 and 1761 of the Political Code, to provide for the establishment and maintenance by high school boards of special classes and part-time vocational courses and to provide State aid for standard vocational courses and the manner of appropriation and apportionment of the same and the apportionment of the regular high school funds of the State;

Also: Senate Bill No. 328—An act to amend section 1551 of the Political Code, relating to the reporting of attendance by superintendents of schools;

Also: Senate Bill No. 599—An act to provide for the organization and supervision of courses in physical training in the elementary, secondary and normal schools of the State, and appropriating $10,000 therefor;

Also: Senate Bill No. 1081—An act to amend section 1891 of the Political Code, relating to school districts situated in two or more counties;

Also: Senate Bill No. 1082—An act to amend section 1728 of the Political Code, relating to the formation of joint union high school districts;

Also: Senate Bill No. 1083—An act to add a new section to the Political Code, to be numbered section 1543b, relating to the jurisdiction of county superintendent of schools over joint and joint union school districts;

Also: Senate Bill No. 1140—An act to accept the provisions and benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled and approved February 23, 1917, to provide for the promotion of vocational education; to create a vocational education fund and making an appropriation therefor;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that same do pass as amended.

GATES, Chairman.

Senate Bills Nos. 320, 322, 323, 325, 326, 328, 599, 1081, 1082, 1083 and 1140 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 327—An act to amend section 1673 of the Political Code, relating to the length of the school day and the length of time that pupils may be required to attend during each day;

Also: Senate Bill No. 329—An act to amend section 1735 of the Political Code, relating to the lapsing of high schools and high school districts;

Also: Senate Bill No. 514—An act to amend section 1720 of the Political Code, and to add a new section to the Political Code, to be numbered 1750b, relating to the organization and maintenance of junior college courses of study;

Also: Senate Bill No. 515—An act to amend section 1721 of the Political Code and to add a new section to the Political Code, to be numbered section 1739b, relating to the organization of high school districts and county junior college districts;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

GATES, Chairman.

Senate Bills Nos. 327, 329, 514 and 515 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 469—An act to add a new section to the Code of Civil Procedure, to be numbered section 1455, relating to the collection by surviving heirs of balances due the estates of deceased annuitants from the public school teachers' retirement salary fund—has had the same under consideration, and respectfully reports the same back and recommends that same do pass.

GATES, Chairman.

Assembly Bill No. 469 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 525—An act to provide for the return to the owners thereof of any funds deducted from teachers' retirement salaries in excess of the amounts directed by law to be so deducted; prescribing the procedure relative thereto; and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back and recommends that same do pass, and be re-referred to Committee on Finance.

GATES, Chairman.

Assembly Bill No. 525 re-referred to Committee on Finance.

CONSIDERATION OF REPORT OF COMMITTEE ON EDUCATION.

Senator Jones asked unanimous consent to take up, for the purpose of amendment, the Senate Bills Nos. 320, 322, 323, 325, 326 and 328, which were previously reported out from the Committee on Education on this legislative day.

SECOND READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 320—An act to amend section 1858 of the Political Code, relating to the apportionment of the elementary school funds and the counting of attendance in the elementary and secondary schools of the State.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 15, strike out the words "Five hundred fifty" and insert in lieu thereof the words "Seven hundred".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 19, strike out the word "forty" and insert in lieu thereof the words "fifty-five".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, lines 26 to 36, beginning with line 26, strike out the semicolon and all reading matter down to and including the words "public instruction", line 36.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 22, strike out the word "is" the first time it appears and insert in lieu thereof the word "as".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 4, strike out lines 2 to 9 and to end of the sentence on line 10, and substitute in lieu thereof the following: "The actual time in minutes that pupils are in attendance upon evening schools and the special day and special evening classes of day schools of elementary and secondary grade shall be kept. A full day's attendance upon such schools or classes shall be four sixty-minute hours."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 4, line 17, strike out the period and substitute in lieu thereof the following: "; and units of average daily attendance in secondary schools shall be construed to be the quotient arising from dividing the total number of days of pupils' attendance in the regular full-time secondary schools, the evening secondary schools, the special day and evening classes of secondary schools, and the part-time vocational courses of the district for the school year by the number of days school was actually taught in the regular day secondary day schools of the district during said year."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 4, lines 18 to 33, beginning with line 18, strike out all matter up to and including line 33, and insert in lieu thereof the following:

"*Sixth*—Subject to the provisions of this code, the state board of education shall adopt uniform regulations governing the keeping of attendance in all secondary

schools. In adopting regulations governing the keeping of the attendance of pupils upon the part-time vocational courses provided for in section one thousand seven hundred fifty-e of this code, the state board may, in its discretion, provide that the time spent by a pupil in practical vocational work shall be counted in making up each six-hour minimum daily unit of attendance."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 322—An act to amend section 1619 of the Political Code, relating to the duties of boards of school trustees and city boards of education.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Page 1, line 9, between the words "elementary" and "school" insert the word "day".

Amendment adopted.

AMENDMENT NUMBER TWO.

Page 1, line 11, between the words "the" and "high" insert the word "day".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 323—An act to amend section 1751 of the Political Code, relating to the admission of pupils to high schools.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Page 1, line 4, strike out the words "over fourteen" and insert in lieu thereof "under fifteen".

Amendment adopted.

AMENDMENT NUMBER TWO.

Page 1, lines 5 and 6, between the words "proved" and "satisfactory" insert the following: "and to the superintendent having jurisdiction over such high school".

Amendment adopted.

AMENDMENT NUMBER THREE.

Page 1, line 7, strike out the word "sixteen" and insert in lieu thereof the word "fifteen".

Amendment adopted.

AMENDMENT NUMBER FOUR.

Page 1, lines 8 to 12, beginning with the word "sixteen" on line 8, strike out all reading, commencing up to and including the words "the act" comma and quotation marks on line 12, and insert in lieu thereof the following: "fifteen years of age having a permit to work under the laws of this state".

Amendment adopted.

AMENDMENT NUMBER FIVE.

Page 1, line 12, strike out the words "an evening" and insert in lieu thereof the word "any".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 325—An act to amend section 1532, relating to the powers and duties of the Superintendent of Public Instruction, and to repeal section 1505 of the Political Code.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Page 3, line 24, strike out the words "one thousand five hundred fifty" and insert in lieu thereof the words "one thousand seven hundred fifty".

Amendment adopted.

AMENDMENT NUMBER TWO.

Page 3, line 34, strike out all of line 34.

Amendment adopted.

AMENDMENT NUMBER THREE.

Page 4, line 1, strike out the word "education" and comma.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 326—An act to add a new section to the Political Code, to be numbered 1759½, and to amend sections 1759 and 1761 of the Political Code, to provide for the establishment and maintenance by high school boards of special classes and part time vocational courses and to provide state aid for standard vocational courses and the manner of appropriation and apportionment of the same and the apportionment of the regular high school funds of the State.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Amend the title by striking out in the third, fourth and fifth lines the following words, "and to amend sections one thousand seven hundred sixty and one thousand seven hundred sixty-one of the Political Code to provide", and substitute in lieu thereof the word "providing".

Amendment adopted.

AMENDMENT NUMBER TWO.

Amend the title by striking out in line 6 all words after the word "courses" and all the remainder of the title and substitute in lieu thereof the following: "and authorizing said boards to furnish transportation for teachers of agriculture supervising project work."

Amendment adopted.

AMENDMENT NUMBER THREE.

Page 1, lines 4 and 5, strike out the words "or the trustees of any county high school" and substitute in lieu thereof the following: "subject to the provisions of section one thousand seven hundred fifty of this code".

Amendment adopted.

AMENDMENT NUMBER FOUR.

Page 1, line 6, insert the word "day" between the words "any" and "high".

Amendment adopted.

AMENDMENT NUMBER FIVE.

Page 2, line 1, between the words "and" and "such" strike out the word "for" and substitute in lieu thereof "at".

Amendment adopted.

AMENDMENT NUMBER SIX.

Page 2, lines 8 and 9, strike out "or the trustees of any county high school" and substitute in lieu thereof the following: "subject to the provisions of section one thousand seven hundred fifty of this code".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

Page 2, line 23, strike out the word "commercial" and substitute in lieu thereof the following words, "commercially productive".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

Page 2, lines 34 to 37, beginning with the sentence on line 34 "The state board of education" strike out all remaining lines on that page, all of page 3 and all of page 4 and substitute in lieu thereof the following: "The high school board of any high school district maintaining a part time agricultural course as provided above may, at its option and in such manner as it may deem advisable, furnish the necessary transportation for teachers of agriculture engaged in supervising the project work of the pupils and may pay any expense so incurred from the county or district high school funds of the district."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 328—An act to amend section 1551 of the Political Code, relating to the reporting of attendance by superintendents of schools.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Page 1, line 14, strike out the words "one thousand seven hundred fifty" and insert in lieu thereof the following: "one thousand seven hundred fifty c".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 16, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Concurrent Resolution No. 18—Relative to the printing of additional copies of the constitutional booklet authorized by Senate Concurrent Resolution No. 16 of nineteen hundred fifteen;

Also: Senate Bill No. 262—An act amending section 636 of the Penal Code, relating to the regulation of use of nets, lines and seines in the waters of the State of California, and providing a penalty for the violation thereof;

Also: Senate Bill No. 45—An act to amend section 1599 of the Political Code, relating to school elections;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this 16th day of March, 1917, at ten o'clock a.m.

CANEPA, Chairman.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Benson, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 3 was refused passage, was continued until the next legislative day.

MOTIONS—(OUT OF ORDER).

Senator McDonald moved that when the Senate adjourns this day, it does so out of respect to and in honor of the memory of St. Patrick, Ireland's patron saint. Said motion was seconded by Senator Nealon, and carried unanimously.

Thereupon Senator McDonald delivered the following oration:

SAINT PATRICK'S DAY SPEECH.

This is the birthday of Saint Patrick, the Patron Saint of Ireland, and in passing we may note that in company with us throughout the civilized world, wherever the sons of the Gael may wander, the praises of Saint Patrick are sung and the story of his life and teachings are told.

The seventeenth day of March is a day that can be celebrated by the sons of Erin whether under the open dome of Ireland's sky, in the dark recesses of her glens and caves, or in the temples and halls of fame of foreign lands. The seventeenth day of March is Ireland's great national holiday. It is a day that has a tender significance to every Irish heart. It is a day that has come to endear and suggest to the Irish mind the time when Ireland and her people were freed from the bonds of paganism and superstition, the time when Ireland was one of the great centers of intellectual activity in Europe, the time when Ireland was called the "Land of saints and scholars;" the time when the sons of Erin were happy, contented and free. It is a day that suggests and recalls to the Irish mind the time when Ireland was the "Niobe of nations." It suggests the tear-stained, blood-stained tragedy of the Irish race—the long, sad struggle of a people for liberty and independence—the long, sad struggle of a people to maintain the faith that Saint Patrick implanted within their breasts. Yes, it is a day that has come to serve as an inspiration for the future and it gives rise to the fond hope in the breast of every Irish heart that Ireland may soon again become a free and independent nation.

We celebrate Saint Patrick's day above all other days because Saint Patrick reared the cross of God on Erin's soil, because he lit the fire of the Christian faith in the Irish breast never to flicker or die out; because Saint Patrick symbolizes the Irish ideal of true manhood; his lowly birth and beginning, his life, his heredity, his works and his teachings have served and will ever serve as an inspiration for devotion, fidelity, courage and true Christian charity to the Irish race.

There is also another reason why we celebrate Saint Patrick's day, and why we recall the part that Ireland and her sons have played in the world's history. To tell the story of Ireland to the people of the civilized world in order that they may appreciate and have before them the injustice Ireland has suffered in order that Banquo's ghost may not down and in order that England in this enlightened age, bowed in sorrow and shame, may at last repent and endeavor to make at least partial reparation for her sins against the Irish people.

History tells us that Saint Patrick in about the year 400 A. D., came to Ireland as a slave; that he was employed as a shepherd herding sheep on her mountain sides; that he learned to love her cheerful, true and simple people; that he escaped to the continent where he prepared himself and returned to Erin as an apostle of Christ to convert the people, whom he had learned to love, to Christianity without shedding a single drop of blood.

At the time Saint Patrick came to Ireland, she was a pagan nation, though her people were possessed of a certain loftiness of mind and worship, and had reached a high state of culture and civilization. Saint Patrick indeed found a fertile soil in the keen, sharp and receptive mind of the Celt in which to sow the seeds of the true Christian faith. The result of Saint Patrick's fruitful mission to Ireland is too familiar to you to warrant repetition. You remember how he Christianized her people, how he met the Druids, the learned priests of Paganism, and the King of Ireland on Tara's Hill and here explained to them the true Christian faith, and expounded to them the doctrine of the Trinity, using as an illustration the three-leaf Shamrock, which was ever afterward to be a sacred emblem of the Irish people; how he then lit the flame of Christianity upon the altar of God which has remained burning steadily throughout the centuries, dispelling the surrounding darkness and sending its civilizing beams to the uttermost parts of the earth.

The centuries immediately following the advent of Saint Patrick to Erin were prosperous ones for her people. She was known as the land of Saints and scholars. Her schools and colleges were famed the world over. She was in fact one of the great centers of intellectual activity. Her learned monks carried the celestial

banner of Christianity to the continent and to her sister island, England. Her teachers were sought in the leading institutions of learning of the time. Charlemagne, who had reared his great empire on the ruins of mighty Rome, sought out the Irish scholars and teachers and appointed them to positions of honor and responsibility in his court.

While her people were quietly engaged in peaceful educational pursuits and in furtherance of the arts and sciences, when the pen had supplanted the sword; the Danes, a band of marauders and buccaneers of the North, like the Huns of old, crushed down upon her like a mighty, avenging fury, destroyed, sacked and pillaged her churches and her cemeteries, laid waste her fields and ancient industries. But her people were undaunted and with the Cross of Saint Patrick in their heart and the determination to be free, a united Irish people rose up in their might and drove the enemy from their borders in the year 1014 on the field of Clontarf, under the leadership of the mighty Brian Boru. But the pedigree of the Danes left its traces **on Irish civilization and in her weakened condition, Ireland with her life blood** sapped; her institutions of learning in ruins, her fields laid bare; began slowly to recoup her lost fortunes. Her people, somewhat disturbed, but filled with sincerity, simplicity and truth, unprepared to the treachery, deceit, intrigue and bad faith of her British brethren, fell a prey to the silken cord and serpent guile of Henry II, their pretended friend, in the year 1171. Then followed the tear-stained, blood-stained tragedy of Erin's sons, the terrible slaughter by Cromwell at Drogheda. Her very hills and valleys echoed with the wails and moans of a starved, dying and **depressed people. Her very soil reeked with the innocent blood of her sons.**

During these dark days in Erin, there appeared on the scene of action heroes, priests, patriots, statesmen and martyrs whose loyalty, bravery and courage astounded the world—her Hugh O'Neals; her Patrick Sarsfields, her Father Murpheys; her Wolf Tones; her Lord Fitzgeralds; her Edmund Bankes, her Robert Emmets; her Daniel O'Connells; her William Smith O'Briens, her Thomas Francis Meaghers; her Michael Davitts and her Charles Stewart Parnells.

The history of the dark days of Erin are doubtless familiar to you all. Her penal laws; how her representatives of God were hunted like wolves; her lands taken from her sons; oppression unbearable; tyranny unmistakable. Ireland oppressed by her brethren of Britain without right or reason; robbed of her lands and possessions; robbed of her homes and her firesides. Ireland, who had a glorious history **"ere England had emerged from British barbarism." Her sons forbidden by law to wear the green Shamrock, their sacred emblem; with unselfish devotion to a principle and to the Faith of their Fathers, and with that courage, sacrifice and** fidelity symbolized to the Irish name by Saint Patrick, began their march westward. **In the words of the poet:**

> **"But if at last our color should be torn from Ireland's heart,**
> **Her sons with shame and sorrow from the dear old Isle will part;**
> I've heard a whisper of a country that lies beyond the sea,
> Where rich and poor stand equal in the light of equality."

ADJOURNMENT.

At twelve o'clock and fifty minutes p.m., on motion of Senator Benson, the President pro tempore declared the Senate adjourned until Monday, March 19, 1917, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Monday, March 19, 1917.

The Senate met at eleven o'clock a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandlerlin, Chandler, Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kelsey, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Riedon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—37.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, March 16, 1917, the further reading was dispensed with, on motion of Senator Crowley.

LEAVES OF ABSENCE.

Senator Gates was, on motion of Senator Jones, granted leave of absence for this day.

Senator Tyrrell was, on motion of Senator Benson, granted leave of absence for this day.

PETITIONS.

The following petitions were presented and ordered printed in the Journal:

OAKLAND, CALIFORNIA, March 17, 1917.

To the Honorable, the Legislature of the State of California.

GENTLEMEN: The Fitchburg Social and Improvement Club at its regular meeting, March 12, 1917, unanimously requested the State Legislature to pass the bill known as "Widows' and Mothers' Pension," No. 939.

We believe this bill to be a great benefit to the widows and mothers of our great State and trust that same can be given a unanimous vote by the State Legislature.

Yours respectfully,

O. H. NICHOLS, President.

GEO. E. SHELDEN, Secretary.

Also:

SAN FRANCISCO, March 16, 1917.

To the Honorable Legislature of the State of California.

WHEREAS, The failure of the Commonwealth Bonding and Casualty Insurance Company of the State of California left destitute the dependents of a number of men killed while at work and also left without compensation a number of men permanently injured; and

WHEREAS, The Industrial Accident Commission has introduced forty bills, Senate Bills Nos. 1036 to 1075 inclusive, to pay the claims of the widows and children as well as those unable to follow their vocations; and

WHEREAS, Workmen's compensation is the only remedy available for those covered by the Workmen's Compensation, Insurance and Safety Act, and the State of California had authorized the Commonwealth Bonding and Casualty Insurance Company to do business in this State; therefore be it

Resolved, That the San Francisco Labor Council, in regular meeting assembled on March 2, 1917, endorses the action of the Industrial Accident Commission in introducing these bills and urges Senators and Assemblymen now in attendance at the California Legislature to support and vote for Senate Bills Nos. 1036 to 1075 inclusive, in order that unfortunate workers and their families may be assisted.

Adopted by the San Francisco Labor Council.

[SEAL] Attest: A. W. BROUILLET, President.

JOHN A. O'CONNELL, Secretary.

Also:

LOS ANGELES, CALIFORNIA, March 1, 1917.

To the Senate and Assembly, Sacramento, California.

GENTLEMEN: The Los Angeles Million Club wishes to call your special attention to the bill of the Barbers' Union which is A. B. 172 now before you for consideration, and say that we are unanimously in favor of this bill, and think it only just to the barbers and others that this bill become a law.

Hoping that you favor this measure as we desire, and trusting soon to hear of its passage, we are,

Yours for just legislation.

LOS ANGELES MILLION CLUB.

MRS. C. G. LAURENCE, Secretary.

Also:

SAN FRANCISCO, CALIFORNIA, March 7, 1917.

To the Honorable Senators and Assemblymen of the State of California

GENTLEMEN: The Business Board of Trade of San Francisco and Alameda Counties, an organization representing [illegible] of Commerce engaged in the business life of San Francisco and Alameda Counties, [illegible] assembled, being convinced [illegible] in favor of the Sunshine Mining Act, and have voted most earnestly to support [illegible] that you give this your serious consideration.

Very truly yours,

BUSINESS BOARD OF TRADE OF SAN FRANCISCO AND ALAMEDA COUNTIES.

THOMAS MCKEON, President.

R. N. WEISS, Secretary.
C. STEINFELS, Assistant Secretary.

The following petitions were presented by Senator Slater and ordered printed in the Journal:

To the Members of the Legislature:

The undersigned [illegible] Napa Grange No. 307, P. of H., and [illegible] by Santa Rosa Grange, No. 17, P. of H.

WHEREAS, There are bills introduced into the State Legislature looking to the protection of insectivorous [illegible] and [illegible] predatory birds in [illegible] game [illegible]

WHEREAS, Such [illegible] to be responsibility [illegible] in the interests of the poultry and [illegible] be added that the [illegible] of [illegible] may be improved; [illegible]

WHEREAS, Such [illegible] of the State in general and as such will increase the [illegible] of the farmer;

WHEREAS, These measures [illegible] a [illegible] and friends of the farmer, in [illegible] and the like, [illegible]

Resolved, By Napa Grange No. 307, P. of H., in regular session assembled, that we are [illegible] the passing of such measures upon the [illegible] of the essential protective rights.

We are [illegible] by Santa Rosa Grange, No. 17, P. of H., to use your best efforts for the [illegible]

Respectfully,

MRS. CHARLES E. GAMBLE.
Secretary of Santa Rosa Grange.

Also:

To the Members of the Legislature:

The undersigned poultry breeders [illegible] interested in the passage of Senate Bill No. 812, introduced by Senator Hewitt, Senator of Sonoma to approve [illegible] the [illegible] Pacific Coast, under the supervision of the State Board of Agriculture and the State Poultry Breeders Association.

The experience of Missouri, Illinois, Quebec, Canada, Government and other states have proved [illegible] Senate Bill No. 812 is passed, will place the poultry industry [illegible] the same [illegible] enjoyed by Oregon, Missouri [illegible]

We [illegible] after the passage of this [illegible] and hope your committee will see fit to support it.

W. J. HUTCHINSON, and 50 others.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

[illegible]

SENATE CHAMBER, SACRAMENTO, March 19, 1917.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 479, [illegible] entitled "An act to divide the State of California into fish and game districts and repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 23, 1911, and all acts or parts of acts inconsistent herewith," approved May 10, 1915, [illegible] consideration, and respectfully reports the same back and recommends that it do pass.

SLATER, Chairman.

Senate Bill No. 479 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 19, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined:

Senate Bill No. 122—An act to amend section 1624 of the Civil Code, and repealing Article II of Chapter 3 of Title IV of division third of said Civil Code, and repealing sections 3308, 3309, 3310, 3311, 3312, 3313, 3314, 3315, 3316, 3317, 3319 and 1740, of the Civil Code, Chapter 2 of Title 1 of Part IV of division third of the Civil Code, Chapter 3 of Title I of Part IV of division third of the Civil Code, Chapter 4 of Title I of Part IV of division third of the Civil Code, and to add Chapters 2, 3, 4, 5, 6 and 7 of Title I of Part IV of division third of said Civil Code in place thereof, relating to the subject of contracts [illegible]

Also: Senate Bill No. 212—An act to amend section 338 of the Code of Civil Procedure, relating to the transfer of actions in the Superior Court;

And reports that the same have been correctly engrossed.

ROMINGER, Acting Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined:

Senate Bill No. 101—An act to amend section 1049 of an act entitled "An act relating the employment and hours of labor of children; prohibiting the employment of minors under certain ages; prohibiting the employment of certain ill minors; providing for the enforcement thereof; [illegible] Labor Statistics and providing penalties for the violation hereof," approved February 20, 1905, as amended by an act approved March 15, 1911, [illegible] by an act approved June 2, 1913; and as further amended by an act approved June 5, 1915—and reports that the same has been correctly engrossed.

ROMINGER, Acting Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 423—An act to repeal Title XV of Part IV of division third of the Civil Code of the State of California, and to add a new Title XV of Part IV of division third of said code in place thereof, relating to negotiable instruments, and to make the law of negotiable instruments in the State of California conform with the law of other states;

Also: Senate Bill No. 23—An act to amend section 12 of an act entitled "An act to provide for the incorporation and [illegible] water districts, and to provide for the acquisition or construction [illegible] of waterworks, and for the acquisition of all property necessary [illegible] to provide for the distribution and sale of water by said districts," approved May 1, 1911, as amended;

Also: Senate Bill No. 421—An act to repeal Article III of Chapter 3 of Title VII of Part IV of the Civil Code of the State of California, and to add a new Article III of Chapter 3 of Title VII of Part IV of the Civil Code of the State of California, relating to bills of lading;

Also: Senate Bill No. 523—An act to amend sections 4116 and [illegible] of the Political Code and to add a new section to said code, to be numbered [illegible] relating to the duties of coroners and [illegible] in the disposition of property belonging to certain deceased persons;

Also: Senate Bill No. 658—An act to amend sections 1, 2, 15, 16, 30, 32, 56 and 61b of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended;

Also: Senate Bill No. 320—An act to amend section 1858 of the Political Code, relating to the apportionment of the elementary school funds and the [illegible] of attendance in the elementary and secondary schools of the State;

Also: Senate Bill No. 322—An act to amend section 1619 of the Political Code, relating to the duties of boards of school trustees and city boards of education;

Also: Senate Bill No. 323—An act to amend section 1751 of the Political Code, relating to the admission of pupils to high schools;

Also: Senate Bill No. 325—An act to amend section 1572, relating to the powers and duties of the Superintendent of Public Instruction, and to repeal section 1565 of the Political Code;

Also: Senate Bill No. 326—An act to add a new section to the Political Code to be numbered 1750c, providing for the establishment and maintenance by local school boards of special classes and part-time vocational courses and authorizing such boards to furnish transportation for teachers of agriculture supervising project work;

Also: Senate Bill No. 328—An act to amend section 1551 of the Political Code, relating to the reporting of attendance by superintendents of schools;

And reports that the same have been correctly engrossed.

ROMINGER, Acting Chairman.

RESOLUTION.

The following resolution was offered:

By Senator Luce:

Resolved, That the following named person be stricken from the list of Senate attaches, and her name be stricken from the payroll of the Senate:

Mrs. Virginia A. Wright ..... $5.00 per diem.

Resolution read.

Senator Luce moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

Ayes—Senators Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Chrisman, Cogdill, Dennett, Elston, Flaherty, Hans, Inman, Lewis, Johnson, Jones, Kehoe, Kemp, Luce, Mallory, Nealon, Parkett, Riordan, Rush, Scott, Sharkey, Shearer, Slater, and Thompson—30.

Noes—None.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Luce:

SENATE CHAMBER, SACRAMENTO, March 19, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2 of Article IV of the Constitution, I respectfully ask the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act authorizing any county now or hereafter organized to incur indebtedness; issue negotiable bonds, levy taxes to pay the principal and interest thereof; acquire by condemnation or otherwise land within the county; donate and convey the same to the United States, free of cost to the United States, for a permanent mobilization, training and supply station for any or all such military purposes, including supply stations, the administration, disciplining and training of the United States Army, State Militia and other organizations, as are now or may at any time be authorized or provided for under any law or laws of the United States; conferring on such counties the power of eminent domain for the purposes of this act and providing the procedure therefor; granting the consent of the state to such conveyance and ceding exclusive jurisdiction to the United States over the lands so conveyed.

Request referred to Committee on Rules.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 99—An act to amend section 290½ of the Civil Code, relating to corporations.

On motion of Senator Jones, Senate Bill No. 99 was passed on file.

Senate Bill No. 101—An act to amend section 16 of an act entitled "An act regulating the employment and hours of labor of children; prohibiting the employment of minors under certain ages; prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics and providing penalties for the violation hereof," approved February 20, 1905, as amended by an act approved April 14, 1911, as further amended by an act approved June 2, 1913, and as further amended by an act approved June 5, 1915.

In the absence of the author, Senate Bill No. 101 was ordered passed, to retain its place on the file.

Senate Bill No. 203—An act to amend an act entitled "An act relating to estrays, providing for taking them up and giving a lien on them for

all damages, costs, and expenses incurred by reason of taking them up, and repealing all other acts and parts of acts now in force relating to estrays," approved March 23, 1901, and to exempt certain counties from provisions thereof.

On motion of Senator King, Senate Bill No. 203 was passed on file.

Senate Bill No. 820—An act to provide for the periodical inspection of steam boilers, with certain exceptions, operated in this state; requiring a permit, to be issued by the Industrial Accident Commission, for the operation of such boilers, making it a misdemeanor to operate such boilers without such permit; and allowing an injunction against such operation without such permit where dangerous to the life or safety of employees; providing for a hearing before the Industrial Accident Commission prior to refusal of a permit; providing for the determination of competency of inspectors making such inspections and requiring reports of inspections; and prescribing conditions for the such inspections.

On motion of Senator Luce, Senate Bill No. 820 was passed on file.

Senate Bill No. 777—An act to amend section 7 of an act entitled "An act to carry into effect the provisions of section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the operation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, as amended February 3, 1913, and January 28, 1915.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Evans moved to refer Senate Bill No. 777 to Senator Rominger, as a Special Committee of One, to amend as follows:

On page 2 of the printed bill strike out all of lines 8, 9 and 10 and insert in lieu thereof the following:

"Section two of this act. Any company claiming that the loss of the percentage fixed by section two of this act on the total gross receipts of such company results in double taxation of the property of such company, may make application to the state board of equalization for a hearing on such matter. Said board shall have power to take evidence and determine the facts with respect to such claim and in event said board finds the claim of such company to be true, said board may authorize such company to deduct from its reported gross receipts that amount of such receipts which if included in such total gross receipts would cause such double taxation."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 19, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 777, with instructions to amend, respectfully reports the same back, amended as per instructions.

ROMINGER, Special Committee.

Report read, and, on motion of Senator Evans, adopted.

Senate Bill No. 777 ordered to print and re-engrossment.

Senate Bill No. 49—An act to repeal section 55*a* of the Penal Code, relative to soliciting, demanding, or pledging votes for or against any particular bill or measure.

On motion of Senator Duncan, Senate Bill No. 49 was passed on file.

Senate Bill No. 878—An act to add a new section to the Civil Code, to be numbered 3120, providing for the damages recoverable from banks on the nonpayment of checks.

On motion of Senator Hans, Senate Bill No. 878 was passed on file.

Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending sections 1 and 14 of Article XIII thereof, both relating to revenue and taxation, so as to permit taxation of certain public utilities owned or operated by counties, cities and counties, or municipal corporations.

On motion of Senator Irwin, Senate Constitutional Amendment No. 11 was passed on file.

Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section 22 of Article XII thereof, relating to the powers and duties of the Railroad Commission of the State of California.

On motion of Senator Irwin, Senate Constitutional Amendment No. 21 was passed on file.

Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section 23 of Article XII thereof, relating to the powers and duties of the Railroad Commission of the State of California.

On motion of Senator Irwin, Senate Constitutional Amendment No. 22 was passed on file.

Senate Bill No. 422—An act to amend section 1624 of the Civil Code, and repealing Article II of Chapter 3 of Title IV of division second of the Civil Code, and repealing sections 3308, 3309, 3310, 3311, 3312, 3313, 3314, 3352, 3354, 3355, 1739 and 1740 of the Civil Code, Chapter 2 of Title I of Part IV of division third of the Civil Code, Chapter 3 of Title I of Part IV of division third of the Civil Code, Chapter 4 of Title I of Part IV of division third of the Civil Code, and to add Chapters 2, 3, 4, 5, 6 and 7 of Title I of Part IV of division third of said Civil Code in place thereof, relating to the sale of personal property.

In the absence of the author, Senate Bill No. 422 was ordered passed, to retain its place on the file.

Senate Bill No. 212—An act to amend section 398 of the Code of Civil Procedure, relating to the transfer of actions in the superior court.

Bill read third time.

The question being on the passage of the bill,

The roll was called, and Senate Bill No. 212 passed by the following vote:

AYES—Senators Ballard, Benson, Broad, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crosser, Dyke, Flaherty, Hans, Ingram, Inman, Johnson, Jones, Kelly, King, Mahoney, Newlin, Rardin, Reminger, Rush, Scott, Sharkey, Slater and Stockenbard—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 523—An act to amend sections 4115 and 4146 of the Political Code, and to add a new section to said code, to be numbered

4146*a*, all relating to the duties of the coroners and treasurers in the disposition of property belonging to certain deceased persons.

Bill read third time.

The question being on the passage of the bill,

The roll was called, and Senate Bill No. 423 passed by the following vote:

AYES—Senators [illegible] Carr, W. J., Chandler, [illegible] son, Jones, Kelso, [illegible] Sharkey, Shearer, [illegible]—[illegible].

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 76—An act defining commission merchants and consignors; providing for filing of bond and certificate showing names of persons doing business as commission merchants and providing penalties for the violation of the requirements herein contained.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Dunnigan moved to refer Senate Bill No. 76 to Senator Jones, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, strike out the words "or as" and insert in lieu thereof the word "and".

AMENDMENT NUMBER TWO.

On page 1, line 8, after the word "sale", insert the words "any fruit, live stock, poultry, honey, eggs, or any dairy, farm, orchard or fishery".

AMENDMENT NUMBER THREE.

On page 1, line 8, strike out the words "goods or other personal property".

AMENDMENT NUMBER FOUR.

On page 2, line 5, after the word "property", insert the words "mentioned in section one of this act".

AMENDMENT NUMBER FIVE.

On page 2, line 33, after the word "[illegible]", insert the words "mentioned in section one of this act".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 19, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 76, with instructions to amend, respectfully reports the same back, amended as per instructions.

JONES, Special Committee.

Report read, and, on motion of Senator Dunnigan, adopted.

Senate Bill No. 76 ordered to print and re-engrossment.

Senate Bill No. 423—An act to repeal Title XV of Part IV of division third of the Civil Code of the State of California, and to add a new Title XV of Part IV of division third of said code in place thereof, relating to negotiable instruments, and to make the law of negotiable instruments in the State of California uniform with the law of other states.

In the absence of the author, Senate Bill No. 423 was ordered passed to retain its place on the file.

Senate Bill No. 23—An act to amend section 12 of an act entitled "An act to provide for the incorporation and organization and management of municipal water districts, and to provide for the acquisition or construction by said districts of waterworks, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved May 1, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 23 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Ingram, Johnson, Jones, Kehoe, King, Luce, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Stuckenbruck, and Thompson—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 421—An act to repeal Article III of Chapter 3 of Title VII of Part IV of the Civil Code of the State of California, and to enact a new Article III of Chapter 3 of Title VII of Part IV of the Civil Code of the State of California, relating to bills of lading.

In the absence of the author, Senate Bill No. 421 was ordered passed, to retain its place on the file.

Senate Bill No. 658—An act to amend sections 1, 2, 15, 16, 30, 32, 56 and 61*b* of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 658 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Chamberlin, Chandler, Duncan, Evans, Flaherty, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, Luce, Maddux, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, and Slater—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 320—An act to amend section 1858 of the Political Code, relating to the apportionment of the elementary school funds and the counting of attendance in the elementary and secondary schools of the State.

On motion of Senator Jones, Senate Bill No. 320 was passed on file.

Senate Bill No. 322—An act to amend section 1619 of the Political Code, relating to the duties of boards of school trustees and city boards of education.

On motion of Senator Jones, Senate Bill No. 322 was passed on file.

Senate Bill No. 323—An act to amend section 1751 of the Political Code, relating to the admission of pupils to high schools.

On motion of Senator Jones, Senate Bill No. 323 was passed on file.

Senate Bill No. 325—An act to amend section 1532, relating to the powers and duties of the superintendent of public instruction, and to repeal section 1505 of the Political Code.

On motion of Senator Jones, Senate Bill No. 325 was passed on file.

Senate Bill No. 326—An act to add a new section to the Political Code, to be numbered 1750c, and to amend sections 1760 and 1761 of the Political Code, to provide for the establishment and maintenance by high school boards of special classes and part-time vocational courses and to provide state aid for standard vocational courses and the manner of appropriation and apportionment of the same and the apportionment of the regular high school funds of the State.

On motion of Senator Jones, Senate Bill No. 326 was passed on file.

Senate Bill No. 328—An act to amend section 1551 of the Political Code, relating to the reporting of attendance by superintendents of schools.

On motion of Senator Jones, Senate Bill No. 328 was passed on file.

SENATOR FLAHERTY IN THE CHAIR.

At eleven o'clock and forty minutes a.m., Senator Flaherty of the Twenty-fourth District was called to the chair.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 1107—An act to appropriate money to pay the expenses incurred in the publication of bond acts presented to the people at the election of November 7, 1916.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1027—An act to amend the Code of Civil Procedure, by adding thereto a new section, to be numbered and known as section 1128, providing for the contesting of elections held under the initiative and referendum provisions of Article IV, section 1, of the Constitution of the State of California.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, amend the title so as to read as follows: "An act to amend the Code of Civil Procedure by adding thereto a new section to be numbered 1128, providing for a recount of votes cast on any amendment or proposition appearing on the ballots at any election held under the initiative or referendum provisions of Article IV, section 1, of the Constitution of the State of California, or under statutes or city or county charters providing for similar elections, or at any election on a proposition for incurring a bonded indebtedness or on any other proposition submitted to a vote of the electors."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 7, insert after the comma between the words "California" and "may" the following: "or under the initiative or referendum provisions of any statute or of any city or county charter, or in which an election is held on a proposition for incurring a bonded indebtedness or on any other proposition submitted to a vote of the electors,".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 9, insert after the comma between the words "elections" and "file" the following: "by the board of supervisors or other canvassing body,".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 11, strike out the words "ballots cast" and insert in lieu thereof the following: "votes cast on any amendment or proposition".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 13, strike out the word "specifies" and insert in lieu thereof the words "shall specify".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 8, strike out the word "contest" and insert in lieu thereof the word "recount".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 8, strike out the period at the end of the line, insert in lieu thereof a comma and the following: "or the fact that the result of the election in any precinct is substantially misstated in the election returns from that precinct or in the official canvass thereof, shall be sufficient cause for a recount under this section,".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, lines 14 and 15, strike out all the words within parenthesis and insert in lieu thereof the following: "or 'referendum' or constitutional amendment".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 15, strike out the word "contest" and insert in lieu thereof the word "recount".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 21, insert between the word "mailing" and the word "and" the words "and posting".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 2, line 23, strike out the word "five" and insert in lieu thereof the word "three".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 2, line 25, insert between the words "of" and "posting" the words "mailing and".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 2, line 30, strike out the word "contest" and insert in lieu thereof the word "recount".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 2, line 32, insert between the words "cases" and "to" the words, "if more than one such petition is on file".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 2, line 37, strike out the word "contest" and insert in lieu thereof the word "recount".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 3, line 1, strike out the words "a contest" and insert in lieu thereof the words "such recount".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 3, line 2, strike out the word "contest" and insert in lieu thereof the word "matter".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 3, line 4, strike out the words "in the contest".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 3, line 12, strike out the word "contest" and insert in lieu thereof the word "matter".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 3, lines 15 and 16, strike out the words "to the contest".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 3, line 17, strike out the word "contest" and insert in lieu thereof the word "recount".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 3, line 21, strike out the word "contests" and insert in lieu thereof the word "petitions".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 3, line 23, strike out the words "contest or contests" and insert in lieu thereof the words "recount or recounts".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 3, line 27, strike out the words "contest, or contests" and insert in lieu thereof the words "recount matter".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 3, line 29, strike out the word "contest" and insert in lieu thereof the word "recount".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 3, line 30, strike out the word "recount" and insert in lieu thereof the word "same".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 3, line 31, insert between the words "judges" and "hearing" the word "so"; also strike out the word "contest" and insert in lieu thereof the word "recount".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 4, line 2, insert after the comma, following the word "required", the following words: "the court shall by its judgment declare the result". Insert a period after the foregoing words and change the first letter of the next word to a capital.

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 4, line 7, strike out the words "contest or contests" and insert in lieu thereof the words "recount or recounts".

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 4, lines 8 and 9, strike out the words "any civil suit" and insert in lieu thereof the following "election contests had under the provisions of section 1111 of this code".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 4, line 17, after the word "court" and before the period insert a comma and the words, "together with a certified copy of the judgment".

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 4, line 23, strike out the words "by court prov. in the"; also strike out all of lines 24, 25 and 26, and in lieu of all thus stricken out insert the following "when any recount is demanded, if the court considers that the evidence of fraud or error were not sufficient to justify such recount, the court shall assess against the electors who asked for such recount, or against any one of them, a sum of money equal to the costs which would ordinarily accrue in a similar action. But if the recount discloses any serious fraud or error in the conduct of the election, or in the voting or counting of the ballots, the cost of the recount shall be borne by the county, whether it appears that the legal effect of the election will be changed by such fraud or error, or not.

"While any recount provided for in this section is pending and until the same is finally decided, the force and effect of the election shall be the same as if no recount had been instituted."

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 1, line 2, strike out the words "and known as section".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

Amend title by striking out of line 3 the words "and known as section".

Amendment adopted.

AMENDMENT NUMBER FORTY-FIVE.

On page 3, line 6, strike out the word "or" and insert in lieu thereof the word "and".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 438—An act to prohibit employers from demanding or receiving any money or other consideration from an employee as a condition of employment.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out lines 2, 3 and 4, of the title and insert in lieu thereof the following: "To prohibit employers or certain agents or representatives of employers from demanding or receiving any money or other consideration from an employee as a condition of employment or of continuing to participate [illegible] in such employment; and to provide for the enforcement of this act by the commissioner of the bureau of labor statistics; and to provide a penalty for the violation thereof; and to repeal chapter fifty-seven of the statutes of 1915, approved April 12, 1915."

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all of section 1 of the printed bill and insert in lieu thereof the following:

"SECTION 1. Any employer or agent or representative of an employer or other person having authority from his employer to hire, employ or direct the services of other persons in the employment of said employer, who shall demand or receive directly or indirectly from any person then in the employment of said employer, any fee, gift or other remuneration or consideration, or any part or portion of any tips or gratuities received by such employee while in the employment of said employer, in consideration or as a condition of such employment or hiring or employing any person to perform such services for such employer or of permitting said person to continue in such employment, is guilty of a misdemeanor and upon conviction thereof shall be fined not more than three hundred ($300.00) dollars for such offense, or by imprisonment for not more than six months or by both fine and imprisonment. All fines imposed or collected under provision of this act shall be paid into the state treasury and credited to the contingent fund of the bureau of labor statistics.

"SEC. 2. Nothing contained in this act shall be construed to apply to employment agencies or employment agents licensed and operating under the laws of the State of California.

"SEC. 3. This act shall be enforced by the commissioner of the bureau of labor statistics.

"SEC. 4. That act of the legislature entitled 'An act to forbid managers, superintendents, foremen and other persons having authority from their respective employers to hire, employ, or direct the services of other persons in such employments to demand or receive any fee, gift, or other remuneration in consideration of any such hiring, employment or permission to continue to perform work or services in such employment; and to provide for the enforcement of this act by the commissioner of the bureau of labor statistics,' approved April 12, 1915, and designated chapter fifty-six of the statutes of 1915, is hereby repealed."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 111—An act providing that all justices of the peace in townships having a population of less than fifteen thousand shall act as labor and employment agents.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 683—An act to add a new section to the Penal Code, to be numbered 632*c*, relating to the protection of trout.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 61—An act to amend section 633 of the Penal Code, relating to the protection of fish.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 3, after the word "the", strike out the words "United States fish commission".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 4, strike out the words "and the".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 80—An act to amend section 626*o* of the Penal Code, relating to the protection of game.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On line 5, after the comma following the word "power", insert the following: "while said launch or boat is in motion."

Amendment adopted.

AMENDMENT NUMBER TWO.

On line 6, strike out the period after the word "misdemeanor" and insert a semicolon and the following: "*provided*, that in fish and game district twenty-nine every person who shoots at any kind of wild duck from any boat except a sailboat or rowboat is guilty of a misdemeanor."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 736—An act to add a new section to the Penal Code, to be numbered 653*f*, relating to the restricting of the number of individuals who may learn a trade.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 532—An act repealing Chapter 1 and Articles I to VI inclusive of Chapter 2 of Title X of Part IV, division third, of the Civil Code, and to add a new Chapter 1 of Title X of Part IV, division third, in place thereof, and to amend Article VII of Chapter 2 of Title X of Part IV, division third, of the Civil Code, by making said Article VII, Chapter 2 of Title X of Part IV, division third, of the Civil Code of the State of California, relating to partnerships.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 12, strike out the brackets and the words "name of act."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 14, strike out the brackets and words "definition of terms."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 25, strike out the brackets and words "interpretation of knowledge and notice."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 1, strike out the brackets and the words "rules of construction."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 13, strike out the brackets and the words "rules for cases not provided for in this act."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 21, strike out the brackets and the words "partnership defined."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, lines 31 and 32, strike out the brackets and the words "rules for determining the existence of a partnership."

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 4, line 20, strike out the brackets and the words "partnership property."

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 5, lines 8 and 9, strike out the brackets and the words "partner agent of partnership as to partnership business."

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 6, line 1, strike out the brackets and the words "conveyance of real property of the partnership."

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 6, line 35, strike out the brackets and the words "partnership bound by admission of partner."

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 7, lines 3 and 4, strike out the brackets and the words "partnership charged with knowledge of or notice to partner."

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 7, line 12, strike out the brackets and the words "partnership bound by partner's wrongful act."

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 7, line 19, strike out the brackets and the words "partnership bound by partner's breach of trust."

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 7, line 28, strike out the brackets and the words "nature of partner's liability."

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 7, line 36, strike out the brackets and the words "partner by estoppel."

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 8, line 27, strike out the brackets and the words "liability of incoming partner."

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 9, line 9, strike out the brackets and the words "rules determining rights and duties of partners."

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 10, line 8, strike out the brackets and the words "partnership books."

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 10, line 13, strike out the brackets and the words "duty of partners to render information."

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 10, line 17, strike out the brackets and the words "partner accountable as a fiduciary."

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 10, line 27, strike out the brackets and the words "right to an account."

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 10, line 35, strike out the brackets and the words "continuation of partnership beyond fixed term."

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 11, line 16, strike out the brackets and the words "extent of property rights of a partner."

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 11, lines 20 and 21, strike out the brackets and the words "nature of partner's right in specific partnership property."

Amendment adopted.

AMENDMENT NUMBER TWENTY SIX.

On page 12, line 15, strike out the brackets and the words "nature of partner's interest in the partnership."

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 12, line 18, strike out the brackets and the words "assignment of partner's interest."

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 12, line 33, strike out the brackets and the words "partner's interest subject to charging order."

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 14, line 1, strike out the brackets and the words "dissolution defined."

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 14, line 5, strike out the brackets and the words "partnership not terminated by dissolution."

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 14, line 8, strike out the brackets and the words "causes of dissolution."

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 14, line 33, strike out the brackets and the words "dissolution by decree of court."

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 15, lines 21 and 22, strike out the brackets and the words "general effect of dissolution on authority of partner."

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 15, lines 34 and 35, strike out the brackets and the words "right of partner to contribution from copartner's after dissolution."

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 16, lines 9 and 10, strike out the brackets and the words "power of partner to bind partnership to third persons after dissolution."

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 17, line 20, strike out the brackets and the words "Effect of dissolution on partner's existing liability."

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 18, line 3, strike out the brackets and the words "right to wind up."

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

On page 18, lines 10 and 11, strike out the brackets and the words "rights of partners to application of partnership property."

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

On page 19, lines 22 and 23, strike out the brackets and the words "rights where partnership is dissolved for fraud or misrepresentation."

Amendment adopted.

AMENDMENT NUMBER FORTY.

On page 20, line 4, strike out the brackets and the words "rules for distribution."

Amendment adopted.

AMENDMENT NUMBER FORTY-ONE.

On page 21, lines 15 and 16, strike out the brackets and the words "liability of persons continuing the business in certain cases."

Amendment adopted.

AMENDMENT NUMBER FORTY-TWO.

On page 23, lines 6 and 7, strike out the brackets and the words "rights of retiring or estate of deceased partner when the business is continued."

Amendment adopted.

AMENDMENT NUMBER FORTY-THREE.

On page 23, line 26, strike out the brackets and the words "accrual of actions."

Amendment adopted.

AMENDMENT NUMBER FORTY-FOUR.

On page 24, line 4, strike out the brackets and the words "Legislation repealed."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 818. An act to promote the comfort, health, safety and general welfare of the people of this State as affected by injury causing the disability or death of employees in the course of their employment, providing for a complete plan of workmen's compensation by creating a liability on the part of immediate employers, principal employers, contracting employers and their insurance carriers to compensate employees and their dependents for such disability or death, irrespective of the fault of any party, providing the means and methods of enforcing such liability and providing for certain liens upon compensation; and regulating compensation insurance coverage against such liability, securing the payment of compensation and confirming

the establishment and transactions of the State Compensation Insurance Fund; and requiring safety in all employments and places of employment in this State and providing the means and methods of enforcing such safety; and requiring reports of industrial injuries; and providing penalties for offenses, as defined herein, by employers, their officers and agents, and by employees and other persons and corporations; and defining the powers and duties of the Industrial Accident Commission under this act, and providing for a review of its orders, decisions and awards; and repealing sections 2, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 75*a*, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86 and 87 of Chapter 176, Statutes of 1913, and all other acts and parts of acts inconsistent herewith, except sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 88 and 90 of said Chapter 176, Statutes of 1913.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3, line 23, after the figures "1913" strike out the comma and insert in lieu thereof a period. Also, commencing with the word "and" in line 23, strike out down to and including the word "existing" in line 28.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 4, line 4, after the word "the" strike out the word "employment" and insert in lieu thereof the word "injury".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, beginning with line 30, strike out all of section 5 and insert in lieu thereof the following:

"SEC. 5. Said commission is hereby vested with full power, authority and jurisdiction under the provisions of this act and charged with the duties defined by the provisions of this act in addition to all other power, authority, jurisdiction and duties conferred upon it and exercised by it as heretofore created, constituted and existing."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 5, line 15, strike out the period after the word "employee" and insert in lieu thereof a comma and the following: "or is not intentionally self inflicted."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 5, commencing with line 29, strike out all down to and including line 3 on page 6, and insert in lieu thereof the following:

"(*b*) Where such conditions of compensation exist, the right to recover such compensation, pursuant to the provisions of this act, shall be the exclusive remedy against the employer for the injury or death; *provided* that where the employee is injured by reason of the serious and wilful misconduct of the employer, or his managing representative, or if the employer be a partnership, on the part of one of the partners, or if a corporation, on the part of an executive or managing officer thereof, the amount of compensation otherwise recoverable for injury or death, as hereinafter provided, shall be increased one-half, any of the provisions of this act as to maximum payments or otherwise to the contrary notwithstanding; *provided, however*, that said increase of award shall in no event exceed twenty-five hundred dollars."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 7, line 2, after the comma following the word "contractor" insert the following: "or as expressly excluded herein,".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 7, line 2, after the word "is" strike out the word "conclusively".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 7, line 3, after the word "this" strike out the word "section" and insert in lieu thereof the word "act".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 8, after line 3, insert a new subsection to read as follows:

"(f) Workmen associating themselves under a partnership agreement, the principal purpose of which is the performance of the labor on a particular piece of work, shall be deemed employees of the person having such work executed, and, in the event the average weekly earnings are not otherwise ascertainable, shall be deemed to be employed at an average weekly wage of twelve dollars; *provided, however*, that if such workmen shall have taken out and maintained in full force and effect insurance, in an insurance carrier as defined in this act, insuring to themselves and all persons employed by them benefits identical with those conferred by this act, the person for whom such work is to be done shall not be liable as an employer under this act."

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 8, beginning with line 4, strike out all down to and including line 30, and insert in lieu thereof the following:

"Sec. 9. Where liability for compensation under this act exists such compensation shall be furnished or paid by the employer and be as provided in the following schedule:

"(a) Such medical, surgical and hospital treatment, including nursing, medicines, medical and surgical supplies, crutches and apparatus, including artificial members, as may reasonably be required to cure and relieve from the effects of the injury, the same to be provided by the employer, and in case of his neglect or refusal seasonably to do so, the employer to be liable for the reasonable expense incurred by or on behalf of the employee in providing the same; *provided*, that if the employee so requests, the employer shall tender him one change of physicians and shall nominate at least three additional practicing physicians competent to treat the particular case, or as many as may be available if three can not reasonably be named, from whom the employee may choose; the employee shall also be entitled, in any serious case, upon request, to the services of a consulting physician to be provided by the employer; all of said treatment to be at the expense of the employer. If the employee so requests, the employer must procure certification by the commission or a commissioner of the competency for the particular case of the consulting or additional physicians; *provided, further*, that the foregoing provisions regarding a change of physicians shall not apply to those cases where the employer maintains for his own employees, a hospital and hospital staff, the adequacy and competency of which have been approved by the commission. Nothing contained in this section shall be construed to limit the right of the employee to provide, in any case, at his own expense, a consulting physician or any attending physicians whom he may desire. Controversies between employer and employee, arising under this section, shall be determined by the commission, upon the request of either party."

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 13, line 11, after the word "of" insert the words "hospitals and".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 13, line 18, after the period following the word "act" insert the following: "Nothing contained in this section shall be taken to prevent any hospital association or medical department furnishing the treatment prescribed in this act free of charge to employees."

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 19, line 7, after the word "unless" insert the words "in good faith".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 22, lines 15 and 16, strike out the words "personal representative or".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 22, line 25, after the word "he" strike out the word "must" and insert in lieu thereof the word "may".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 29, line 2, commencing with the word "The" strike out all down to and including the word "proceeding" in line 5.

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 32, line 31, strike out the words "for such injury".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 32, line 33, commencing with the word "any", strike out all down to and including the word "employee" in line 35, and insert in lieu thereof the following: "damages, and evidence of any amount he has paid or become obligated to pay, as compensation, shall not be admissible".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 34, line 26, commencing with the word "It" strike out all down to and including the word "it" in line 31.

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 36, line 15, strike out the word "thereon" and insert in lieu thereof the words "derived therefrom".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 38, line 23, after the semicolon following the word "act", insert the following: "Or the right of the employer to waive the waiting period provided for herein by insurance coverage;".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 40, line 5, beginning with the word "Failure" strike out all down to and including the word "California" in line 8, and insert in lieu thereof the following: "Every contract insuring against liability for compensation, provided by this act, or insurance policy evidencing the same shall be conclusively presumed to contain all of the provisions required by this act."

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 40, line 23, after the period following the word "carrier" insert the following:

"If at the time of the suffering of an injury for which compensation is claimed, or may be claimed, the employer shall be insured against liability for the full amount of compensation payable, or that may become payable, the employer may serve or cause to be served upon any person claiming compensation on account of the suffering of such injury and upon the insurance carrier a notice that the insurance carrier has in its policy contract or otherwise, assumed and agreed to pay the compensation, if any, for which the employer is liable, and may file a copy of such notice with the commission. If it shall thereafter appear to the satisfaction of the commission that the insurance carrier has, through the issuance of its contract of insurance or otherwise, assumed such liability for compensation, such employer shall thereupon be relieved from liability for compensation to such claimant and the insurance carrier shall, after notice, be substituted in place of the employer in any proceeding theretofore or thereafter instituted by such person to recover such compensation, and the employer shall be dismissed therefrom. Such proceeding shall not abate on account of such substitution, but shall be continued against such insurance carrier."

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 40, after line 38, insert a new subsection to read as follows:

"(g) The state compensation insurance fund may insure against any liability fixed under this act to the same extent as any other insurance carrier."

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 62, line 11, after the word "record" strike out the word "to" and insert in lieu thereof the word "of".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 62, line 24, commencing with the word "It" strike out all down to and including the word "commission" in line 26.

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 67, after line 26, insert a new section to read as follows:

"Sec. 74. This act shall take effect on the first day of January, 1918."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1133—An act to amend section 4290 of the Political Code, relating to fees and salaries of county officers.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 3, line 9, strike out the semicolon and the balance of line 9, all of lines 10, 11 and 12 and all of line 13, to and including the word "title", and insert in lieu thereof the following: ", which price shall not be less than twelve and one-half

cents for each meal for each prisoner: *provided, however*, that the sheriff shall file with the board of supervisors on the first Monday of each month a sworn statement showing the amount spent by him during the preceding month in feeding prisoners, and, if the sum allowed has not been spent, the excess shall be paid into the county treasury by the sheriff at the time of making said return."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 175—An act to amend section 4263 of the Political Code, relating to the compensation of officers in counties of the thirty-fourth class.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 34, of the printed bill, after the word "and" insert the word "the", and after the word "expenses" insert the word "incurred". In line 35, after the semicolon insert the following: "at any regular or special session of the board, and that one-twelfth of the annual salary shall be paid at the close of each preceding session of the board."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, strike out lines 2 to 9, and insert the following: "The road commissioner shall be reimbursed for all traveling, personal and other necessary expenses incurred while actually engaged in the performance of his duty upon the roads; such allowance not to exceed the sum of five dollars for each day so actually engaged, and the total amount of such allowance not to exceed the sum of three hundred dollars per annum."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 9, after the figure 4, strike out the figures "1915", and insert in lieu thereof the figures "1919", and in line 11, after the word "of", strike out the word "nine" and insert the word "twelve".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 890—An act to amend section 2643 of the Political Code, relating to the powers of boards of supervisors over roads.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 536—An act to amend section 4277 of the Political Code, relating to salaries, fees and compensation of officers of counties of the forty-eighth class.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 173—An act authorizing counties to employ public health visitors and prescribing their qualifications and duties.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 599—An act to provide for the organization and supervision of courses in physical training in the elementary, secondary and normal schools of the State, and appropriating ten thousand dollars therefor.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 3 of the title, after the word "physical", strike out the word "training" and insert in lieu thereof the word "education".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 5, after the word "physical", strike out the word "training" and insert in lieu thereof the word "education".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 9, after the word "physical", strike out the word "training" and insert in lieu thereof the word "education".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, after line 14, insert the following:

"SEC. 2. The aims and purposes of the courses of physical education established under the provisions of this act shall be as follows: (1) to develop organic vigor, provide neuro-muscular training, promote bodily and mental poise, correct postural defects, secure the more advanced forms of coordination, strength and endurance, and to promote such desirable moral and social qualities as appreciation of the value of cooperation, selfsubordination and obedience to authority, and higher ideals, courage and wholesome interest in truly recreational activities. (2) to promote a hygienic school and home life, secure scientific supervision of the sanitation of school buildings, playgrounds and atheletic fields, and the equipment thereof."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 1, strike out the figure "2" and insert in lieu thereof the figure "3".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 4, after the word "physical", strike out the word "training" and insert in lieu thereof the word "education".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 6, at the beginning of the line, strike out the word "training" and insert in lieu thereof the word "education".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 10, after the word "physical", strike out the word "training" and insert in lieu thereof the word "education".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 14, after the word "physical", strike out the word "training" and insert in lieu thereof the word "education".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 16, strike out the figure "3" and insert in lieu thereof the figure "4".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 2, line 19, after the word "physical", strike out the word "training" and insert in lieu thereof the word "education".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 2, line 25, after the word "physical", strike out the word "training", and insert in lieu thereof the word "education".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 2, strike out all of lines 28, 29 and 30, and insert in lieu thereof the following: "as the school boards concerned may agree."

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 2, line 31, strike out the figure "4" and insert in lieu thereof the figure "5".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 2, line 33, after the word "physical", strike out the word "training" and insert in lieu thereof the word "education".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 3, line 1, strike out the figure "5" and insert in lieu thereof the figure "6".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 3, line 4, after the word "physical", strike out the word "training" and insert in lieu thereof the word "education".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 3, line 6, after the word "physical", strike out the word "training" and insert in lieu thereof the word "education".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 3, line 8, after the word "physical", strike out the word "training" and insert in lieu thereof the word "education".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 3, line 10, strike out the figure "6" and insert in lieu thereof the figure "7"; also, after the word "physical", strike out the word "training" and insert in lieu thereof the word "education".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 3, line 12, beginning with the word "training", strike out all down to and including the word "is" in line 13 and insert in lieu thereof the following: "education in public schools. He shall not be subject to the provisions of any civil service law of the state".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 3, line 14, after the word "physical", strike out all of the remainder of the line and insert in lieu thereof the following: "education in the elementary and secondary schools".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 3, line 15, after the semicolon, following the word "state", insert the following: "shall exercise general control over all athletic activities of the public schools".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 3, line 17, after the word "physical", strike out the word "training" and insert in lieu thereof the word "education".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 3, line 20, beginning with the word "of" strike out all down to and including the word "provided" in line 22 and insert in lieu thereof the following: "not exceeding three thousand six hundred dollars per annum, as fixed by the state board of education, payable at the same time and in the same manner as the salaries of other state officers are payable."

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 3, line 23, after the word "expenses", strike out the comma and all of the remainder of line 23 and all of line 24 and insert in lieu thereof the following: "while on official business. The state board of education may within the limits of the appropriation for another provide, employ such expert and clerical assistants as may be necessary to carry out the provisions of this act."

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 3, line 25, strike out the figure "7" and insert in lieu thereof the figure "8".

Amendment adopted.

Bill read second time, and ordered to print engrossment, and third reading.

Senate Bill No. 1081.—An act to amend section 1891 of the Political Code, relating to school districts situated in two or more counties.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 11, after the word "of", strike out the word "its", and insert in lieu thereof the word "the".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 13, after the word "adopted" [illegible] and insert in lieu thereof a period. [illegible] the "t" in the word "the".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, lines 15 and 16, strike out all of line 15 [illegible] and including the comma following the word "county" and insert in lieu thereof the following: "each of the counties in which any portion of such school district is situated the assessed value of all taxable property in such counties [illegible] school district".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 17, after the word "legal," strike out the word "depository" and insert in lieu thereof the word "depositary".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1082.—An act to amend section 1728 of the Political Code, relating to the formation of joint union high school districts.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, lines 4 and 5, strike out the following: "[illegible] of the" and insert in lieu thereof the word "registered".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 8, after the word "shall", strike out the word "write" and insert in lieu thereof the word "unite".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 6, after the word "joint", insert the word "union".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1083.—An act to add a new section to the Political Code, to be numbered section 1543*b*, relating to the jurisdiction of county superintendent of schools over joint and joint union school districts.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Line 3 of the title, after the comma following the letter "b" insert the following: "and to repeal section 1723 thereof."

Amendment adopted.

AMENDMENT NUMBER TWO.

Line 4 of the title, add the letter "s" to the word "superintendent".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 5, commencing with the word "Whenever", strike out all of the remaining portion of the bill and insert in lieu thereof the following:

"SEC. 2. Section 1723 of the Political Code is hereby repealed."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1140—An act to accept the provisions and benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled and approved February 23, 1917, to provide for the promotion of vocational education; to create a vocational education fund and making an appropriation therefor.

Senate Bill No. 1140 re-referred to Committee on Finance.

Senate Bill No. 327—An act to amend section 1673 of the Political Code, relating to the length of the school day and the length of time that pupils may be required to attend during each day.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 329—An act to amend section 1735 of the Political Code, relating to the lapsing of high schools and high school districts.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 514—An act to amend section 1720 of the Political Code, and to add a new section to the Political Code, to be numbered 1750*b*, relating to the organization and maintenance of junior college courses of study.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 515—An act to amend section 1721 of the Political Code and to add a new section to the Political Code, to be numbered section 1739*b*, relating to the organization of high school districts and county junior college districts.

Bill read second time, ordered engrossed, and on file for third reading.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At twelve o'clock m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

THIRD READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 232—An act providing for the examination, certification and registration of plumbers, prescribing powers and duties of the State Board of Health in reference thereto, and penalties for a violation of the provisions hereof.

On motion of Senator Lyon, Assembly Bill No. 232 was passed on file.

Assembly Bill No. 205—An act to amend section 628*i* of the Penal Code.

On motion of Senator Sharkey, Assembly Bill No. 205 was passed on file.

Assembly Bill No. 185—An act granting to any city of the State whose corporate limits include or bound upon any harbor, bay, estuary, or other navigable body of water, the power to improve the same and to establish, acquire, construct, improve and maintain in, upon and along the waters thereof works for use in connection therewith.

On motion of Senator Rominger, Assembly Bill No. 185 was passed on file.

Assembly Bill No. 460—An act to amend section 103 of the Code of Civil Procedure, relating to justices' courts and justices.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 460 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chamberlin, Evans, Flaherty, Hans, Ingram, Inman, Johnson, Jones, Kehoe, Luce, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, and Thompson—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1349—An act to amend section 791 of the Political Code, relating to notaries public.

On motion of Senator Scott, Assembly Bill No. 1349 was re-referred to Committee on Judiciary.

Assembly Bill No. 1280—An act to amend an act entitled "An act to provide for the consolidation of municipal corporations," approved June 11, 1913, and amended April 29, 1915, by amending sections 3, 4 and 5.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1280 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, W. J., Chamberlin, Crowley, Evans, Flaherty, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, and Thompson—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1279—An act amending an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the districting, government and municipal control of such annexed territory," approved June 11, 1913, and amended April 29, 1915, by amending sections 3, 4 and 5.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1279 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Chamberlin, Crowley, Evans, Flaherty, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce,

Assembly Bill No. 550—An act to amend section 6285 of the Penal Code, relating to the protection of fish.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 689—An act to amend an act entitled "An act to regulate the issuance of licenses for resale to hunters and anglers," approved May 20, 1915.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 744—An act to amend section 44196 of the Political Code, relating to county fish and game wardens.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 287—An act to amend section 3 of an act entitled "An act to regulate and license the hunting of wild birds and animals and to provide revenue therefrom, for game and fish preservation and restoration," approved March 22, 1909.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 401—An act to amend section 597f of the Penal Code, relating to the protection of elk.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 601—An act to amend an act entitled "An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements, and regulating the acquisition, construction or completion thereof," which became a law under the constitutional provision without the Governor's approval February 25, 1901, as subsequently amended, by adding a new section thereto, to be numbered section 6½, relating to the cancellation of unsold bonds.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 635—An act to provide for the payment into the county treasury of any moneys now held by county tax collectors which represent duplicate or excess payments of taxes on property in their respective counties, and to provide for the distribution and repayment of such moneys when so paid, and to provide for the payment, repayment and distribution of any duplicate or excess collections which may be made hereafter.

COMMITTEE AMENDMENTS

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE

On page 2, line 30, of the printed bill, after the word "or" insert the following: "retain same for thirty days and if not [illegible]"

Amendment adopted.

AMENDMENT NUMBER TWO

On page 2, line 31, of the printed bill, after the word "[illegible]" insert the word "thereafter".

Amendment adopted.

AMENDMENT NUMBER THREE

On page 3, line 5, of the printed bill, after the word "[illegible]", strike out the period and insert a semicolon and the following: "provided, however, that during such thirty day period, the tax collector may adjust any mistakes in the payment

of taxes by returning to the party or parties, making such duplicate or excess payments the amount thereof".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 3, strike out the word "two" and insert in lieu thereof the word "five".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 18, strike out the word "two" and insert in lieu thereof the word "five".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 1, strike out the word "two" and insert in lieu thereof the word "five".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 110—An act to amend section 4252 of the Political Code, relating to salaries and compensation of the county and township officers of counties of the twenty-third class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 111—An act to add a new section to the Political Code, to be numbered 4252*a*, relating to the compensation of jurors in counties of the twenty-third class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 254—An act to amend section 4285 of the Political Code, relating to the salaries and fees of officers of counties of the fifty-sixth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 469—An act to add a new section to the Code of Civil Procedure, to be numbered section 1455, relating to the collection by surviving heirs of balances due the estates of deceased annuitants from the public school teachers' retirement salary fund.

Bill read second time, and ordered on file for third reading.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 15—Relative to the inscription on the monument erected to the memory of J. W. Marshall at Coloma, El Dorado County, California.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Concurrent Resolution No. 15 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 15th passed Assembly Bill No. 125—An act to amend section 2 of an act entitled "An act to protect public health from infection caused by exhumation and removal of the remains of deceased persons," approved April 1, 1878.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 125 read first time, and referred to Committee on Public Health and Quarantine.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, title amended, Senate Bill No. 289—An act to amend section 4288 of the Political Code.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 289 ordered to unfinished business.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 924—An act authorizing any county to permit the construction and maintenance of a highway or boulevard over highways within its limits connecting with main public highways of an adjoining county by the board of supervisors or highway commissioners of such adjoining county, permitting boards of supervisors of such adjoining counties to construct and maintain such bridge or bridges on such highways or boulevards as they may deem necessary, permitting such boards of supervisors to macadamize or pave or gutter such highways or boulevards, providing the manner in which the cost and expense thereof shall be paid, and prescribing the procedure whereby the use, control, maintenance and jurisdiction of any highway or boulevard constructed under the provisions of this act may be retransferred to the county originally granting the use thereof.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 924 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 108—An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California:

Also: Senate Bill No. 333—An act to amend section 643 of the Political Code, relating to the compensation of fish and game commissioners.

And respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS—OUT OF ORDER.

On motion of Senator Benson, the Senate took up for consideration Assembly amendments to Senate bills, out of the regular order.

Senate Bill No. 108—An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED EIGHT.

AMENDMENT NUMBER ONE.

On page 2, line 17, of the printed bill, commencing with the word "if", strike out the balance of the line, down to and including the word "therein", on line 18.

AMENDMENT NUMBER TWO.

On page 3, line 4, after the word "board", insert: "The said directors so appointed, may meet from time to time in advance of the time fixed for said hearing and may make and enter into an agreement limiting the amount to be assessed upon each of the counties to comprise the district when formed, and such limitation so agreed upon shall not thereafter be changed except by the unanimous vote of all the directors".

AMENDMENT NUMBER THREE.

On page 10, line 24, after the word "week", strike out the word "if", continuing, strike out the words "no daily newspaper be published therein", on line 25.

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 108?"

The roll was called, and Assembly amendments to Senate Bill No. 108 were concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Irwin, Johnson, King, Luce, Lyon, McDonald, Maddux, Nealon, Rominger, Scott, Shearer, Slater, and Stuckenbruck—26.

NOES—None.

Senate Bill No. 333—An act to amend section 643 of the Political Code, relating to the compensation of fish and game commissioners.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER THREE HUNDRED THIRTY-THREE.

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill after the period, strike out all of balance of line 3 and all of lines 4 to 8, inclusive, and insert in lieu thereof the following:

"Each of the members of the fish and game commission shall receive as full compensation for his services, including all expenses incurred in the performance of his official duties, the sum of one thousand two hundred dollars per annum, to be paid in equal monthly installments, out of the fish and game preservation fund."

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 333?"

The roll was called, and Assembly amendment to Senate Bill No. 333 was concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Crowley, Evans, Flaherty, Hans, Ingram, Irwin, Johnson, Jones, King, Luce, Lyon, McDonald, Maddux, Nealon, Pickett, Rominger, Rush, Scott, Slater, and Stuckenbruck—28.

NOES—None.

Senate Bills Nos. 108 and 333 ordered to enrollment.

CONSIDERATION OF ASSEMBLY MESSAGES—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 749—An act to repeal an act entitled "An act to incorporate the town of Felton in the county of Santa Cruz," approved March 8, 1878;

Also: Assembly Bill No. 14—An act to amend section 759 of the Political Code, relating to the appointment of a phonographic reporter for each of the District Courts of Appeal, and prescribing his duties and compensation;

Also: Assembly Bill No. 1098—An act amending section 10 of an act entitled "An act providing for the laying out, constructing, straightening, improvement and repair of main public highways in any county, providing for the voting, issuing, and selling of county bonds and the acceptance of donations to pay for such work and improvements, providing for a highway commission to have charge of such work and improvements, and authorizing cities and towns to improve the portions of such highways within their corporate limits and to issue and sell bonds therefor," approved March 19, 1907, as amended;

Also: Assembly Bill No. 1360—An act to amend section 2920 of the Civil Code, and to add a new section thereto, to be known as section 2937, relative to mortgages, providing that deeds of trust shall be contained in the definition of a mortgage, and limiting powers of sale in such instruments;

Also: Assembly Bill No. 1119—An act to amend an act entitled "An act to establish a standard form of fire insurance policy and to prevent variations therefrom, excepting under certain stated conditions and restrictions," approved March 18, 1909, by amending section 6 thereof relating to what may be added to the standard form of fire insurance policy.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 749 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 14 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1098 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1360 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1119 read first time, and referred to Committee on Insurance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 196—An act to amend sections 1113, 1131, 1142, 1151, 1216 and 1258 of the Political Code, relating to elections, and to add a new section to the Political Code, to be known as section 1253, relating to the same subject;

Also: Assembly Bill No. 1375—An act to amend sections 2, 8, 9, 10, 11, 12, 12½, 13, 14, 15, 17, 18 and 20, relating to the practice of midwifery, and adding a new section thereto to be numbered 24, relating to the penalty for violation of the provisions of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended by an act to amend an act entitled "An act to amend an act entitled 'An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings, to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled "An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems and modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation" approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act,' approved June 2, 1913, by amending sections 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 17 and 18, and adding a new section thereto to be numbered 12½ relating to the practice of chiropody," approved April 24, 1915.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 196 read first time, and referred to Committee on Elections.

Assembly Bill No. 1375 read first time, and referred to Committee on Public Health and Quarantine.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1198—An act to amend section 4234 of the Political Code, relating to salaries and fees of officers in counties of the fifth class;

Also: Assembly Bill No. 136—An act to amend section 1271 of the Political Code, relating to salaries of officers of counties of the forty-second class;

Also: Assembly Bill No. 1393—An act to amend section 4283 of the Political Code, relating to compensation of officers in counties of the fifty-fourth class;

Also: Assembly Bill No. 553—An act to grant to the city of Newport Beach the tidelands and submerged lands of the State within the boundaries of said city;

Also: Assembly Bill No. 1120—An act to provide for the establishment and maintenance by fire insurance corporations of guaranty surplus funds and special reserve funds and thereby limiting liability and to provide for the waiver by policyholders of recourse against stockholders of such corporations;

Also: Assembly Bill No. 102—An act to amend sections 12 and 16 of an act entitled "An act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, as amended March 23, 1907, April 15, 1909, and May 1, 1911;

Also: Assembly Bill No. 574—An act to amend section 1743 of the Political Code and to repeal section 1743*a* thereof, relating to high school principals and reports.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1198 read first time, and referred to Committee on County Government.

Assembly Bill No. 136 read first time, and referred to Committee on County Government.

Assembly Bill No. 1393 read first time, and referred to Committee on County Government.

Assembly Bill No. 553 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1120 read first time, and referred to Committee on Insurance.

Assembly Bill No. 102 read first time, and referred to Committee on Insurance.

Assembly Bill No. 574 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 367—An act to amend section 631*d* of the Penal Code of the State of California, relating to the domestication of wild game;

Also: Assembly Bill No. 923—An act to add a new section to be numbered 637*a*, relating to the exemption of building and loan associations, issuing no obligations of any kind other than shares entitling the holder to full participation in the profits of the association, from certain provisions of sections 634 and 637 of the Civil Code;

Also: Assembly Bill No. 562—An act to amend section 4264 of the Political Code, relating to the salaries and fees of officers in counties of the thirty-fifth class;

Also: Assembly Bill No. 234—An act to amend section 1616 of the Penal Code, relating to the care of female prisoners in county jails;

Also: Assembly Bill No. 235—An act to amend section 1613 of the Penal Code, relating to the working of prisoners in the county jail;

Also: Assembly Bill No. 487—An act to repeal section 259 of the Penal Code, requiring certain newspaper articles to be signed.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 367 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 923 read first time, and referred to Committee on Banking.

Assembly Bill No. 562 read first time, and referred to Committee on County Government.

Assembly Bill No. 234 read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bill No. 235 read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bill No. 487 read first time, and referred to Committee on Judiciary.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., the hour of recess was extended until twelve o'clock and forty-five minutes p.m.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 19, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Luce to introduce a bill entitled: "An act authorizing any county now or

hereafter organized to incur indebtedness; issue negotiable bonds; levy taxes to pay the principal and interest thereof; acquire by condemnation or otherwise land within the county; donate and convey the same to the United States, free of cost to the United States, for a permanent mobilization, training and supply station for any or all such military purposes, including supply stations; the mobilization, disciplining and training of the United States Army, State Militia and other military organizations, etc."—has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Inman, Irwin, Johnson, Jones, King, Lyon, Maddux, Nealon, Purkitt, Rigdon, Roninger, Rush, Scott, Shearer, Slater, Stuckenbruck, and Thompson—30.

NOES—None.

INTRODUCTION AND FIRST READING OF BILL.

The following bill was introduced in accordance with the above report:

By Senator Luce: Senate Bill No. 1152—An act authorizing any county now or hereafter organized to incur indebtedness, issue negotiable bonds; levy taxes to pay the principal and interest thereof; acquire by condemnation or otherwise land within the county; donate and convey the same to the United States, free of cost to the United States, for a permanent mobilization, training and supply station for any or all such military purposes, including supply stations; the mobilization, disciplining and training of the United States Army, State Militia and other military organizations, as are now or may at any time be authorized or provided for under any law or laws of the United States; conferring on such counties the power of eminent domain for the purposes of this act and providing the procedure therefor; granting the consent of the State to such conveyance and ceding exclusive jurisdiction to the United States over the lands so conveyed.

Bill read first time, and referred to Committee on Judiciary.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, March 19, 1917.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending section 1 of Article IV thereof, relating to legislative powers, and reserving to the people of the State of California the power to propose laws, statutes and amendments to the Constitution and to enact the same at the polls, independent of the legislature, and also reserving to the people of the State of California the power to approve or reject at the polls any act or section or part of any act of the legislature—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do not be adopted.

Minority report: Do be adopted.

BALLARD, Chairman.

Senate Constitutional Amendment No. 5 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of the State by adding a new section thereto, to be known as section 7½ of Article XI,

relating to the consolidation of city and county government and to the framing of charters therefor and amendments to such charters;

Also: Senate Constitutional Amendment No. 44—A resolution to propose to the people of the State of California to amend section 13 of Article VI of the Constitution of the State, relating to inferior courts;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they be adopted as amended.

BALLARD, Chairman.

Senate Constitutional Amendments Nos. 13 and 44 ordered on file.

ADJOURNMENT.

At twelve o'clock and forty-five minutes p.m., on motion of Senator Benson, the President pro tempore declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Tuesday, March 20, 1917.

The Senate met at ten o'clock a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Lane, Lyon, McDonald, Madden, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—38.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, March 19, 1917, the further reading was dispensed with, on motion of Senator Slater.

LEAVE OF ABSENCE.

Senator Gates was, on motion of Senator Evans, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Carr, F. M., the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Ezra Decoto of Oakland.

On request of Senator Breed, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to A. C. Foster of Oakland.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 20, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 1107—An act to appropriate money to pay the expenses incurred in the publication of bond acts presented to the people at the election of November 7, 1916;

Also: Senate Bill No. 111—An act providing that all justices of the peace in townships having a population of less than fifteen thousand shall act as labor and employment agents;

Also: Senate Bill No. 683—An act to add a new section to the Penal Code, to be numbered 632e, relating to the protection of trout;

Also: Senate Bill No. 736—An act to add a new section to the Penal Code, to be numbered 653f, relating to the restricting of the number of individuals who may learn a trade;

Also: Senate Bill No. 890—An act to amend section 2648 of the Political Code, relating to the powers of boards of supervisors over roads;

Also: Senate Bill No. 536—An act to amend section 4277 of the Political Code, relating to salaries, fees and compensation of officers of counties of the forty eighth class;

Also: Senate Bill No. 173—An act authorizing counties to employ public health visitors and prescribing their qualifications and duties;

Also: Senate Bill No. 327—An act to amend section 1673 of the Political Code, relating to the length of the school day and the length of time that pupils may be required to attend during each day;

Also: Senate Bill No. 329—An act to amend section 1735 of the Political Code, relating to the lapsing of high schools and high school districts;

Also: Senate Bill No. 514—An act to amend section 1720 of the Political Code, and to add a new section to the Political Code, to be numbered 1750b, relating to the organization and maintenance of junior college courses of study;

Also: Senate Bill No. 515—An act to amend section 1721 of the Political Code and to add a new section to the Political Code, to be numbered section 1730b, relating to the organization of high school districts and county junior college districts. And reports that the same have been correctly engrossed.

CANEPA, Chairman.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 20, 1917.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 705—An act to amend sections 1663, 1771, and 1775 of the Political Code, relating to the classification of schools, the powers of county boards of education and the granting of teachers' certificates—has had the same under consideration, and respectfully reports the same back with amendments and recommends that same do pass as amended.

JONES, Vice Chairman.

Senate Bill No. 705 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 585—An act to amend section 1741 of the Political Code, relating to the powers and duties of high school boards;

Also: Senate Bill No. 709—An act to amend section 5 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913;

Also: Senate Bill No. 943—An act to add thirteen new sections to the Political Code, to be numbered 1585, 1586, 1587, 1588, 1589, 1589a, 1589b, 1589c, 1590, 1591, 1591a, 1591b and 1591c, and to repeal section 1674 of the Political Code, relating to union school districts;

Also: Senate Bill No. 944—An act to add a new section to the Political Code, to be numbered 1675a, relating to the change of name of school districts and the manner of making such change and to repeal "An act to provide for the change of name of school districts and the manner of making such change," approved March 16, 1903;

Also: Senate Bill No. 945—An act to add a new section to the Political Code, to be numbered section 1670, relating to the school year, and school month, and to

repeal section 1697 of the Political Code, relating to the school month, and section 1878 of the Political Code, relating to the school year;
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

JONES, Vice Chairman.

Senate Bills Nos. 585, 709, 943, 944 and 945 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 20, 1917.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 843—An act making bonds of municipal improvement districts legal investments for certain purposes;
Also: Senate Bill No. 44—An act to amend section 5 of an act entitled "An act to provide for and regulate the deposit of county and municipal moneys in banks and banking corporations, limiting the amount of public moneys that may be deposited therein, and providing a penalty for the illegal deposit and use thereof," approved March 23, 1907;
Has had the same under consideration, and respectfully reports the same back and recommends that they be re-referred to Committee on Banking.

TYRRELL, Chairman.

Senate Bills Nos. 843 and 44 re-referred to Committee on Banking.

RESOLUTION.

The following resolution was offered by Senator Nealon:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Senate in the sum of thirty-seven and 35/100 dollars ($37.35) in favor of Thomas A. Brown, Sergeant-at-Arms of the Senate, to pay the amounts as itemized below, and the State Treasurer is hereby ordered to pay the same:

Bancroft-Whitney, 1 set of codes	$22 00
Frederick Kant, pussy foot pads	2 00
Rex Rubber Stamps Co., 14 badges at 90 cents	12 60
James B. Newsom, telegram	75
Total	$37 35

NEALON, Chairman Contingent Expenses.

Resolution read.

Senator Nealon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Evans, Flaherty, Ingram, Johnson, Jones, Kehoe, King, Lyon, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, and Stuckenbruck—27.
NOES—None.

REQUESTS FOR INTRODUCTION OF BILLS—(OUT OF ORDER).

The following requests for permission to introduce bills were presented:

By Senator Ballard:

SENATE CHAMBER, SACRAMENTO, March 20, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2 of Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:
An act to provide for the qualifications of sureties on bonds and undertakings accompanying bids and contracts for public work or for material therefor.

Request referred to Committee on Rules.

Also:

By Senator Rominger:

SENATE CHAMBER, SACRAMENTO, March 20, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2 of Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend an act entitled "An act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams and water courses, for the prevention of the overflow thereof, by widening, deepening, straightening and otherwise improving the same, and to authorize the boards of supervisors to levy and collect assessments from the property benefited to pay the expenses of the same," approved March 27, 1895, as amended, by adding a new section thereto, to be numbered 204, relating to refund of assessments.

Request referred to Committee on Rules.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 90—An act to amend section 290½ of the Civil Code, relating to corporations.

On motion of Senator Jones, Senate Bill No. 90 was passed on file.

Senate Bill No. 101—An act to amend section 16 of an act entitled "An act regulating the employment and hours of labor of children; prohibiting the employment of minors under certain ages; prohibiting the employment of certain illiterate minors; providing for the enforcement hereof by the commissioner of the Bureau of Labor Statistics and providing penalties for the violation hereof," approved February 20, 1905, as amended by an act approved April 14, 1911, as further amended by an act approved June 2, 1913; and as further amended by an act approved June 5, 1915.

In the absence of the author, Senate Bill No. 101 was ordered passed, to retain its place on the file.

Senate Bill No. 203—An act to amend an act entitled "An act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other acts and parts of acts now in force relating to estrays," approved March 23, 1901, and to exempt certain counties from provisions thereof.

On motion of Senator King, Senate Bill No. 203 was passed on file.

Senate Bill No. 820—An act to provide for the periodical inspection of steam boilers with certain exceptions, operated in this State; requiring a permit, to be issued by the Industrial Accident Commission, for the operation of such boilers; making it a misdemeanor to operate such boilers without such permit; and allowing an injunction against such operation without such permit where dangerous to the life or safety of employees; providing for a hearing before the Industrial Accident Commission prior to refusal of a permit; providing for the determination of competency of inspectors making such inspections and requiring reports of inspections; and prescribing maximum fees for such inspections.

In the absence of the author, Senate Bill No. 820 was ordered passed, to retain its place on the file.

Senate Bill No. 49—An act to repeal section 55*a* of the Penal Code, relative to soliciting, demanding, or pledging votes for or against any particular bill or measure.

On motion of Senator Duncan, Senate Bill No. 49 was passed on file.

Senate Bill No. 878—An act to add a new section to the Civil Code, to be numbered 3320, providing for the damages recoverable from banks on the nonpayment of checks.

In the absence of the author, Senate Bill No. 878 was ordered passed, to retain its place on the file.

Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending sections 1 and 14 of Article XIII thereof, both relating to revenue and taxation, so as to permit taxation of certain public utilities owned or operated by counties, cities and counties, or municipal corporations.

On motion of Senator Irwin, Senate Constitutional Amendment No. 11 was passed on file.

Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section 22 of Article XII thereof, relating to the powers and duties of the Railroad Commission of the State of California.

On motion of Senator Irwin, Senate Constitutional Amendment No. 21 was passed on file.

Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section 23 of Article XII thereof, relating to the powers and duties of the Railroad Commission of the State of California.

On motion of Senator Irwin, Senate Constitutional Amendment No. 22 was passed on file.

Senate Bill No. 422—An act to amend section 1624 of the Civil Code, and repealing Article II of Chapter 3 of Title IV of division second of the Civil Code, and repealing sections 3308, 3309, 3310, 3311, 3312, 3313, 3314, 3353, 3354, 3355, 1739 and 1740 of the Civil Code, Chapter 2 of Title I of Part IV of division third of the Civil Code, Chapter 3 of Title I of Part IV of division third of the Civil Code, Chapter 4 of Title I of Part IV of division third of the Civil Code, and to add Chapters 2, 3, 4, 5, 6 and 7 of Title I of Part IV of division third of said Civil Code in place thereof, relating to the sale of personal property.

In the absence of the author, Senate Bill No. 422 was ordered passed, to retain its place on the file.

Senate Bill No. 423—An act to repeal Title XV of Part IV of division third of the Civil Code of the State of California, and to add a new Title XV of Part IV of division third of said code in place thereof, relating to negotiable instruments, and to make the law of negotiable instruments in the State of California uniform with the law of other states.

In the absence of the author, Senate Bill No. 423 was ordered passed, to retain its place on the file.

Senate Bill No. 421—An act to repeal Article III of Chapter 3 of Title VII of Part IV of the Civil Code of the State of California, and to enact a new Article III of Chapter 3 of Title VII of Part IV of the Civil Code of the State of California, relating to bills of lading.

In the absence of the author, Senate Bill No. 421 was ordered passed, to retain its place on the file.

Senate Bill No. 320—An act to amend section 1858 of the Political Code, relating to the apportionment of the elementary school funds

and the counting of attendance in the elementary and secondary schools of the State.

On motion of Senator Jones, Senate Bill No. 320 was passed on 61.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

Senate Bill No. 322—An act to amend section 1619 of the Political Code, relating to the duties of boards of school trustees and city boards of education.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 322 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Crowley, Duncan, Flaherty, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Lucas, Lyon, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, and Thompson—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 323—An act to amend section 1751 of the Political Code, relating to the admission of pupils to high schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 323 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, F. M., Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Lucas, Lyon, Maddux, Nealon, Rigdon, Rominger, Rush, Sharkey, Shearer, Slater, Steckenbruck, Thompson, and Tyrrell—39.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 325—An act to amend section 1532, relating to the powers and duties of the Superintendent of Public Instruction, and to repeal section 1505 of the Political Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 325 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Lucas, Lyon, Maddux, Nealon, Rigdon, Rush, Sharkey, Shearer, Slater, and Thompson—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 326—An act to add a new section to the Political Code, to be numbered 1750c, and to amend sections 1760 and 1761 of the Political Code, to provide for the establishment and maintenance by high school boards of special classes and part-time vocational courses and to provide state aid for standard vocational courses and the manner

of appropriation and apportionment of the same and the apportionment of the regular high school funds of the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 326 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rominger, Rush, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 328—An act to amend section 1551 of the Political Code, relating to the reporting of attendance by superintendents of schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 328 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Rigdon, Rominger, Rush, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1107—An act to appropriate money to pay the expenses incurred in the publication of bond acts presented to the people at the election of November 7, 1916.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 1107 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Crowley, Evans, Flaherty, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, Luce, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Shearer, Slater, Stuckenbruck, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR IRWIN IN THE CHAIR.

At ten o'clock and fifty-five minutes a.m., Senator Irwin of the Thirty-second District was called to the chair.

Senate Bill No. 683—An act to add a new section to the Penal Code, to be numbered 632c, relating to the protection of trout.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 683 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, W. J., Chamberlin, Duncan, Evans, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King,

Luce, Lyon, Maddux, Purkitt, Rominger, Sharkey, Shearer, Thompson, and Tyrrell—26.

NOES—Senators Canepa, Carr, F. M., Crowley, Flaherty, McDonald, Nealon, Slater, and Stuckenbruck—8.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At eleven o'clock and fifty minutes a.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Senate Bill No. 111—An act providing that all justices of the peace in townships having a population of less than fifteen thousand shall act as labor and employment agents.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Jones moved to refer Senate Bill No. 111 to Senator Kehoe as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, of the printed bill, strike out lines 4 to 10 inclusive.

The question being on the motion to refer to Special Committee of One.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Jones, Tyrrell, and Shearer.

Thereupon the Secretary was directed to call the roll.

The roll was called, and the motion to refer to Special Committee of One carried by the following vote:

AYES—Senators Benson, Breed, Carr, W. J., Chamberlin, Duncan, Evans, Ingram, Irwin, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Sharkey, Slater, and Stuckenbruck—22.

NOES—Senators Burnett, Canepa, Carr, F. M., Inman, Lyon, Shearer, Thompson, and Tyrrell—8.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 20, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 111, with instructions to amend, respectfully reports the same back, amended as per instructions.

KEHOE, Special Committee.

Report read, and on motion of Senator Jones, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 736—An act to add a new section to the Penal Code, to be numbered 653f, relating to the restricting of the number of individuals who may learn a trade.

On motion of Senator Rominger, Senate Bill No. 736 was passed on file.

Senate Bill No. 890—An act to amend section 2643 of the Political Code, relating to the powers of boards of supervisors over roads.

On motion of Senator Tyrrell, Senate Bill No. 890 was passed on file.

[illegible]

Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending section 1 of Article IV thereof relating to legislative powers, and reserving to the people of the State of California the power to propose laws, statutes and amendments to the Constitution and to enact the same at the polls independent of the Legislature, and also reserving to the people of the State of California the power to approve or reject at the polls any act or section or part of any act of the Legislature.

On motion of Senator Duncan, Senate Constitutional Amendment No. 5 was passed on file.

Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of the State by adding a new section thereto to be known as section 7½ of Article XI, relating to the consolidation of city and county government and to the framing of charters therefor and amendments to such charters.

On motion of Senator Breed, Senate Constitutional Amendment No. 13 was passed on file.

Senate Constitutional Amendment No. 44—A resolution to propose to the people of the State of California to amend section 13 of Article VI of the Constitution of the State, relating to inferior courts.

On motion of Senator Ballard, Senate Constitutional Amendment No. 44 was passed on file.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 479—An act to amend section 29 of an act entitled "An act to divide the State of California into fish and game districts and repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved March 19, 1915.

Bill read second time, ordered engrossed, and on file for third reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, March 20, 1917.

MR. PRESIDENT: Your Committee on Public Morals, to which was referred Senate Bill No. 414—An act making it unlawful to manufacture, sell, offer for sale, give away, furnish or have in possession any whiskey, rum, brandy, gin, liqueurs, wines or any other spirituous, malt, vinous, fermented or other intoxicating liquors containing more than ten per cent of common or ethyl alcohol in proportion to all other substances therein contained, except for scientific or mechanical purposes, or for medical purposes pursuant to the written prescription of a duly licensed physician or surgeon; prohibiting any physician from giving any person a prescription for the purpose of enabling or assisting such person to evade any of the provisions of this act or to obtain such liquors for any purpose except that of curing disease; and providing penalties for the violation thereof—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

LUCE, Chairman.

Senate Bill No. 414 ordered on file for second reading.

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, March 20, 1917.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Senate Bill No. 119—An act to provide for the purchase by the State of California of an armory and grounds located at Pomona, California, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back and recommends that it do pass, and be re-referred to Committee on Finance.

SCOTT, Chairman.

Senate Bill No. 119 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Senate Bill No. 1090—An act to amend sections 2, 3, 6, 7, 12 and 15 of an act entitled "An act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911—has had the same under consideration, and respectfully reports the same back and recommends that it do pass, as amended.

SCOTT, Chairman.

Senate Bill No. 1090 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Senate Bill No. 761—An act to repeal sections 1959 and 2027 of the Political Code, and to amend sections 1918, 1919, 1924, 1925, 1926, 1927, 1928*a*, 1928*b*, 1928*d*, 1929, 1930, 1931, 1932, 1932', 1933, 1934, 1951, 1953, 1954, 1955, 1956, 1957, 1958, 1960, 1980, 1982, 2006, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2026, 2086, 2107, 2111, and 2112, of the Political Code, all relating to the National Guard of the State of California—has had the same under consideration, and respectfully reports the same back and recommends that it do pass, as amended.

SCOTT, Chairman.

Senate Bill No. 761 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 20, 1917.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 290—An act to amend section 995 of the Political Code, relating to resignations of officers;

Also: Assembly Bill No. 182—An act to amend section 555 of the Code of Civil Procedure, relating to rules of attachment;

Also: Assembly Bill No. 216—An act to amend section 1239 of the Penal Code, relating to appeals in criminal actions;

Also: Senate Bill No. 412—An act to amend section 1613 of the Penal Code, relating to the labor of prisoners confined in the county jail;

Also: Senate Bill No. 884—An act to repeal section 847 of the Civil Code, relating to uses and trusts, to amend section 857 of the Civil Code, relating to express trusts, and to amend section 2220 of the Civil Code, relating to purposes for which a trust may be created;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Assembly Bills Nos. 290, 182, 216, and Senate Bills Nos. 412 and 884, ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 988—An act to amend section 67*a* of the Code of Civil Procedure, relating to the number of superior court judges and providing for the appointment of six additional superior court judges in counties of the first class and providing for their compensation—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass, as amended, and be re-referred to Committee on Finance.

KEHOE, Chairman.

Assembly Bill No. 988 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1350—An act to increase the number of judges of the superior court of the county of Imperial, State of California, and for the appointment of such additional judge—has had the same under consideration, and respectfully reports the same back and recommends that it do pass, and be re-referred to Committee on Finance.

KEHOE, Chairman.

Assembly Bill No. 1350 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 86—An act granting certain tidelands and submerged lands of the State of California to the city of Santa Monica upon certain trusts and conditions.

Also: Assembly Bill No. 183—An act granting to the city of Venice the tidelands and submerged lands of the State of California within the boundaries of the said city;

Also: Senate Bill No. 885—An act to amend section 715 of the Civil Code, relating to restraints upon alienation;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended.

KEHOE, Chairman.

Assembly Bills Nos. 86 and 183 and Senate Bill No. 885 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 872—An act defining the meaning of the term "appointive officer," and to prohibit any appointive officer of the State of California, or of any of its departments or commissions, from participating in political conventions, discussions or campaigns for or against any political party, or measure, or candidate making public political speeches to influence the action of any voter or voters for or against any party, person, or measure, or using any official stationery for such purpose, and providing penalties for the violation thereof—has had the same under consideration, and respectfully reports the same back and recommends that it do not pass.

Minority report: Do pass.

KEHOE, Chairman.

Senate Bill No. 872 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Concurrent Resolution No. 20—Relating to the publication of an index of the laws of California—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

KEHOE, Chairman.

Senate Concurrent Resolution No. 20 ordered on file.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, March 20, 1917.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 174—An act limiting the hours of female employees, requiring employers to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment, providing penalties for violations of the provisions thereof, and repealing an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman or other agent of any such employer to violate the provisions of this act," approved March 22, 1911—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

LYON, Chairman.

Senate Bill No. 174 ordered on file for second reading.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, March 16, 1917.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 9—Relative to needy Indians within the State of California—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

RUSH, Chairman.

Senate Joint Resolution No. 9 ordered on file.

REPORT OF JOINT COMMITTEE ON RELIEF OF APPELLATE COURTS.

The following report was presented by Senator Kehoe and ordered printed in the Journal:

To the Legislature of the State of California.

GENTLEMEN: In accordance with Senate Concurrent Resolution No. 11, we desire to report that the special committee of the Legislature met in joint session with a committee of the California State Bar Association in San Francisco during the interim between the two sessions of the Legislature.

This joint committee, after careful consideration, makes five recommendations to the Legislature, which it believes will, if adopted, eliminate a large portion of the delay common to legal proceedings and will also relieve the congestion in the various courts of the State. The five recommendations are as follows, to wit:

1. That two additional divisions of the District Court of Appeals of three justices each be established, one at San Francisco and one at Los Angeles, for the purpose of relieving the present congested calendar of the Appellate Courts. By the creation of additional divisions, to the already existing courts, the necessary relief can be obtained without putting the State to much of the expense incidental to the creation of new district courts. A proposed constitutional amendment has been prepared embodying these provisions and is attached hereto and is marked "Exhibit A."

2. That pleading, practice and procedure in all the courts be governed by rules formulated by the Supreme Court, and which when promulgated shall supersede the procedural statutes in conflict therewith. A proposed constitutional amendment covering this matter is attached hereto and marked "Exhibit B."

The purpose of this amendment is to provide for the promulgation of rules by the Supreme Court in matters of a strictly pleading and procedural nature. It was the recommendation of the joint committee that the Legislature retain full legislative power over all matters of substantive law.

3. That a Commissioner of Justice be appointed by the Governor and Chief Justice of the Supreme Court, whose duty it shall be to make a comprehensive survey of the work of the courts and to report such suggestions and recommendations annually to the Governor. Attached hereto is a draft of a proposed constitutional amendment covering this matter, marked "Exhibit C."

4. That while the present jurisdictional limits of the Superior and Appellate Courts be not substantially changed, that the Legislature nevertheless be given power to create inferior courts in townships, counties, cities and counties, incorporated cities and in towns having a population of more than one hundred and fifty thousand, and that, in the discretion of the Legislature, exclusive jurisdiction or jurisdiction concurrent with the Superior Court, be allotted to such courts in cases not involving the title to real property and where the amount in controversy does not exceed one thousand dollars. That where such actions are brought in such inferior court that the determination of the Superior Court on appeal from such judgment therein be made final. The details of this amendment are more fully shown by a proposed draft hereunto annexed and marked "Exhibit D."

5. That the provisions of the Code of Civil Procedure with respect to the standards and requirements for admission to the practice of law in the State of California be modified. The recommendations of the joint committee in this respect are that a board of examiners be created, the expense of which will be borne by a fee to be charged applicants. Said board to consist of three attorneys. The proposed amendment also provides that before an attorney from a jurisdiction other than California is admitted to practice, he must show that he was admitted to practice in the jurisdiction from which he came for a period of at least three years. Attached hereto, marked "Exhibit E," is a draft of said proposed amendment.

Your committee has not attempted to explain in this report, the details of the above proposed recommendations, as these can best be obtained by an examination of the proposed measures annexed hereto.

KEHOE,
Chairman Senate Judiciary Committee.

SATTERWHITE,
Chairman Assembly Judiciary Committee.

"EXHIBIT A."

A resolution proposing to the People of the State of California an amendment to Section 4 of Article VI of the Constitution of the State of California relating to the Supreme Court and District Courts of Appeal, and providing for two divisions of the District Courts of Appeal of the First and Second Appellate Districts.

The Legislature of the State of California, at its regular session commencing on the 8th day of January, 1917, two thirds of the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes an amendment to the Constitution of the State of California amending Section 4 of Article VI thereof so as to read as follows:

JURISDICTION OF SUPREME COURT AND DISTRICT COURT OF APPEAL.

Sec. 4. The Supreme Court shall have appellate jurisdiction on appeal from the Superior Courts in all cases in equity, except such as arise in justices' courts; also, in all cases at law which involve the title or possession of real estate, or the legality of any tax, impost, assessment, toll, or municipal fine, or in which the demand, exclusive of interest, or the value of the property in controversy, amounts to two thousand dollars; also, in all such probate matters as may be provided by law; also, on occasions of law alone, in all criminal cases where judgment of death has been rendered; the said court shall also have appellate jurisdiction in all cases, matters and proceedings pending before a District Court of Appeal, which shall be ordered by the Supreme Court to be transferred to itself for hearing and decision as hereinafter provided. The said court shall also have power to issue writs of mandamus, certiorari, prohibition, and habeas corpus, and all other writs necessary or proper to the complete exercise of its appellate jurisdiction. Each of the justices shall have power to issue writs of habeas corpus to any part of the State, upon petition by or on behalf of any person held in actual custody, and may make such writs returnable before himself or the Supreme Court, or before any District Court of Appeal, or before any judge thereof, or before any Superior Court in the State, or before any judge thereof.

The State is hereby divided into three appellate districts, in each of which there shall be a District Court of Appeal.

The courts of appeal for the first and second appellate districts shall each consist of two divisions of three justices each.

The court of the third appellate district shall consist of three justices.

The District Courts of Appeal as existing immediately prior to the general election of the year one thousand nine hundred eighteen shall not be affected as to the officers or terms of office of the justices thereof by the amendment of this section at that election; and the justices of the District Courts of Appeal of districts of the first and second districts at the time of said general election shall constitute division one of each of said districts respectively. Each of such divisions shall constitute and shall exercise all of the powers of a district court of appeal.

The first district shall embrace the following counties: San Francisco, Marin, Contra Costa, Alameda, San Mateo, Santa Clara, Fresno, Santa Cruz, Monterey and San Benito.

The second district shall embrace the following counties: Tulare, Kings, San Luis Obispo, Kern, Inyo, Santa Barbara, Ventura, Los Angeles, San Bernardino, Orange, Riverside, San Diego and Imperial.

The third district shall embrace the following counties: Del Norte, Siskiyou, Modoc, Humboldt, Trinity, Shasta, Lassen, Tehama, Plumas, Mendocino, Lake, Colusa, Glenn, Butte, Sierra, Sutter, Yuba, Nevada, Sonoma, Napa, Yolo, Placer, Solano, Sacramento, El Dorado, San Joaquin, Amador, Calaveras, Stanislaus, Mariposa, Madera, Merced, Tuolumne, Alpine and Mono.

The Supreme Court, by orders entered in its minutes, may from time to time remove one or more counties from one appellate district to another, but no county not contiguous to another county of a district shall be added to such district.

Said District Courts of Appeal shall hold their regular sessions respectively at San Francisco, Los Angeles, and Sacramento, and they shall always be open for the transaction of business.

The District Courts of Appeal shall have appellate jurisdiction on appeal from the Superior Courts in all cases at law in which the demand, exclusive of interest, or the value of the property in controversy, amounts to three hundred dollars, and does not amount to two thousand dollars; also, in all cases of forcible and unlawful entry and detainer (except such as arise in justices' courts), in proceedings in insolvency, and in actions to prevent or abate a nuisance; in proceedings of mandamus, certiorari and prohibition, usurpation of office, contesting elections and eminent domain, and in such other special proceedings as may be provided by law (excepting cases in which appellate jurisdiction is given to the Supreme Court); also on questions of law alone, in all criminal cases prosecuted by indictment or information in a court of record, excepting criminal cases where judgment of death has been rendered. The said courts shall also have appellate jurisdiction in all cases, matters, and proceedings pending before the Supreme Court which shall be ordered by the Supreme Court to be transferred to a district court of appeal for hearing and

decision. The said courts shall also have power to issue writs of mandamus, certiorari, prohibition and habeas corpus, and all other writs necessary or proper to the complete exercise of their appellate jurisdiction. Each of the justices thereof shall have power to issue writs of habeas corpus to any part of his appellate district upon petition by or on behalf of any person held in actual custody, and may make such writs returnable before himself or the District Court of Appeal of his district, or before any superior court within his district, or before any judge thereof.

The Supreme Court shall have power to order any cause pending before the Supreme Court to be heard and determined by a district court of appeal, and to order any cause pending before a district court of appeal to be heard and determined by the Supreme Court. The order last mentioned may be made before judgment has been pronounced by a district court of appeal, or within thirty days after such judgment shall have become final therein. The judgments of the District Courts of Appeal shall become final therein upon the expiration of thirty days after the same shall have been pronounced.

The Supreme Court shall have power to order causes pending before a district court of appeal for one district to be transferred to the District Court of Appeal of another district, or from one division thereof to another, for hearing and decision.

The justices of the District Courts of Appeal shall be elected by the qualified electors within their respective districts at the general state elections; and the term of office of said justices shall be twelve years from and after the first day of January next succeeding their election.

Upon the adoption by the people of this section by amendment at the general election of the year one thousand nine hundred eighteen, the Governor shall appoint six persons to serve as justices of the District Courts of Appeal: three as justices of division two of the first appellate district, and three as justices of division two of the second appellate district, from and after their qualification and until the next general election and qualification of their successors. The justices of divisions two of the first and second appellate districts elected as above provided, shall so classify themselves by lot that one of them shall go out of office at the end of four years, one of them at the end of eight years, and one of them at the end of twelve years, and entry of such classification shall be made in the minutes of said division, signed by the three justices thereof, and a duplicate thereof filed in the office of the Secretary of State.

If any vacancy occur in the office of a justice of the District Courts of Appeal, the Governor shall appoint a person to hold office until the election and qualification of a justice to fill the vacancy. Such election shall take place at the next succeeding general state election, as aforesaid; the justice then elected shall hold office for the unexpired term; *provided*, that whenever the term of office of the justice whose place is filled by appointment is fixed by law to expire on the first Monday of January after the next succeeding general election, then the person so appointed to fill the vacancy shall hold office for the remainder of such unexpired term.

One of the justices of each of the District Courts of Appeal, and of each division of said courts, shall be the presiding justice thereof, and as such shall be appointed or elected, as the case may be.

The presence of two justices shall be necessary for the transaction of any business by such court except such as may be done at chambers, and the concurrence of two justices shall be necessary to pronounce a judgment.

Whenever any justice of the Supreme Court is for any reason disqualified or unable to act in a cause pending before it, the remaining justices may select one of the justices of the District Court of Appeal or of the Superior Court to act *pro tempore* in the place of the justice so disqualified or unable to act.

Whenever any justice of a district court of appeal, or any division thereof, is for any reason disqualified or unable to act in any cause pending before it, the other justices of said court or division may appoint a justice of the District Court of Appeal of another district or division, or a judge of a superior court who has not acted in the cause in a court below, to act *pro tempore* in the place of the judge so disqualified or unable to act.

No appeal taken to the Supreme Court or to a district court of appeal shall be dismissed for the reason only that the same was not taken to the proper court, but the cause shall be transferred to the proper court upon such terms as to costs or otherwise as may be just, and shall be proceeded with therein as if regularly appealed thereto.

All statutes now in force allowing, providing for or regulating appeals to the Supreme Court shall apply to appeals to the District Courts of Appeal so far as such statutes are not inconsistent with this article and until the Legislature shall otherwise provide.

The Supreme Court shall make and adopt rules not inconsistent with law for the government of the Supreme Court and of the District Courts of Appeal and of the officers thereof, and for regulating the practice in said courts, and for the distribution of causes between the divisions of said court.

"EXHIBIT B"

A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California to be known as Section 26 of Article VI

thereof, relating to the adoption of rules of pleading and practice in the courts of the State of California.

The legislature of the State of California at its regular session commencing on the 8th day of January, 1917, two-thirds of the members elected to each of the two houses of said legislature voting in favor thereof, hereby proposes an amendment to the Constitution of the State of California, to be known as Section 26 of Article VI thereof, to read as follows:

The Supreme Court shall have power to prescribe from time to time the forms of writs and other process; the mode and manner of framing and filing pleadings and proceedings; the time, mode and manner of taking and prosecuting appeals to the Supreme Court, the District Courts of Appeal and the Superior Court; the mode and manner of giving notice and serving process and writs of all kinds; the mode and manner of production of evidence; and generally to prescribe and regulate by rule the mode and manner of pleading and practice to be used in all civil actions and proceedings of whatever nature in the courts of this State. In prescribing such rules, the Supreme Court shall have regard to the simplification of the system of pleadings and practice in said courts so as to promote the speedy and inexpensive determination of litigation on the merits. When and as the rules of court herein authorized shall be adopted and go into effect, all laws in conflict therewith shall be and become of no further effect. Nothing herein contained shall be construed as conferring on the Supreme Court the power to prescribe any rules, the effect of which will be to deprive any person of the right to any writ or remedy now or hereafter provided by law, or to enlarge or curtail the right to such writ or remedy. The District Courts of Appeal, the Superior Court and inferior courts may adopt rules for their own government not inconsistent with the rules prescribed by the Supreme Court or with law.

All rules adopted by the Supreme Court in accordance with the provisions hereof shall go into effect ninety days after their adoption. A certified copy of such rules shall within ten days after such adoption be filed with the secretary of state and with the county clerk of each county of the state. The Supreme Court may cause such further notice of the adoption of such rules to be given in such manner as it may deem proper.

"EXHIBIT C"

A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, to be known as Section 27 of Article VI thereof, providing for the appointment of a commissioner of justice, and prescribing his duties and responsibilities.

The Legislature of the State of California, at its regular session commencing on the 8th day of January, 1917, two-thirds of the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes an amendment to the Constitution of the State of California, to be known as Section 27 of Article VI thereof, to read as follows:

There shall be a commissioner of justice, who shall be appointed by the Governor and Chief Justice of the Supreme Court.

It shall be his duty to investigate the entire judicial system of the State and the operations and procedure of the courts, and to recommend such changes in the organization and jurisdiction of the courts, in the rules of practice and procedure and in the number and duties of judicial officers as in his judgment shall be necessary; to collect and preserve information and statistics respecting the business of the courts and the conditions of their calendars; to report the same to the Governor annually on or before the first day of July in each year; to recommend to the Legislature the removal of judges for neglect of duty, inefficiency or incapacity; to make recommendations for the assignment of judges to fill temporary vacancies in any court; and generally, to do and perform all of the duties other than judicial necessary and convenient in connection with the administration of the judicial department of the State and as may be imposed upon him by law. He shall be an attorney duly licensed to practice in all of the courts of the State for a period of at least ten years before the date of his appointment and shall devote his entire time to the duties of his office. He shall receive the same salary as a justice of a district court of appeal, and shall not be a candidate for any other office during his term or within one year after the expiration thereof.

"EXHIBIT D"

A resolution proposing to the People of the State of California an amendment to Section 11 of Article VI of the Constitution of the State of California, relating to courts, and providing for the creation of and fixing the jurisdiction of inferior courts, and regulating appeals therefrom.

The Legislature of the State of California, at its regular session commencing on the 8th day of January, 1917, two-thirds of the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes an amendment to the Constitution of the State of California amending Section 11 of Article VI thereof, so as to read as follows:

SEC. 11. The legislature shall determine the name and number of each of the inferior courts in townships, counties, cities and counties, incorporated cities and in towns, according to the population thereof, and the number and qualification of judges or justices thereof, and fix by law the powers, duties and responsibilities of such courts and the judges or justices thereof, provided such powers shall not trench upon the jurisdiction of the several courts of record, except that the legislature may, notwithstanding anything to the contrary contained in this constitution, or in any amendment thereto adopted contemporaneously with this section, provide by law that said inferior courts established in cities, or cities and counties, or counties having a population of one hundred and fifty thousand or over, as determined by the federal census last preceding the enactment of such law, may have exclusive original jurisdiction, or jurisdiction concurrent with the Superior Court in all or any of the following cases:

1. Actions of forcible entry, forcible detainer and unlawful detainer, where the rent or rental value claimed does not exceed $100 per month, and where the whole amount of damages claimed does not exceed $1,000.

2. Actions arising on contract for the recovery of money only if the sum claimed, exclusive of interest, does not exceed $1,000.

3. Actions for damages for injury to the person or for taking, detaining, or injuring personal property, or for injury to real property where no issue is raised by the verified answer of the defendant involving the title to or right of possession of the same, if the damages claimed does not exceed $1,000.

4. Actions to recover the possession of personal property, if the value of such property does not exceed $1,000.

5. Actions for a fine, penalty, or forfeiture not exceeding $1,000, given by statute or the ordinance of any county, incorporated city and county, city or town, where no issue is raised by the answer involving the legality of any tax, impost, assessment, toll, or municipal fine.

6. Actions upon bonds or undertakings conditioned for the payment of money, if the sum claimed does not exceed $1,000, though the penalty may exceed that sum.

7. Actions to enforce and foreclose liens on personal property where the amount of the obligation secured, exclusive of interest, does not exceed $1,000.

8. Actions to take and enter judgment for the recovery of money on the confession of the defendant where the amount confessed, exclusive of interest, does not exceed $1,000.

And the legislature shall provide that in such inferior courts in townships, counties, cities and counties, incorporated cities and in towns, of a population less than one hundred fifty thousand such inferior courts shall have concurrent jurisdiction with the Superior Courts:

1. In actions of forcible entry, forcible detainer and unlawful detainer where the rent or rental value of the property claimed does not exceed $25 per month and the whole amount of damages claimed does not exceed $200.

2. In actions to enforce and foreclose liens on personal property where the amount of the obligation secured, exclusive of interest, does not exceed $300.

In all cases commenced in inferior courts in which appeals to the Superior Court may be prescribed by law, the judgment therein shall be final and conclusive, subject, however, to a motion for a new trial where the same may be provided by law.

"EXHIBIT E."

An act to amend sections 276, 277, 279, to repeal sections 280*a* and 280*b*, and to add a new section to be known as section 276*a*, of the Code of Civil Procedure, all relating to admission to practice as attorney and counselor at law.

The people of the State of California do enact as follows:

SECTION 1. Section two hundred seventy-six of the Code of Civil Procedure is hereby amended so as to read as follows:

276. Every applicant for admission as an attorney and counselor at law must present to one of the district courts of appeal satisfactory testimonials of good moral character, together with satisfactory proof that for at least three years with the purpose of obtaining admission to the bar and of entering into the actual practice of the law he has diligently and in good faith studied law in such manner, upon such subjects and under such conditions as the Supreme Court or the board of bar examiners shall have prescribed. He must also produce a certificate showing that he has satisfactorily passed an examination conducted by the board of bar examiners.

SEC. 2. A new section is hereby added to the Code of Civil Procedure, to be known as section two hundred seventy-six *a*, to read as follows:

276*a*. The Supreme Court is empowered to appoint three competent attorneys to examine applicants for admission as attorneys and counselors at law. Such persons shall constitute the board of bar examiners. The said board shall hold examinations of applicants for admission to the bar upon such subjects and at such times and places as the Supreme Court or said board may, by its rules or orders direct, provided that said examinations shall be wholly or in part written examinations. Said board shall issue a certificate to each of said applicants who shall satisfactorily pass such

examination and who shall satisfy this board as to his moral character. Nothing herein shall be construed as preventing the district courts of appeal from further examining any applicant where deemed proper.

In addition to any fee prescribed by law for certificate of admission of attorney or counselor, every applicant for examination shall pay to the Clerk of the District Court of Appeal to which he presents his application, as a fee for such examination, such sum as may be fixed from time to time by the Supreme Court, not exceeding the sum of fifteen dollars. Such fees must be paid into the state treasury to the credit of the bar examination fund and accounted, settled and charged for, in the same manner as provided by law for other fees collected by said clerk. A bar examination fund is hereby created for the salaries and expenses of said board of bar examiners, which fund is under the control of the Supreme Court. Upon the order of the Supreme Court the controller must without approval of any board, draw his warrant upon the treasurer for the amount specified, and in favor of the person designated in such warrant, which warrant must be paid out of such fund exclusively. Unused balances, if any, in such fund may be transferred to the general fund, from time to time, upon the order of the supreme court.

Each of the members of said board shall receive for his services annually a sum not to exceed $500 to be fixed by the order of the Supreme Court, together with necessary traveling and incidental expenses, including clerical assistance, all of which shall be paid exclusively out of the fees of applicants for examination as hereinbefore provided.

No person who is engaged in the teaching of law or who is connected with any law school either in a teaching or an administrative capacity, or who has been connected with such law school within a period of one year next preceding the date of appointment, shall be eligible as a member of said board, or in any employment under said board.

The members of said board shall hold office during the pleasure of said Supreme Court, and all vacancies therein shall be filled by said court.

SEC. 3. Section two hundred seventy-seven of the Code of Civil Procedure is hereby amended so as to read as follows:

277. Upon presentation to it of the evidence required by section two hundred seventy-six, any district court of appeal shall admit the applicant as an attorney and counselor at law in all the courts of this state, and shall direct an order to be entered to that effect upon its records, and that a certificate of such admission be given to him by the clerk of the court, which certificate shall be his license. Every person admitted to practice by a district court of appeal, either upon examination or otherwise, may practice as an attorney in all of the courts of this state, including the Supreme Court; and every person now entitled to practice in the Supreme Court of this state may practice as an attorney in any district court of appeal.

SEC. 4. Section two hundred seventy-nine of the Code of Civil Procedure is hereby amended so as to read as follows:

279. Every citizen of the United States, or person resident of this state, who has, bona fide, declared his intention to become a citizen in the manner required by law, who has been admitted to practice law in the highest court of a sister state, or of a foreign country, where the common law of England constitutes the basis of jurisprudence, and who has been engaged in actual practice in such state or foreign country for a period of at least three years, may be admitted to practice in all the courts of this state, by any district court of appeal, upon the production of his license, and satisfactory evidence that his license has not been revoked and that he is of good moral character, and that he has been so engaged in actual practice in such state or foreign country for a period of at least three years; but the court shall before admitting any such person to practice require an investigation and report by the board of bar examiners as to his moral and other qualifications.

SEC. 5. Section two hundred eighty *a* of the Code of Civil Procedure is hereby repealed.

SEC. 6. Section two hundred eighty *b* of the Code of Civil Procedure is hereby repealed.

SEC. 7. All acts or portions of acts inconsistent with this act are hereby repealed.

EXPENDITURES OF THE COMMITTEE ON THE RELIEF OF APPELLATE COURTS.

Frederick W. Kant, secretary and reporter, 30 days employment at $6 per diem	$180 00
Angelo L. Baldwin, clerk, 27 days at $6 per diem	162 00
Incidental expenses, carfare, phone, etc.	1 20
Expense of trip to Sacramento for judiciary bills	8 05
Stamps	9 65
Stenographer for Mr. Short for preparation of report of subcommittee	3 00
Typewriters and stand	6 50
Table for committee room	2 50
Clerical assistance rendered A. E. Bolton	40 00
Expressage	75
Total expense	$413 65

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 17—An act to amend section 310 of the Penal Code, relating to the use of the national flag for advertising purposes;

Also: Senate Bill No. 22—An act to amend section 637½ of the Penal Code, relating to the protection of game;

And respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 22—An act to amend section 637½ of the Penal Code, relating to the protection of game

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER TWENTY-TWO.

AMENDMENT NUMBER ONE.

In line 11 of the printed bill, following the parenthesis after the words "flying squirrels", insert the following: "the black-tailed jackrabbit of the order Lagomorpha".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 22."

The roll was called, and Assembly amendment to Senate Bill No. 22 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Chamberlin, Crowley, Duncan, Evans, Flaherty, Irwin, Johnson, Jones, Kehoe, King, Lyon, McDonald, Nealon, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—25.

NOES—None.

Senate Bill No. 22 ordered to enrollment.

Senate Bill No. 17 ordered to unfinished business file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, title amended, Senate Bill No. 827—An act to provide for the periodical inspection of elevators operated in places of employment in this State; to require a permit for such operation; to make it a misdemeanor to operate such elevator without such permit; and to provide for an injunction against such operation if dangerous to the life or safety of employees; to vest in the Industrial Accident Commission the power to make such inspections and determine the competency of inspectors and require reports of inspections; and to issue such permits and prescribe maximum fees therefor.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 827 ordered to unfinished business file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 845—An act to amend section 3650 of the Political Code, relating to the assessment of property;

Also: Assembly Bill No. 1248—An act to amend sections 1188 and 1192 of the Political Code, relating to the nomination of candidates otherwise than by primary election, and to the filing of nomination papers;

Also: Assembly Bill No. 575—An act to add a new section to the Political Code, to be numbered 1733*a*, relating to the exclusion of elementary school districts from union and joint union high school districts, for the purpose of organizing a new union or joint union high school district, and providing for the organization of such new union or joint union high school district;

Also: Assembly Bill No. 147—An act to amend section 628f of the Penal Code, relating to the protection of shellfish;

Also: Assembly Bill No. 653—An act regulating the issuance of charters, licenses or permits for institutions for the teaching of the healing art or any of its branches in California.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 845 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1248 read first time, and referred to Committee on Elections.

Assembly Bill No. 575 read first time, and referred to Committee on Education.

Assembly Bill No. 147 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 653 read first time, and referred to Committee on Public Health and Quarantine.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Constitutional Amendment No. 35—Proposed amendment to the Constitution, relative to a resolution to propose to the people of the State of California to amend the Constitution of said State by adding a new section to Article XIII thereof to be numbered 1½, relating to the exemption of Young Men's Christian Association and Young Women's Christian Association properties used for association purposes.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Constitutional Amendment No. 35 read first time, and referred to Committee on Constitutional Amendments.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., the hour of recess was extended until one o'clock p.m.

THIRD READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 232—An act providing for the examination, certification and registration of plumbers, prescribing powers and duties of the State Board of Health in reference thereto, and penalties for a violation of the provisions hereof.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Lyon moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Chamberlin, Crowley, Duncan, Flaherty, Ingram, Irwin, Johnson, Jones, Kehoe, King, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Tyrrell—27.

The Secretary announced the absentees.

Time, twelve o'clock and forty-five minutes p.m.

The President pro tempore directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At twelve o'clock and fifty minutes p.m., Senators Evans, Luce, Hans, Inman, Burnett, Maddux, and Shearer were brought to the bar of the Senate, and, on motion of Senator Lyon, were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At twelve o'clock and fifty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Lyon.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Assembly Bill No. 232 finally passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Crowley, Evans, Flaherty, Hans, Ingram, Inman, Irwin, Johnson, King, Lyon, McDonald, Nealon, Purkitt, Rush, Scott, Sharkey, Shearer, and Tyrrell—24.

NOES—Senators Brown, Carr, W. J., Chamberlin, Chandler, Duncan, Jones, Kehoe, Luce, Maddux, Rigdon, Slater, and Stuckenbruck—12.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Senator Irwin gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 232 was passed.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, March 20, 1917.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 751—An act to prevent the importation into or transportation through the State of California of insects injurious to cultivated crops, providing exemption for specific scientific purposes, fixing the authority to grant such exemption, and providing a penalty for a violation of the terms of this act—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

KING, Chairman.

Senate Bill No. 751 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 20, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 777—An act to amend section 7 of an act entitled "An act to carry into effect the provisions of section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, as amended February 3, 1913, and January 28, 1915—and reports that the same has been correctly re-engrossed.

CANEPA, Chairman.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(OUT OF ORDER).

The following resolutions were offered:

By Senator Kehoe: Senate Constitutional Amendment No. 45—Proposed amendment to Article VI of the Constitution, relative to the Supreme Court and District Courts of Appeal, and providing for two divisions of the District Courts of Appeal of the First and Second Appellate Districts.

Resolution ordered to print, and referred to Committee on Constitutional Amendments.

Also: Senate Constitutional Amendment No. 46—Proposed amendment to Article VI of the Constitution, relative to courts and providing for the creation of and fixing the jurisdiction of inferior courts, and regulating appeals therefrom.

Resolution ordered to print, and referred to Committee on Constitutional Amendments.

Also: Senate Constitutional Amendment No. 47—Proposed amendment to Article VI of the Constitution, relative to the adoption of rules of pleading and practice in the courts of the State of California.

Resolution ordered to print, and referred to Committee on Constitutional Amendments.

Also: Senate Constitutional Amendment No. 48—Proposed amendment to Article VI of the Constitution, relative to providing for the appointment of a commissioner of justice, and prescribing his duties and responsibilities.

Resolution ordered to print, and referred to Committee on Constitutional Amendments.

ADJOURNMENT.

At one o'clock p.m., on motion of Senator Benson, the President pro tempore declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Wednesday, March 21, 1917.

The Senate met at ten o'clock a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—39.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, March 20, 1917, the further reading was dispensed with, on motion of Senator Stuckenbruck.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Duncan, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mrs. E. O. Lynne of Chico.

REPORT OF STATE BOARD OF EQUALIZATION.

The following report was received and ordered printed in the Journal:

SACRAMENTO, March 20, 1917.

To the Senate of the State of California:

On February 28th last there was certified to the State Board of Equalization the following resolution adopted by the Senate:

"SENATE RESOLUTION.

"Relating to the scarcity of certain foodstuffs in the State of California.

"WHEREAS, The scarcity of certain necessary foodstuffs in the State of California has brought about a condition of affairs extremely onerous and oppressive; and

"WHEREAS, By reason of said condition the people of the State of California are compelled to pay unreasonable and exorbitant prices for the said foodstuffs, thus working a very great hardship on our people; and

"WHEREAS, It is reported that there are large quantities of these foodstuffs stored in the various warehouses in the State of California, which, if released, would tend to relieve the conditions herein referred to; therefore, be it

"*Resolved*, That the Senate of the State of California, in regular session assembled, respectfully requests the State Board of Equalization to immediately instruct the assessors of the various counties of this State to ascertain the amount of foodstuffs so stored in their respective territories and to immediately present a report of their findings to the said State Board of Equalization, and that the latter board, without unnecessary delay, transmit to this body the information obtained by it."

In pursuance of said resolution the State Board of Equalization, on March 1st, mailed a communication to the several county assessors in the following language:

"*To the County Assessor:*

"The State Board of Equalization has been requested by the Senate of the State of California to ask the assistance of the county assessors in ascertaining the amount of foodstuffs in storage in the several counties.

"A copy of the Senate resolution is appended and suggests in apt language the information desired.

"Please at once get in touch with your several deputies and other persons having knowledge of such matter, collect fully the desired information and report to this board at your earliest opportunity.

"Under the decision of our Supreme Court in the case of *Bode* vs. *Holtz*, 65 Cal. 106, it is made the duty of warehousemen and others having custody and control of property belonging to others, to furnish the assessor with a detailed statement of all of the property in their possession. You are clothed with ample authority to ascertain the contents of warehouses and other storage places.

"Please bear in mind that it is the Senate which desires this information, to be used possibly in the enactment of legislation for the bettering of mankind."

In behalf of said board, I now report that replies have been received from forty-nine counties; and I am enclosing herewith all letters, data and information so received.

Further, at this time, the following counties have not sent in replies or data in response to the foregoing request: Humboldt, Imperial, Inyo, Modoc, Mono, Santa Clara, Sierra, Siskiyou, Trinity.

We request permission of your honorable body to file reports from the missing counties when received.

Respectfully submitted,

STATE BOARD OF EQUALIZATION.
R. E. COLLINS, Chairman.

INDEPENDENCE, CALIFORNIA, March 19, 1917.

Hon. John S. Chambers,
State Controller,
Sacramento.

DEAR SIR: In answer to your request for a report from this office regarding the amount of foodstuffs stored in Inyo County at the present time, I have the honor to report, that by the next harvest, I doubt if there will be anything in that line left in this county.

There are no potatoes, onions, beans, etc., except those still in the hands of the farmers, and then in very small quantities, as practically all of the surplus was shipped in the fall.

There are about 75 tons of wheat in the mills, of which there are two, and practically no flour; in fact, there is nearly as much flour shipped into this county as is produced here; this is also true of other cereals, such as corn, oats and barley. Therefore I can safely state that there are no surplus foodstuffs stored in this county at present.

Very truly yours,

V. L. JONES,
Assessor of Inyo County.

OAKLAND, CALIFORNIA, March 12, 1917.

State Board of Equalization,
Thos. M. Eby, Secretary,
Sacramento.

GENTLEMEN: In accordance with your request and the resolution of the State Senate, we herewith transmit to you a statement of various food products in this county on the first Monday in March at 12 o'clock, 1917.

This statement is compiled from reports of our deputies who, upon receipt of your letter, were instructed forthwith to report the facts to this office. These several articles of food products are listed as follows:

177,700 lbs. wheat in warehouse.	30,786 cases can vegetables.
15,900 lbs. oats in warehouse.	675,000 lbs. barley in warehouse.
17,100 lbs. bran and middlings in warehouse.	1,990 tons hay in warehouse.
	501,750 lbs. flour.
417,835 lbs. potatoes.	30,630 lbs. onions.
100,025 lbs. beans.	120,950 lbs. rice.
906,440 lbs. sugar.	59,298 cases can fruits.

We do not claim that this statement is absolutely correct, but we do believe as near correct as can be ascertained in the length of time you have allowed us. The supply is not up to the average this year, most of our wholesale dealers and large grocery stores buying direct from the wholesale houses in San Francisco and hence keep no large supply on hand here.

Trusting this report will assist you in your report, beg to remain,

Very truly yours,

C. F. HORNER, Assessor.
By THOS. M. ROBINSON, Assistant Assessor.

MARKLEEVILLE, CALIFORNIA, March 5, 1917.

State Board of Equalization,
Sacramento.

DEAR SIR: I have your letter of March 1st relative to the scarcity of certain foodstuffs in the State of California.

I beg to say that I am unable to submit any report, as there are no warehouses or holdings of foodstuffs in Alpine County.

Very truly yours,

A. L. STEWART.

SUTTER CREEK, March 9, 1917.

Mr. T. M. Eby, Secretary, State Board of Equalization, Sacramento.

MY DEAR SIR: Per your request on amount of foodstuffs in Amador County, I have found the following, which I think is not the usual amount carried in previous years, and I don't think is ample for the retail trade:

Potatoes, 707 sacks; onions, 2 sacks; beans, 229 sacks; butter, 1,012 pounds; 1,504 cases of vegetables and fruits; dried fruit, 1,960 pounds; cheese, 1,371 pounds; dozens eggs, 1,324; rice, 147 sacks; bacon and ham, 4,020 pounds; flour, 697 barrels; sacks wheat, 559; sacks corn, 150; sacks of barley, 653.

Trusting that this will answer your purpose, and is just what you want, with very best wishes,

Yours respectfully,

CLARENCE E. JARVIS.

CHICO, CALIFORNIA, March 17, 1917.

Mr. T. M. Eby, Sacramento.

DEAR SIR: The following clipping from newspaper is as near O K as I can make it at this time. I think rice, wheat and barley are very nearly correct. One thousand two hundred sacks spuds, 30 sacks onions and 100 sacks of beans would cover everything in the county, I think.

Yours truly,

A. E. MORTON,
County Assessor.

REPORT OF RICE STORED IN BUTTE COUNTY.

In the recent survey of resources of Butte County made by County Assessor A. E. Morton at the request of the State Board of Equalization, he has discovered that there are millions of pounds of rice, wheat and barley stored away in the warehouses of the county. Basing his opinion on reports gathered by his assistants, Morton believes that at the present time Butte County is one of the richest counties in California in grains.

Reports show that there are 34,987,230 pounds of rice stored in the warehouses. Wheat is next with 2,808,502 pounds, and barley is the lowest with 1,036,615 pounds.

Assessor Morton believes these figures will very nearly cover the entire amount of grain stored in Butte County warehouses on March 5th.

The data is being gathered for the Legislature, which hopes to determine whether or not a combination is responsible for the high cost of commodities prevailing throughout the West. The report will be sent in within the next few days.

The local survey shows that the stock of potatoes carried in Chico March 5th was the lowest in the history of the city. Only 800 sacks of potatoes were on hand. There were only 15 sacks of onions on hand, at the stores. The stock of beans is as low as it has ever been, only sixty sacks being in stock.—[Chico Daily Enterprise.]

SAN ANDREAS, CALIFORNIA, March 6, 1917.

Mr. R. E. Collins, Chairman, State Board of Equalization, Sacramento.

MY DEAR COLLINS: Yours of March 1st received, and in reply will say that I gave the "foodstuff" proposition my immediate attention. It is useless to come to Calaveras, at this time of the year, for the purpose of finding in storage any great amount of the actual necessities of life. In fact, we are shipping in at the present time: flour, wheat, barley, grain, potatoes, beans, butter, eggs, and bacon; and, in fact, beef cattle, to say nothing of other commodities. As far as onions are concerned we have quit on them. I do not believe there are twenty sacks in the county. Have called up the stores, have visited others, have had other parties visit them, and can not find a store in the county who has a hundred sacks of potatoes stored. As for warehouses, we haven't any other than what belong to them, excepting two or three that belong to the railroad company, and they have no foodstuffs to amount to anything stored in them. What they do contain is intended for mountain commissaries, as soon as the roads are in a condition so the freight can be hauled.

Many of the storekeepers have not enough goods on hand to supply their customers until spring. In fact, there are not any of them but what will have to get in some freight to keep their stock up. If you think it is absolutely necessary, I will get the number of sacks of flour, potatoes and grains on hand in each store in the county. Even the farmers have sold down to almost their last sack of potatoes; and, as one of them told me the other day, that what he used to feed to hogs, now is good enough to eat.

Please ask Wyllie about how the food proposition always is in Calaveras at this time of the year. There is plenty to eat and drink, but we get most of it from below, except the water, and we are never *dry* during the *winter* months.

With kind regards to all the boys, I remain,

Yours very truly,

WM. M. NUNER.

P. S. I leave here today for the purpose of visiting the various sections of Calaveras County.

COLUSA, CALIFORNIA, March 11, 1917.

State Board of Equalization, Sacramento.

GENTLEMEN: I herewith hand you report of foodstuffs stored in Colusa County. The same, however, does not include small stocks held by merchants for immediate use. While I am in doubt as to Paddy Rice being classed as foodstuff, to be safe, I am reporting it:

Potatoes	384 bags.
Beans	2,016 bags.
Paddy Rice	248,997 bags.

Yours very truly,

A. F. SUTTON, Assessor.

MARTINEZ, CALIFORNIA, March 16, 1917.

State Board of Equalization, Sacramento.

GENTLEMEN: Answering yours of recent date and also your telegram of today, I have to advise that there were no foodstuffs stored in the warehouses of this county on the first Monday of March.

Very truly yours,

G. O. MEESE, County Assessor

CRESCENT CITY, CALIFORNIA, March 13, 1917.

Hon. R. E. Collins, Chairman State Board of Equalization, Sacramento.

DEAR SIR: In reply to yours of March 1st, as to ascertaining the amount of foodstuffs in this county, will state:

There is about 1,500 sacks of potatoes, owned by retailers and potato raisers. There is no beans, onions, flour or other foodstuffs only what is shipped in from San Francisco.

There seems to be a plenty with prices as follows:

Potatoes	.03@.03½ per lb.
Beans	.10@.15 per lb
Onions	.15 per lb.
Flour	$9.00 per bbl.

Respectfully,

W. F. MALONE, County Assessor

PLACERVILLE, CALIFORNIA, March 5, 1917

Mr. T. M. Eby, Secretary State Board of Equalization, Sacramento.

DEAR SIR: Replying to your letter of March 1, 1917, in regard to foodstuffs in storage in this county, beg to advise your honorable body that there is no storage in this county. There may be a few sacks of potatoes, but they are used for home consumption. With kindest regards, I beg to remain,

Yours very truly,

GEORGE RIEBER, Assessor.

FRESNO, CALIFORNIA, March 8, 1917.

Hon. State Board of Equalization, Sacramento

GENTLEMEN: Acting upon the instructions contained in your circular letter of March 1, 1917, in reference to collecting information as to the amount of foodstuffs in storage in my county, I instructed my deputies to interview the various warehousemen and wholesale dealers in such goods, and to secure from them detailed reports, showing the quantity of such goods on hand. From such reports I find the following:

Potatoes	7,290 sacks.
Beans—various varieties	4,000 sacks.
Onions	65 sacks.

Yours very truly,

G. P. CUMMINGS, County Assessor.

WILLOWS, CALIFORNIA, March 12, 1917

Mr. T. M. Eby, Secretary State Board of Equalization, Sacramento.

DEAR FRIEND EBY: I have been held up in my report by one of the warehouses being a little slow in turning in their report.

The only foodstuff we have in this county, in the warehouses, is rice, and in its present form it would hardly be edible. At any rate we can furnish our proportion of that—there being 17,648,796 pounds in the warehouses of this county.

Should you desire the amount of wheat, barley, corn, etc., I will gladly furnish the dope on short notice.

Yours very truly,

E. C. HARELSON.

BAKERSFIELD, CALIFORNIA, March 16, 1917.

Mr. T. M. Eby, Secretary, State Board of Equalization, Sacramento.

DEAR SIR: As per your telegraph message of this morning, I am enclosing detailed list taken from the warehouses in Kern County as of March 5th.

Yours very truly,

EDITH F. COONS, County Assessor.

LIST KERN COUNTY WAREHOUSES.

Potatoes—1,639 sacks.
Sugar—Bar, 3 one-half bbls.
Powdered, 2 bbls.
Powdered, 3 one-half bbls.
Cube, 1 bbl.
Cube, 3 one-half bbls.
Granulated, 1,283 sacks.
Wheat—12,453 sacks.
Barley—62,487 sacks.
Rolled Barley—147 sacks.
Oats—19 sacks
Flour—1,136 sacks of 100 lbs.
3,120 sacks of 50 lbs.
1,317 sacks of 25 lbs.
753 sacks of 10 lbs.
797 bbls.
Graham Flour—10 sacks of 100 lbs.
117 sacks of 10 lbs.
2 cases.
Pastry Flour—9 sacks of 100 lbs.
Whole Wheat Flour—36 sks. of 10 lbs.
Rye—115 sacks of 100 lbs.
17 sacks of 10 lbs.
White Corn Meal—4 cases.
16 sacks of 50 lbs.
38 sacks of 25 lbs.
64 sacks of 10 lbs.
10 sacks of 24 lbs.
Yellow Corn Meal—10 cases.
2 sacks of 25 lbs.
22 sacks of 10 lbs.
Beans—2,519 sacks.
S. C. O. Meal—One-half case.
Buckwheat—1 case.
26 sacks of 10 lbs.
Rolled Oats—64 sacks of 90 lbs.
155 cases.
Wheat, Albers—345 cases of 10 lbs.
13 cases of 36 lbs.
13 cases of 20 lbs.
Oats, Albers—150 cases of 10 lbs.
10 cases of 18 lbs.
10 cases of 36 lbs.
12 cases of 20 lbs.
Health Bran, Albers—9 cases of 18 lbs.
Flapjack—34 cases of 36 lbs.
38 cases of 24 lbs.
Milk—354 cases.
Olives—11 cases of 2 qts.
3 cases of 1 pt.
2 cases of 5¼ oz.
Olive Oil—¼ doz. 2 gal.
½ doz. 1 pt.
2 doz. ½ gal.
5 doz. 8 oz.
2 doz. 2 oz.
16 doz. 4½ oz.
Soap—561 cases.
Cracked Wheat—One-half case.
12 sacks of 10 lbs.
Wheat Flakes—6 cases.
R. C. Flakes—90 lbs.
Germea—8 sacks.
Grano Turko—200 sacks of 10 lbs.
40 sacks of 25 lbs.
Farina—One-half case.
Cream of Wheat—15 cases.
Monogram Mix—16 sacks of 90 lbs.
70 cases.
Pearl of Wheat—39 cases of 36 lbs.
9 cases of 18 lbs.
Gran. Wheat—8 cases of 24 lbs.
Baking Powder—3 drums.
Rice—12,579 sacks of 100 lbs.
Hominy—1 drum.
48 sacks of 10 lbs.
7 cases.
½ case.
Apples—20 cases (fresh).
Crab—8 cases.
Corn—553 cases.
Tomato Sauce—20 cases.
Tomatoes—226 cases.
Peas—124 cases.
Succotash—10 cases.
Grapes—2 cases.
Pineapple—23 cases.
Beans—87 cases.
Peaches—13 cases.
Cherries—5 cases.
Beets—3 cases.
Spaghetti—7 cases of 25 lbs.
Cornstarch—10 cases.
Sweetpotatoes—5 cases.
Salt—6 cases 20/5.
74 cases 24/2.
3 cases 24/3.
10 cases 25/4.
52 bales 38/4.
28 bales 75/2.
34 bales 15/10.
4 bales 86/1¾.
12 bales 36/2.
11 bales 50/3.
23 bales 20/8.
14 bales 100/1½.
1 bale 18/10.
5 bales 30/5.
18 sacks of 167 lbs.
439 sacks of 50.
198 sacks of 25.
45 sacks of 100.
359 sacks of 50½ grd.
662 bbls. of 280 lbs. to bbl.
65 bales.

HANFORD, CALIFORNIA, March 16, 1917.

State Board of Equalization, Sacramento.

GENTLEMEN: Herewith enclosed please find report of foodstuffs in this county on March 5, 1917.

Yours truly,

GEO. W. MURRAY, County Assessor.

Wheat	14,507 sacks		2,030,980 lbs.
Barley	19,990 sacks		2,098,950 lbs.
Gyp. Corn	9,189 sacks		1,102,680 lbs.
Indian Corn	815 sacks		101,875 lbs.
Potatoes	835 sacks		87,675 lbs.

Flour	1,147 bbls.	224,812 lbs.
Beans	617 sacks.	
Rice—(Paddy)		537,795 lbs.
Canned goods	7245 cases (various kinds).	
Miscellaneous		35,000 lbs.

This does not include any of the merchants stock needed by them in the next 30 days, except flour, beans and potatoes. No list was taken of meats of any kind, as there is not enough in the county to last 30 days.

LAKEPORT, CALIFORNIA, March 5, 1917.

State Board of Equalization, Sacramento.

GENTLEMEN: In answer to your query of March 1st inst. in relation to the storage of food, in Lake County, will say that as far as I can ascertain, there is no storage of food in this county, and only enough in sight for our immediate needs, without any for export. We import most of our flour, bacon, hams, and groceries.

Yours truly,

E. HUDSON,
Assessor Lake County.

SUSANVILLE, CALIFORNIA, March 10, 1917.

State Board of Equalization, Sacramento, California.

GENTLEMEN: Upon receipt of your letter requesting me to ascertain the available food supply in Lassen County, I began making such an investigation and have the following report to make:

There is but one small warehouse company in the county and they have on hand at the present time 150 sacks of potatoes, 100 sacks of oats, ½ car of flour, and 50 sacks of other grains.

Potatoes—A considerable quantity of potatoes were buried by the farmers of the county to be sold this spring, but the long continued cold weather froze the ground to such a depth that when the pits were opened it was found they were almost a total loss. There will not be enough left for the home trade in most places, and in but a few sections will there be enough for planting. We will have to ship potatoes in before the new crop is on.

Wheat—Lassen County raised a very good crop of wheat and the prices were so good I find a great many of the farmers did not retain their seed. We had a great many buyers after our wheat, as most of it is the hard variety and was much sought after by millers, nearly 2,000,000 pounds being shipped to Omaha. In the northern part of the county there is a small amount on hand among the farmers, but no surplus.

Barley—It is impossible to buy any barley in the county.

Oats—Can be had in only a few sections, and then in small quantities. Seed will be scarce.

Rye—A like condition in rye.

Flour—All of the flour consumed in the county is shipped in from outside places, except that which is made in Lassen by a small mill.

Beef Cattle—Three hundred head will cover all the beef held in this county on the first of March.

Mutton—I have not found any mutton sheep in the county.

Hogs—Feed has been so scarce and high in price that all hogs that would do for porkers have been disposed of.

General Merchandise—The stocks of merchandise are about normal, and no surplus amount of foodstuffs are stored by our merchants.

Respectfully submitted.

RUSSELL BROWNELL,
Assessor of Lassen County.

LOS ANGELES, March 16, 1917.

State Board of Equalization, Sacramento, California.

GENTLEMEN: Herewith I hand you report of foodstuffs found in warehouses in Los Angeles County, as per your instructions of March 1st.

Yours truly,

ED W. HOPKINS,
County Assessor.

Beans (H. B.)	16 sacks	Barley	83 sacks
Beans (H. B.)	34 sacks	Beans (H. B.)	6 sacks
Beans (H. B.)	4 sacks	Beans (Tep)	25 sacks
Beans (Ky. W.)	1¼ sacks	Beans (H. B.)	30 sacks
Beans (Tep)	86 sacks	Beans (H. B.)	142 sacks

Beans (Tep)	17	sacks
Beans (Tep)	9	sacks
Beans (H. B.)	7½	sacks
Beans (H. B.)	13	sacks
Beans (B. E.)	22	sacks
Beans (B. E.)	4	sacks
Beans (B. E.)	4	sacks
Beans (H. B.)	523	sacks
Beans (H. B.)	136	sacks
Beans (H. B.)	56	sacks
Beans (H. B.)	38	sacks
Beans (H. B.)	120	sacks
Beans (H. B.)	50,000	lbs.
Beans (H. B.)	50,000	lbs.
Beans (H. B.)	16,320	lbs.
Beans (H. B.)	31	sacks
Beans (H. B.)	4	sacks
Beans (H. B.)	70	sacks
Beans (B. E.)	46	sacks
Beans (H. B.)	1	sack
Beans (Tep)	26	sacks
Beans (H. B.)	3	sacks
Beans (Garvanzas)	13	sacks
Beans (Tep)	10	sacks
Beans (B. E.)	18	sacks
Beans (H. B.)	40	sacks
Beans (Tep)	2,790	lbs.
Beans (H. B.)	57	sacks
Beans (B. E.)	40	sacks
Beans (H. B.)	115	sacks
Beans (H. B.)	4	sacks
Beans (Tep)	152	sacks
Beans (Tep)	3	sacks
Beans (H. B.)	4	sacks
Beans (B. E.)	28	sacks
Beans (H. B.)	20	sacks
Beans (H. B.)	23	sacks
Beans (Tep)	4	sacks
Beans (Tep)	5	sacks
Beans (H. B.)	9,940	lbs.
Beans (Lima)	1	sack
Beans (H. B.)	47	sacks
Beans (Pink)	17	sacks
Beans (B. E.)	45	sacks
Beans (H. B.)	120	sacks
Meat	31,144	lbs.
Poultry	60,844	lbs.
Cheese	49,661	lbs.
Cooking oil	71	bbls.
Meat (sweetbreads, pork, tenders and lamb fries)	3,513	lbs.
Mincemeat	3,550	lbs.
Poultry	849	lbs.
Apples	550	boxes
Poultry	1,256	lbs.
Cheese	120	lbs.
Apples	141	boxes
Cheese	565	lbs.
Clams	80	lbs.
Apples	181	boxes
Fish	450	lbs.
Meat	11,920	lbs.
Apples	126	lugs
Dried chili	1,758	lbs.
Apples	369	lugs
Apples	123	boxes
Meat	2,366	lbs.
Poultry	530	lbs.
Nuts	50	lbs.
Cheese	1,152	lbs.
Cooking oil	30	bbls.
Poultry	970	lbs.
Figs	143	lbs.
Blackberries	4	trays
Berries	493	trays
Apples	234	boxes
Apples	172	boxes
Nuts (shelled)	200	lbs.
Meat	200	lbs.
Apples	15	boxes
Seeds	50	sacks
Apples (cider)	40,063	lbs.
Berries	84	trays
Peaches	50	lbs.
Apples	1,082	boxes
Cheese	340	lbs.
Meat	2,517	lbs.
Apples	418	boxes
Apples	267	lugs
Nuts (shelled)	2,955	lbs.
Berries	277	trays
Nuts	695	lbs.
Apples	50	boxes
Apples	2,284	boxes
Apples	446	boxes
Apples	36	boxes
Meat (in tierces)	71,550	lbs.
Dried chili	2,200	lbs.
Celery	27	crates
Cheese	400	lbs.
Apples	160	boxes
Apples	86	boxes
Apples	20	boxes
Apples	10	boxes
Apples	483	boxes
Apples	107	boxes
Apples	814	boxes
Meat	145	lbs.
Apples	683	boxes
Apples	10	boxes
Onions	1,540	lbs.
Poultry	268	lbs.
Apples	50	lugs
Cheese	845	lbs.
Apples	112	boxes
Apples	21	boxes
Apples	40	boxes
Apples	1,252	boxes
Apples	289	boxes
Dried chili	4,852	lbs.
Fish	11,982	lbs.
Apples	428	boxes
Poultry	425	lbs.
Poultry	2,076	lbs.
Apples	8	boxes
Apples	412	boxes
Nuts	956	lbs.
Horse-radish	24	bbls.
Horse-radish	150	bbls.
Cranberries	1	bbl.
Horse-radish	3	bbls.
Apples	1,364	boxes
Apples	50	boxes
Eggs	46	cases
Celery	15	crates
Poultry	140	lbs.
Apples	908	boxes
Cheese	47,324	lbs.
Dried fish	1,462	lbs.
Meat	746	lbs.
Raisins	250	lbs.
Apples	127	boxes
Herring oil	240	lbs.
Smoked geese	13	lbs.
Berries	22	trays
Horse-radish	8	bbls.
Corn oil	89	bbls.
Apples	30	boxes
Apples	55	boxes

Celery	765	crates
Apples	718	boxes
Fish	373	lbs.
Fish eggs	20	lbs.
Apples	40	boxes
Apples	3,223	boxes
Raisins	920	lbs.
Pears	1,275	lugs
Cranberries	12	bbls.
Celery root	10	lugs
Celery	956	crates
Poultry	54	lbs.
Dried chili	2,624	lbs.
Apples	1,640	boxes
Cheese	1,543	lbs.
Apples	60	boxes
Celery	35	crates
Celery	493	crates
Celery	33	crates
Cheese	9,061	lbs.
Apples	1,595	lbs.
Dried chili	15,547	lbs.
Cranberries	1	bbl.
Onions	5,450	lbs.
Milk	31	bbls.
Apples	352	boxes
Cheese	45,845	lbs.
Onions	55	sacks
Apples	1,019	boxes
Cider	307	bbls.
Apples	167	boxes
Berries	115	crates
Apples	191	boxes
Apples	683	orange boxes
Apples	110	boxes
Onions	1,500	lbs.
Chili	8,098	lbs.
Apples	160	boxes
Celery	77	crates
Poultry	351	lbs.
Apples	80	boxes
Cheese	3,396	lbs.
Meat	300	lbs.
Apples	39	boxes
Apples	359	boxes
Apples	14	boxes
Squabs	86	lbs.
Onions	1,500	lbs.
Apples	394	lugs
Poultry	2,136	lbs.
Horse-radish	111	bbls.
Poultry	83	lbs.
Meat (pickled)	270,551	lbs.
Apples	98	boxes
Apples	187	boxes
Apples	80	boxes
Meat	20,127	lbs.
Hams	102	lbs.
Meat	1,211	lbs.
Celery	23	crates
Meat	5,747	lbs.
Poultry	601	lbs.
Celery	119	crates
Raisins	10,000	lbs.
Poultry	5,987	lbs.
Poultry	336	lbs.
Apples	473	boxes
Cheese	152	lbs.
Onions	37,605	lbs.
Onions	105	lugs
Apples	300	boxes
Apples	81	boxes
Onions	23	lugs
Apples	1,726	boxes
Potatoes	783	sacks
Cheese	3,313	lbs.
Meat	3,290	lbs.
Apples	345	boxes
Garlic	400	lbs.
Poultry	2,687	lbs.
Cheese	688	lbs.
Apples	2	boxes
Apples	1,792	boxes
Apples	1,655	boxes
Apples	154	lugs
Horse-radish	190	bbls.
Apples	28,068	boxes
Lemon and orange peel	800	lbs.
Celery	243	crates
Pears	1,301	lugs
Cranberries	165	bbls.
Poultry	50	lbs.
Onions	886	lugs
Apples	9,829	lugs
Pomegranates	35	lugs
Apples	497	boxes
Apples	187	boxes
Apples	190	boxes
Apples	1,494	boxes
Apples	655	boxes
Apples	519	boxes
Cranberries	10	bbls.
Apples	273	boxes
Apples	223	boxes
Poultry	78	lbs.
Cheese	1,927	lbs.
Apples	10	boxes
Pork tenders	187	lbs.
Apples	70	lugs
Potatoes	24,832	sacks
Celery	45	crates
Apples	45	boxes
Apples	140	boxes
Horse-radish	35	bbls.
Celery	20	crates
Pork loins	2,311	lbs.
Argo oil	37	bbls.
Quinces	1,404	lbs.
Apples	306	boxes
Squabs	85	lbs.
Horse-radish	13	bbls.
Apples	157	boxes
Onions	30	lugs
Apples	3,730	boxes
Apples	132	boxes
Apples	1,500	boxes
Onions	100	lugs
Onions	150	sacks
Apples	21	boxes
Apples	12	boxes
Apples	5	boxes
Apples	140	boxes
Apples	29	boxes
Apples	334	lugs
Celery	20	crates
Meat	2,586	lbs.
Apples	89	lugs
Onions	11	sacks
Potatoes	1,100	sacks
Celery	140	crates
Onions	106	lugs
Berries	40	trays
Eggs	155	cases
Poultry	93,986	lbs.
Apples	830	boxes
Apples	328	lugs
Apples	480	lugs
Apples	576	lugs

Apples	85	lugs
Apples	34	lugs
Apples	371	boxes
Apples	30	lugs
Apples	8	lugs
Beans	53	sacks
Macaroni	1,720	cases
Macaroni (creamettes)	98	cases
Barley (cereal)	78	cases
Oats, rolled	50	ctns.
Beans (Lima)	65	bags
Rice	164	bags
Sugar	10,126	bags
Milk (malted)	2,017	pkgs.
Coffee (green)	1,921	sacks
Cornstarch	768	cases
Cornflakes	1,251	cases
Wheat biscuits	100	cases
Krumbles	190	cases
Beans (white)	335	sacks
Beans (white)	126	sacks
Beans (pink)	250	sacks
Beans (blackeye)	115	sacks
Beans (Lima)	425	sacks
Sugar	460	sacks
Full meal	1,150	cases
Mellin's Food, large	1,209	cases
Mellin's Food, small	147	cases
Milkose	748	cases
Milkose	276	cases
Cocoanut, dromedary	116	cases
Tapioca, dromedary	34	cases
Gumbo	57	cases
Tobasco	37	cases
Creole dinner	33	cases
Canned fish	149	cases
Coffee	2,850	bags
Canned fish	20	cases
Ice cream cones	719	cases
Meal roman	22	bags
Malto meal	91	cases
Gelatine	15	cases
Cooking salt	10	bags
Shaker salt	25	cases
Salt (H. P.)	25	cases
Coffee	401	bags
Olive oil	88	cases
Olive oil (salad)	23	cases
Chili con carne	89	cases
Barley (Robinson's)	15	cases
Mustard	23	cases
Oil (cooking)	1,040	cases
Rice	275	sacks
Malt breakfast food	10	cases
Macaroni products	1,133	cases
Oats (National)	700	cases
Soup (Snider's)	165	cases
Catsup, tomato	109	cases
Rice	384	bags
Maple syrup	103	cases
Sardines	3,000	cases
Breakfast food	146	cases
Flour	65	bags
Honey	17	cases
Beans (Lima)	90	sacks
Coffee (substitute)	145	cases
Jiffy Jell	172	cases
Rice	514	mats
Cheese	1,612	lbs.
Cheese	5,230	lbs.
Garlic	1,120	lbs.
Carrots	42,135	lbs.
Parsnips	1,677	lbs.
Turnips	14,274	lbs.

Rhubarb	69	boxes
Garlic	1,500	lbs.
Celery	38	crates
Apples	364	
Apples	426	
Apples	8,940	
Apples	465	
Apples	270	
Cheese	3,524	lbs.
Celery	65	crates
Cheese	862	lbs.
Apples	1,400	lbs.
Apples	900	
Apples	180	
Apples	150	
Herring (keg)	87	
Celery	114	crates
Cheese	3,949	lbs.
Celery	156	crates
Apples	380	
Apples	822	
Meat	22,875	lbs.
Celery	40	crates
Celery	64	crates
Coffee	70	sacks
Tea	79	chests
Olives, canned	911	cases
Olives	82	cases
Canned goods	110	cases
Potatoes	315	sacks
Beans (pink)	120	bags
Rice	65	bags
Rice	24	bags
Milk (Carnation)	391	cases
Milk (Carnation)	336	cases
Milk (Carnation)	274	cases
Milk (Sego)	122	cases
Milk (Sego)	172	cases
Salt	31	tons
Tomatoes (canned)	638	cases
Coffee	66	bags
Pork and beans	41	cases
Olives	60	cases
Olives (small)	61	cases
Raisins (Sultanas)	1,750	cases
Honey	98	cans
Honey	300	cases
Beans	685	bags
Apples (canned)	381	cases
Flour (pancake)	67	ctns.
Powder (baking)	1,000	cases
Butter fat	78	cases
Chocolate	500	cases
Cocoa	95	cases
Peaches (canned)	12	cases
Mincemeat	730	cases
Milk (con.)	350	cases
Plum pudding	17	cases
Malted milk	670	cans
Olives	47	cases
Coffee (Aladdin) No. 1	94	cans
Coffee (Aladdin) No. 3	3	cans
Coffee (M. J. B.)	24	cans
Coffee (M. J. B.)	342	cans
Coffee (M. J. B.) No. 1	1,914	cans
Coffee (M. J. B.) No. 3	337	cans
Coffee (M. J. B.) No. 5	220	cans
Coffee (Bleazall) No. 1	78	cans
Coffee (Bleazall) No. 3	60	cans
Coffee (Power) No. 4	48	cans
Coffee (Best Ever) No. 25	5	cans
Coffee (Palm) No. 25	2	cans
Coffee (Power) No. 1	1,034	cans
Tea (Ceylon) 8 oz.	707	pkgs.

Tea (Ceylon) 16 oz.	158	pkgs.
Tea (E. B.) 8 oz.	254	pkgs.
Tea (E. B.) 16 oz.	53	pkgs.
Tea (Gunpowder) 8 oz.	31	pkgs.
Tea (Gunpowder) 16 oz.	30	pkgs.
Tea (Unc. Japan) 8 oz.	1,152	pkgs.
Tea (Unc. Japan) 16 oz.	249	pkgs.
Tea (Oolong) 8 oz.	8	pkgs.
Tea (Oolong) 16 oz.	10	pkgs.
Tea (Ralph) ½ chests	13	pkgs.
Tea (Oriental) 8 oz.	17	pkgs.
Tea (Oriental) 16 oz.	15	pkgs.
Rice (Moonbeam No. 1)	312	
Rice (Moonbeam No. 6)	72	
Rice (Moonbeam No. 14)	9	
Rice (Moonbeam No. 16)	269	
Rice (Moonbeam No. 22)	6	
Rice (Moonbeam No. 29)	195	
Rice (Moonbeam No. 30)	2	
Rice (Moonbeam No. 37)	19	
Rice (Moonbeam No. 80)	278	
Rice (Moonbeam No. 80)	6	
Rice (Moonbeam No. 149)	95	
Rice (Moonbeam No. 197)	113	
Rice (Moonbeam No. 202)	50	
Rice (Moonbeam No. 300)	100	
Rice (Moonbeam No. 830)	94	
Rice (Moonbeam No. 840)	56	
Rice (Moonbeam No. 846)	117	
Rice (Shogun)	157	
Rice (Mats Circle N)	59	
Rice (Drive)	36	
Rice, E. P. Co.	2	
Rice, Pure Food, 100/1	29	
Rice, Pure Food, 40/2½	28	
Rice, Pure Food, 20/5	13	
Flour	200	sacks
Flour	270	sacks
Flour	634	sacks
Flour	692	sacks
Flour	2,804	sacks
Cocoa, Breakfast	3	cans
Cocoa, Belfry	1	case
Cocoa, Belfry	1	case
Flour, Aunt Jemima Pancake	21	cases
Mincemeat	20	lbs.
Mincemeat	1	¼ bbls.
Mincemeat	10	cases
Mincemeat	8/¼	bbls.
Minced olives	10	cases
Minced olives	9	cases
Flour (bakers)	320	sacks
Chili peppers	64	sacks
Flour (bakers)	614	sacks
Tuna	67	cans
Potatoes	179	sacks
Cream of rice	323	cases
Salt (celery), small	4	cases
Salt (celery), large	7	cases
Salad dressing, small	870	cases
Salad dressing, medium	60	cases
Chili powder, large	662	cases
Chili powder, small	32	cases
Chili powder, large	3	cases
Chili con carne, No. 1	1,419	cases
Chili con carne, No. 2	24	cases
Chili con carne, No. 10	53	cases
Chili meat (deviled)	532	cases
Mexican frijoles, No. 1	151	cases
Mexican frijoles, No. 2	14	cases
Mexican frijoles, No. 10	21	cases
Mexican spices	18	cases
Rice with chili, No. 1	162	cases
Rice with chili, No. 2	85	cases
Spaghetti, No. 1	229	cases
Spaghetti, No. 2	58	cases
Flour (bakers)	175	sacks
Flour (bakers)	124	sacks
Flour (bakers)	224	sacks
Chocolate and cocoa, small	67	boxes
Coffee, small	23	boxes
Flour (bakers)	720	sacks
Flour (bakers)	778	sacks
Flour (bakers)	1,174	sacks
Flour (bakers)	851	sacks
Flour (bakers)	3,425	sacks
Tomatoes (plain)	847	cases
Tomatoes	515	cases
Tomatoes (carton, P. C. white)	109	cases
Tomatoes (Calla)	600	cases
Tomatoes (Extra Qual.)	271	cases
Tomatoes (X S)	83	cases
Tomatoes (P)	140	cases
Tomatoes (Standard)	1,116	cases
Rice	1,248	sacks
Flour (bakers)	999	sacks
Flour	195	sacks
Flour	66	sacks
Flour (bakers)	436	sacks
Grape fruit	80	cases
Coffee	426	sacks
Flour (bakers)	420	sacks
Potatoes	140	sacks
Chili	27	sacks
Potatoes	213	sacks
Potatoes	382	sacks
Chili	61	sacks
Beans (Garvanza)	17	sacks
Flour (bakers)	49	sacks
Raisins	1,414	boxes
Potatoes	118	sacks
Flour	8,929	sacks
Bran	679	sacks
Potatoes	270	sacks
Olive oil	15	cases
Flour	180	sacks
Flour	420	sacks
Flour	1,526	sacks
Flour	223	sacks
Flour	346	sacks
Sugar	1,120	sacks
Biscuit	153	cases
Biscuit, samples	5	cases
Potatoes	66	sacks
Chili	25	sacks
Flour	360	sacks
Olive oil	346	cases
F. C. corn flakes	13	boxes
Egg-O	29	boxes
Samples	27	boxes
Honey	215	cases
Flour	40	sacks
Rice	700	sacks
Potatoes	540	sacks
Potatoes	2,389	sacks
Onions	124	sacks
Potatoes	300	sacks
Flour	510	sacks
Flour	3,405	sacks
Flour	1,031	sacks
Flour	1,863	sacks
Flour	406	sacks
Flour	3,688	sacks
Macaroni	123	pkgs.
Jam (C. M.) raspberry	237	cases
Jam (C. M.) raspberry	10	cases
Jam (C. M.) raspberry	4	cases
Jam (C. M.) raspberry	4	cases

Jam (C. M.) raspberry	1	case
Jam (C. M.) strawberry	230	cases
Jam (C. M.) strawberry	8	cases
Jam (C. M.) strawberry	9	cases
Jam (C. M.) strawberry	4	cases
Jam (C. M.) strawberry	1	case
Jam (C. M.) strawberry	1	case
Jam (C. M.) blackberry	44	cases
Jam (C. M.) blackberry	2	cases
Jam (C. M.) blackberry	3	cases
Jam, assorted	80	cases
Jam (C. M.) raspberry	2	cases
Jam, assorted	6	cases
Jam, strawberry	1	case
Jam, grape jelly	1	case
Jam, grape jelly	2	cases
Jam, currant	1	case
Jam (R. W.) strawberry preserves	7	cases
Jam (R. W.) strawberry preserves	6	cases
Jam (R. W.) strawberry preserves	5	cases
Jam (R. W.) raspberry preserves	5	cases
Jam (R. W.) raspberry preserves	5	cases
Jam (R. W.) raspberry preserves	8	cases
Jam (Oct.) strawberry	1	case
Jam (Oct.) raspberry preserves		
Jam (Oct.) currant jelly	1	case
Sugar	1,330	sacks
Beans (Soy)	65	sacks
Rice	265	sc
Rice	1,330	sacks
Beans	785	sacks
Rice flower	15	sacks
Rice (imp.)		
Beans	277	sacks
Beans	31	sacks
Beans	67	sacks
Rice	464	sacks
Apples (Bls.)	860	boxes
Apples (red)	198	boxes
Apples (Lcl.)	991	boxes
Berries	18,940	lbs.
Apples (Bls.)	90	boxes
Apples (Lcl.)	44	boxes
Apples (Lcl.)	248	boxes
Apples (Lcl.)	60	boxes
Apples (Lcl.)	959	boxe
Apples (Bls.)	318	boxes
Apples (Bls.)	868	boxes
Apples (Bls.)	326	boxes
Apples (Bls.)	30	boxes
Apples (Bls.)	634	boxes
Apples (Bls.)	100	boxes
Apples (Bls.)	185	boxes
Apples (Bls.)	304	boxes
Apples (Bls.)	190	boxes
Apples (Bls.)	974	boxes
Apples (Bls.)	105	boxes
Apples (Bls.)	115	boxes
Apples (red)	1,590	boxes
Apples (red)	1,705	boxes
Apples (Bls.)	1,211	boxes
Cheese	3,670	lbs.
Pears	154	lugs
Apples (Bls.)	84	boxes
Apples (red)	705	boxes
Apples (red)	191	boxes
Cheese	7,157	lbs.

Nuts	1,765	
Dried fish	2,450	lbs.
Dried chili	12,620	lbs.
Apples (red)	58	boxes
Cheese	544	boxes
Apples (red)	38	boxes
Cheese	27,020	lbs.
Butter	5,170	lbs.
Beans (Blackeyes)	3,600	lbs.
Beans (Blackeyes)	7,500	lbs.
Beans (Blackeyes)	16,425	lbs.
Beans (Blackeyes)	14,525	lbs.
Beans (Lima)	4,185	lbs.
Beans (Lima)	16,000	lbs.
Beans (Lima)	4,275	lbs.
Beans (Lima)	11,280	lbs.
Beans (Lima)	2,710	lbs.
Beans (Lima)	24,000	lbs.
Beans (Lima)	33,040	lbs.
Beans (Lima)	1,160	lbs.
Beans (white)	1,440	lbs.
Beans (Lima)	94,270	lbs.
Beans (Blackeyes)	122,700	lbs.
Beans (white)	104,675	lbs.
Beans (pink)	700	lbs.
Beans (screenings)	391,000	lbs.
Cheese	18,170	lbs.
Meat	1,069,056	lbs.
Cheese	37,277	lbs.
Eggs	50	cases
Poultry	96,967	lbs.
Cheese	10,453	lbs.
Cheese	587	lbs.
Cheese	720	lbs.
Cheese	6,940	lbs.
Cheese	6,089	lbs.
Cheese	1,047	lbs.
Herring (keg)	21,750	lbs.
Meat	5,240	lbs.
Meat	2,974	lbs.
Meat	3,025	lbs.
Meat	3,398	lbs.
Meat	886	lbs.
Milk	7,837	lbs.
Poultry	37,050	lbs.
Eggs	8	cases
Squabs	477	lbs.
Poultry	183	lbs.
Poultry	49	lbs.
Cranberries	146	lbs.
Eggs (frozen)	5,720	lbs.
Eggs (dried)	1,320	lbs.
Dry chili	1,740	lbs.
Beans (Blackeyes)	11,775	lbs.
Beans (Blackeyes)	8,637	
Beans (Blackeyes)	1,650	lbs.
Beans (Lady Washington)	600	lbs.
Beans (Blackeyes)	3,520	lbs.
Beans (Blackeyes)	4,320	lbs.
Beans (Blackeyes)	2,300	lbs.
Beans (Blackeyes)	4,000	lbs.
Beans (Blackeyes)	3,300	lbs.
Beans (Blackeyes)	2,325	lbs.
Beans (Lima)	4,240	lbs.
Beans (Lima)	8,840	lbs.
Beans (Lima)	11,040	lbs.
Beans (Lima)	47,700	lbs.
Beans (Lima)	790	lbs.
Beans (Blackeyes)	8,625	lbs.
Beans (Blackeyes)	22,350	lbs.
Beans (Blackeyes)	300	lbs.
Beans (Baby Limas)	2,640	lbs.
Beans (pink)	320	lbs.
Beans (Kentucky W.)	2,800	lbs.

Beans (Lima)	180,000	lbs.
Beans (Blackeyes)	525	lbs.
Beans (Blackeyes)	1,800	lbs.
Beans (Blackeyes)	4,650	lbs.
Beans (Blackeyes)	4,275	lbs.
Beans (Lima)	9,600	lbs.
Beans (Lima)	1,680	lbs.
Beans (Lima)	8,400	
Beans (Lima)	7,500	lbs.
Chocolate and cocoa	217	cases
Soup	40	cases
Pineapple juice	518	cases
Cereals	78	cases
Canned goods	98	cases
String beans	1,788	cases
Raisins	2,086	boxes
Olive oil	48	cases
Rice	250	mats
Tea	1½	cases
Poultry	758	lbs.
Cheese	22,949	lbs.
Poultry	221	lbs.
Poultry	28,233	lbs.
Cheese	8,240	lbs.
Apples	614	lbs.
Onions	840	lbs.
Garlic	1,410	lbs.
Cheese	1,506	lbs.
Poultry	15,625	lbs.
Apples	1,330	lbs.
Apples	154	lbs.
Apples	692	lbs.
Apples	1,095	lbs.
Apples	514	lbs.
Pears	8,485	lbs.
Cheese	2,489	lbs.
Apples	3,184	lbs.
Celery crates	30	crates
Beans (pink)	448	sacks
Peaches (yellow free, pie)	84	cases
Mincemeat	12	bbls.
Peaches (yellow pie)	317	cases
Sardines in oil	218	cases
Peaches (Melrose brand)	92	cases
Peaches (A. A. brand)	28	cases
Pears—Bartlett (Melrose)	78	cases
Pears—Bartlett (Helmet)	15	cases
Pears—Bartlett (Veribest)	74	cases
Apricots (Melrose)	30	cases
Apricots (A. A.)	20	cases
Mincemeat, very best	3	bbls.
Mincemeat, bakers' con.	4	bbls.
Pineapple, extra graded	487	cases
Sauerkraut (Veribest)	124	cases
Peaches (A. A. brand)	125	cases
Apples, special	24	cases
Pineapple	94	cases
Apples, Armour's	416	cases
Pineapple (Helmet brand)	309	cases
Loganberries	38	cases
Asparagus (Veribest)	56	cases
Pineapple (Melrose)	197	cases
Peaches (yellow cling)	192	cases
Peaches (yellow cling)	166	cases
Tomatoes (Del Monte)	35	cases
Pineapple (Veribest)	180	cases
Pineapple, standard crushed	1,010	cases
Ripe olives	282	cases
Peaches (yellow free)	234	cases
Berries, Logan	133	cases
Pumpkin (Helmet)	264	cases
Pineapples (Helmet brand)	191	cases
Pears, Bartlett	8	cases
Pineapple, sliced	4	cases
Tomato puree	4	cases
Cherries (Griffon brand)	15	cases
Apricots	23	cases
Pears—Bartlett (A. A. B.)	34	cases
Cherries, Royal Ann	66	cases
Cherries (A. A. brand)	28	cases
Pumpkin (Helmet)	81	cases
Gooseberries	87	cases
Pineapple (Del Monte)	18	cases
Cherries (Del Monte)	151	cases
Cider (Melrose)	24	cases
Apricots (S. Y.)	15	cases
Apricots (Cal.)	4	cases
Olives, ripe	30	cases
Apricots (Armour's)	1	case
Apricots (Crescent)	51	cases
Peaches (Armour's)	3	cases
Pears—Bartlett	19	cases
Pineapple, grated	116	cases
Berries, Logan	21	cases
Rhubarb	33	cases
Peaches (cling)	104	cases
Peaches (Columbus)	21	cases
Berries, Black	21	cases
Apricots (pie)	1	case
Apricots (Armour's)	39	cases
Apricots (S. Y.)	36	cases
Plums (A. A. brand)	1	case
Peaches (Columbia)	5	cases
Tomato flip	14	cases
Cherries (Aniline)	48	cases
Cherries (crushed)	16	cases
Cherries (Aniline)	30	cases
Pineapple (sliced)	720	cases
Ripe olives, large	43	cases
Red cherries	237	cases
Pineapple (Veribest)	535	cases
Pears—Bartlett (Melrose)	100	cases
Pineapple (sliced)	100	cases
Tomatoes (Melrose)	3	cases
Pineapple (Sliced)	59	cases
Pears—Bartlett (Helmet)	126	cases
Milk (evaporated)	626	cases
Tuna	70	cases
Oysters	192	cases
Sardines (Norway)	73	cases
Cherries	10	cases
Tuna	30	cases
Peas (Fowler Sugar)	81	cases
Salmon (Alaska)	28	cases
Salmon (Sterling)	4	cases
Corn, sugar	64	cases
Pumpkin (Helmet)	160	cases
Pumpkin (pie)	160	cases
Cherries	8	kegs
Peaches (Columbia cling)	68	cases
Salmon (Atlantic)	82	cases
Catsup (Del Monte)	207	cases
Grape juice (Top Notch)	366	cases
Grape juice (Top Notch)	242	cases
Grape juice (Top Notch)	182	cases
Lima beans	6	sacks
Beans (large white)	20	sacks
Beans (Lima)	50	sacks
Beans (Lima)	16	sacks
Beans (Lima)	14	sacks
Beans (large white)	73	sacks
Beans (Lima)	28	sacks
Beans (small white)	85	sacks
Beans (pink)	200	sacks
Beans (pink)	100	sacks
Sauerkraut (Helmet)	80	cases
Hominy	374	cases
Rice	256	sacks

Sardines (Cal.)	21 cases
Pork and beans (Mac. pack)	12 cases
Sardines (Cal.)	37 cases
Clam (Vermont)	18 cases
Clams, minced	43 cases
Pear	2 cases
Peas (Vermont)	21 cases
Pork and beans (white)	174 cases
Pork and beans (white Ver. pack)	37 cases
Pork and beans (white Ver. pack)	29 cases
Sardines, mustard	23 cases
Clam, small	1 case
Pork and beans (Vermont)	63 cases
Sardines (in mustard, Tourbe)	179 cases
Hominy (Hunter Packer)	620 cases
Catsup (Gomez P. Mac.)	263 cases
Peas (Extra fine)	67 cases
Peas (Hunter)	5 cases
Stringless beans (Hunter)	27 cases
Pickles, qt.	20 cases
Pickles, pt.	147 cases
Pickles, gal.	40 cases
Succotash (Hunter)	17 cases
Succotash (Hunter)	27 cases
Pineapple, sliced	8 cases
Peas (Vermont)	68 cases
Pineapple, crushed	194 cases
Cherries (Aniline red)	52 cases
Cherries (Armour's Aniline red)	169 cases
Cherries (Armour's Aniline red)	29 cases
Cherries (Armour's Aniline red)	21 cases
Cream de Menthe (Armour's)	9 cases
Cream de Menthe, minced	5 cases
Cream de Menthe (Armour's)	5 cases
Pineapple and apple syrup	3 cases
Maraschino (Fumed)	48 cases
Crystal fruit (Fig. Nutt.)	16 cases
Cherries (Aniline red)	17 cases
Cherries (Aniline red)	17 cases
Maraschino red, limit (Fig. Notch)	21 cases
Cherries (whole)	29 cases
Succotash (Vermont)	7 cases
Pineapple (Sliced)	1 case
Bartlett Pears (Mac. pack)	1 case
Bartlett Pears (Hunter)	1 case
Bartlett Pears (Astor)	1 case
Apples (sliced pack Mac.)	19 cases
Peas (Hunter)	86 cases
Pineapple (Cuban sliced)	31 cases
Pineapple (sliced, Veribest)	119 cases
Apples (solid pack Newtown)	37 cases
Peaches (W. C.)	92 cases
Peaches (sliced pack)	57 cases
Peaches (Veribest)	276 cases
Pineapples (Veribest)	269 cases
Pineapples (Mel. broken slices)	945 cases
Apples (solid pk. Newtown)	1,207 cases
Apples (solid pk. Newtown)	829 cases
Hominy (Hunter Packer)	5 cases
Succotash (Hunter)	86 cases
Succotash (Hunter)	35 cases
Succotash (Hunter)	42 cases

Olives (Queen)	15 cases
Olives (Queen)	55 cases
Olives (Queen)	23 cases
Olives (Queen)	7 cases
Olives (Queen)	30 cases
Olives (Queen)	30 cases
Pickles (Sweet Midget)	54 cases
Pickles (Royal sweet mxd.)	32 cases
Pickles (sour)	3 cases
Pickles (sour)	19 cases
Pickles (Royal sour)	7 cases
Sweet relish	2 cases
Chili sauce	125 cases
Chili sauce	25 cases
Chili sauce	26 cases
Salad dressing (Pickle)	10 cases
Salad dressing (Pickle)	5 cases
Mustard, small	84 cases
Asparagus, ex. green, Giant	1 case
Asparagus, ex. green, Giant	1 case
Asparagus, ex. green	1 case
Asparagus, ex. white	28 cases
Asparagus (S. S. Giant)	41 cases
Asparagus (Hunter Giant)	9 cases
Beans (Lima)	1 case
Succotash, Vermont	210 cases
Peaches, ex. yellow	92 cases
Peaches ex. yellow (Sp.)	25 cases
Peaches, ex. [illegible]	95 cases
Peaches, ex. yellow cling	95 cases
Peaches, ex. [illegible]	41 cases
Peaches, ex. [illegible] cling	1 case
Peaches ex. sliced yel. cling	8 cases
Peaches, sp. ex. whole yel. cling	25 cases
Pineapple, sliced	27 cases
Pineapple, tall sliced	228 cases
Pineapple, tall sliced	37 cases
Pineapple, extra	76 cases
Pumpkin	129 cases
Succotash	3 cases
Succotash	3 cases
Blackberries, ex. Apl.	19 cases
Olives, plain	173 cases
Olives, stuffed	40 cases
Olives, stuffed	12 cases
Olives	156 cases
Olives	8 cases
Olives	148 cases
Olives	863 cases
Olives (seconds)	694 cases
Olives (seconds)	885 cases
Sausage, Vienna	80 cases
Sausage, Vienna	11 cases
Tripe	5 cases
Sausage, Bratwurst	48 cases
Kippered herring	1 case
Clam soup	1 case
Deviled ham, genuine	6 cases
Deviled ham, Underwood	3 cases
Deviled meat, genuine	185 cases
Deviled meat	224 cases
Vegetable soup	1 case
Chicken soup	14 cases
Chicken soup	4 cases
Mock turtle soup	10 cases
Consommé soup	19 cases
Tomato soup	2 cases
Beef soup	9 cases
Soup, assorted	36 cases
Beef extract	1 case
Beans, [illegible] cond.	48 cases
Beans, [illegible]	5 cases
Beans, [illegible] cond.	30 cases
Beans, [illegible]	30 cases

Bullion cubes	9 cases
Milk, cond.	1 case
Olives, stuffed	89 cases
Olives, stuffed	16 cases
Beef, cooked corned	195 cases
Beef, cooked corned	48 cases
Beef, cooked corned	549 cases
Beef, cooked corned	3 cases
Beef, roast	162 cases
Beef, roast	14 cases
Beef, roast	162 cases
Beef, roast	4 cases
Veal loaf, medium	199 cases
Veal loaf, medium	17 cases
Chicken loaf, medium	12 cases
Beef loaf, medium	13 cases
Ham loaf, medium	23 cases
Ham steak and onions	9 cases
Ham steak and onions	5 cases
Corned beef hash	15 cases
Corned beef hash	34 cases
Bacon (glass)	113 cases
Bacon (glass)	7 cases
Chili con carne and beans	133 cases
Chili con carne	58 cases
Cooked brains	12 cases
Tamales	25 cases
Lunch tongue	90 cases
Plum pudding	1 case
Beet, small (Peerless Sl.)	55 cases
Beet, med. (Peerless Sl.)	54 cases
Beet, large (Peerless Sl.)	9 cases
Beet, med. (Peerless Sl.)	17 cases
Beet, med. (Rosedale Sl.)	474 cases
Beet, med. (Rosedale Sl.)	31 cases
Beet, large (Rosedale Sl.)	2 cases
Pineapple, flat ex. grated	112 cases
Pineapple, tall ex. grated	79 cases
Pineapple (Rosedale Syrup) tall	70 cases
Pineapple (Silverdale)	5 cases
Pineapple, pie (Brookdale)	25 cases
Vinegar	37 cases
Vinegar, cider	1 bbl.
Vinegar, white wine	1 bbl.
Pickles, sour	2 kegs
Pickles, sour	1 keg
Pickles, sour	2 kegs
Pickles, sour	1 keg
Pickles, sour	2 kegs
Pickles, sweet	3 kegs
Pickles, sweet	28 kegs
Pickles, sweet	1 keg
Pickles, sweet	1 keg
Pickles, sweet, mixed	38 kegs
Pickles, dill	9 kegs
Pickles, dill	4 kegs
Pickles, dill	10 kegs
Pickles, dill	9 kegs
Sweet relish	2 kegs
Sweet relish	1 case
Salmon, tall, red	2 cases
Salmon, Chinook	6 cases
Salmon, Chinook	4 cases
Spinach	372 cases
Tomato and chili	6 cases
String beans	4 cases
Apples, ex.	2 cases
Apples (Brookdale)	292 cases
Pears, ex. special	141 cases
Pears, ex. whole	1 case
Pears (Brookdale)	8 cases
Apricots, ex.	39 cases
Apricots, ex.	2 cases
Apricots (Silverdale)	5 cases

Apricots (Melba), whole	16 cases
Apricots, special, ex	74 cases
Grapes, ex. seedless	5 cases
Grapes, ex. muscat	3 cases
Grapes (Brookdale muscat)	8 cases
Cherries, ex. sp. (Royal A.)	16 cases
Cherries, ex. sp. (Royal A.)	2 cases
Cherries, ex. (Royal Ann)	1 case
Cherries, pitted, black	24 cases
Cherries, pitted, black	6 cases
Cherries, pitted, black	1 case
Cherries, pitted, black	2 cases
Oil, California	69 bbls
Oil, California	204 bbls
Salad dressing	70 cases
Peaches, sliced	1,198 cases
Shredded codfish	65 cases
Herring	3 cases
Oil (Verdal)	524 bbls
Oil (Verdal)	84 bbls.
Logan juice	42 cases
Logan juice	303 cases
Logan juice	206 cases
Logan juice	24 cases
Logan juice	44 cases
Logan juice	47 cases
Logan juice	44 cases
Logan juice	26 cases
Flour pastry	180 sacks
Spaghetti and macaroni	7,650 lbs
Peaches	256 cases
Peaches	153 cases
Sugar, Diamond brand	1,631 sacks
Sugar, extra fine	20,814 sacks
Potatoes	538 sacks
Rolled oats	64 sacks
Rolled oats	199 sacks
Rolled oats	69 sacks
Rolled oats	97 sacks
Rolled oats	91 sacks
Corn meal	46 bales
Flour, whole wheat	21 sacks
Flour, whole wheat	144 sacks
Flour, white flour	230 sacks
Flour, white flour	642 sacks
Flour, white flour	966 sacks
Flour	16 bales
Olive oil	75 cases
Olives, standard	75 cases
Olives, standard	162 cases
Olives, Lomas fancy	63 cases
Olives, Hermozas	56 cases
Olives, Moneta	70 cases
Olives, standard	108 cases
Olives, Moneta and standard mixed	1,059 cases
Spuds	256 sacks
Coffee, green	977 sacks
Milk, Eagle	50 cases
Jelly	284 cases
Peas, King M. standard	247 cases
Peas, Mt. Hamilton stand.	136 cases
Pineapple sliced	100 cases
Sugar, beet	5,558 sacks
Coffee, green	30 sacks
Spuds	760 sacks
Plum pudding, Porters	3 cases
Figs, Porters	2 cases
Fruit, Porters	8 cases
Mayonaise, Porters	21 cases
Salad	20 cases
Rice	757 bags
Flour	1 bbl.
Egg imitation	2 ½-bbls.
Egg imitation	1 keg

Cinnamon	1 bbl.	Extracts and spices	55 boxes
Cinnamon	5 ½-bbls.	Mapleine	111 cases
Cinnamon	1 drum	Poultry food	621 bags
Baking powder	17 cases	Potatoes	35 sacks
Baking powder	18 cases	Olive oil	200 cases
Flavoring extracts	116 bots.	Garlic	22 sacks
Mace, imitation	20 cans	Sauerkraut	20 cases
Mellowhite	21 cans	Rice, California	60 sacks
Garlic	35 sacks	Flour	150 bbls.
Baking powder	440 cases	Coffee	499 bags
Coffee	2 cases	Wheat	193,813 lbs.

MADERA, CALIFORNIA, March 8, 1917.

State Board of Equalization, Sacramento.

GENTLEMEN: In compliance to your request of March 1st, I beg to submit the following report of foodstuffs in storage or on hand in Madera County. This is the amount reported to me by fourteen business houses:

Flour	634 bbls.
Potatoes	356 sacks
Beans	420 sacks
Rice	118 sacks
Sugar	164 sacks
Salad oil	150 gallons

F. E. BRISCOE, Assessor, Madera County, California.

SAN RAFAEL, CALIFORNIA, March 6, 1917.

Mr. T. M. Eby, Secretary State Board of Equalization, San Francisco.

DEAR SIR: In reply to your circular of March 1st relative to foodstuffs in storage, wish to advise you that I have none in storage in this county. I remain,

Respectfully yours,

P. H. COCHRANE.

MARIPOSA, CALIFORNIA, March 5, 1917.

R. E. Collins, Chairman, Sacramento.

DEAR SIR: Replying to report of foodstuffs held in storage, I will state that there is absolutely nothing to report in this county, as I am familiar with every detail of the various firms here, and find but four tons of potatoes in one place, and they are selling them at four cents. Everybody has plenty to eat and raising big crops for this year and will be able to withstand a siege, if necessary, for we can raise practically everything we need. Have no incorporated cities, and do not need anything except roads, which we are building now.

With kind regards, I remain,

Yours sincerely,

F. A. BONDSHU.

UKIAH, CALIFORNIA, March 6, 1917.

State Board of Equalization, Sacramento.

GENTLEMEN: In reply to your inquiry and request that I make a report to you as to the amount of foodstuffs stored in warehouses in this county, will say that since this is a stock and lumber producing county, foodstuffs are not stored for any length of time. As near as I can find out, there is nothing here at the present time except what the merchants have throughout the county for home consumption. All foodstuffs were shipped directly after harvest.

Yours very truly,

W. S. VAN DYKE, County Assessor.
By C. V. VAN DYKE, Deputy.

MERCED, CALIFORNIA, March 8, 1917.

State Board of Equalization, Sacramento.

GENTLEMEN: As per your request I have made a hurry canvas of the different warehouses in this county with a view of locating any foodstuffs stored, and will say that there is not a sack of potatoes or onions stored in any warehouse in the county, except those in private warehouses of the different merchants, not more than 1,500 sacks in the county; there is practically no onions.

The following is the amount of beans in the different warehouses of the county:

Livingston.

Red beans	13,100 lbs.
Garvanza beans	27,370 lbs.
Lady Washingtons	62,513 lbs.
Blackeye beans	44,874 lbs.

Merced.

Pink beans	14,000 lbs
Blackeye beans	196,000 lbs

Trusting that the above is the desired information, I am,

Very truly yours,

A. G. CLOUGH.

SALINAS CITY, CALIFORNIA, March 15, 1917.

State Board of Equalization, Sacramento.

GENTLEMEN: Complying with your request of March 1, 1917, I herewith submit my report as follows:

Corn	78,600 lbs.
Potatoes	143,392 lbs.
Pink and red beans	222,200 lbs.
White beans	1,214,800 lbs.
Barley	7,192,954 lbs.
Wheat	231,380 lbs.
Flour	245 bbls.
Sugar	27,900,000 lbs.
Canned cream	2,960 cases
Canned sardines	1,504 cases

Trusting the above is what you want, I am,

Very truly,

GEO. S. GOULD, JR., County Assessor.

NAPA, CALIFORNIA, March 16, 1917.

State Board of Equalization, Sacramento.

GENTLEMEN: I herewith transmit to you the amount of foodstuffs in storage in this county, as per your recent request.

Flour	51 tons	Oats	48 tons
Beans	11½ tons	Barley	141 tons
Potatoes	35 tons	Corn	115 tons
Wheat	91 tons	Meals	9 tons

These figures were ascertained by a personal investigation of myself and deputies and include the amounts held in reserve by the large retail firms of the county.

Trusting that you find this information of value, I remain

Yours very truly,

ROBERT CORLETT,
County Assessor.

NEVADA CITY, CALIFORNIA, March 16, 1917.

State Board of Equalization, Sacramento.

No food stored in warehouses Nevada County. Only normal supply carried by grocery stores. Large stores report about six weeks' supply on hand.

H. C. SCHROEDER.

SANTA ANA, CALIFORNIA, March 10, 1917.

State Board of Equalization, Sacramento.

GENTLEMEN: In compliance with your request of the 1st inst., I have gathered and compiled the information asked for in regard to foodstuffs stored in this county, and hand you list herewith:

14,166 sacks Blackeye beans	1,065,843 pounds
9,399 sacks Lima beans	751,934 pounds
4,100 barrels flour.	
153,963 sacks sugar	15,396,300 pounds
2,700 sacks potatoes.	
3,200 sacks wheat.	

Trusting the above will answer your requirements, I remain,

Yours very truly,

JAS. SLEEPER.
County Assessor.

AUBURN, CALIFORNIA, March 16, 1917.

State Board of Equalization, Sacramento.

GENTLEMEN: Upon investigation, I find that there are not any foodstuffs in storage in Placer County.

Yours very truly,

AL. H. BROYER,
Assessor and Tax Collector.

QUINCY, CALIFORNIA, March 6, 1917.

State Board of Equalization, Sacramento.

GENTLEMEN: In reply to your request of March 1st I beg to state that I have made inquiry at every store within Plumas County in person or by telephone and I find that there is not a store in the county that has over one month's supply of foodstuff on hand. For example, the largest store in the county has the following on hand: 40 sacks spuds, 25 sacks beans, 125 sacks (50 lbs.) flour, 20 sacks onions, 100 cases tomatoes, and small lots of other foodstuffs. The stores here do nothing but retail business and do not aim to keep on hand any surplus stock.

Most all stores in this county buy futures; that is to say, they buy spuds, beans and other foodstuff in the fall of the year to be delivered on call or some certain date.

Should your honorable body wish to get a detailed report, I will call on all the stores to furnish the same to me and I will turn it over to you. However, this will take five or six days to get. I beg to remain,

Yours very truly,

FRANK C. PAZOUR,
Assessor of Plumas County.

RIVERSIDE, CALIFORNIA, March 16, 1917.

Mr. T. M. Eby, Secretary, State Board of Equalization, Sacramento.

DEAR SIR: Complying with your request of recent date regarding foodstuff stored in warehouses in this county, will say that up to date we have to report as follows: flour, 243,000 lbs.; potatoes, 129,000 lbs.

Very truly,

C. B. BAYLEY,
County Assessor.

SACRAMENTO, CALIFORNIA, March 10, 1917.

Hon. R. E. Collins, Chairman State Board of Equalization, Sacramento.

DEAR SIR: In compliance with your request of March 1, 1917, I hereby enclose list of foodstuffs in warehouses within the limits of Sacramento City, as of March 5, 1917, 12 o'clock noon.

Have been unable, as yet, to compile a list of foodstuffs in warehouses in country precincts, outside of limits of Sacramento City. As soon as I receive same will mail copy to you.

I trust this report is satisfactory. If not, please advise me, and I will gladly furnish you with any additional information you may desire.

Sincerely yours,

ED. J. KAY,
County Assessor.

Foodstuffs stored in warehouses in Sacramento City, as shown by report of Ed. J. Kay, County Assessor: apples, 3,404 boxes; butter, 4,222 lbs.; beans, 45,360 sacks; cereals (wheat, corn, oats and other), 1,513,500 lbs.; cheese, 17,547 lbs.; canned goods (assorted), 121,643 cases; eggs, 53 cases; flour, 1,011 bbls.; fish and game, 1,383 lbs.; meat (beef, pork, mutton, sausage, hams, bacon), 27,352 lbs.; nuts (assorted), 6,453 lbs.; onions, 358 sacks; potatoes, 26,577 sacks; poultry, 3,043 lbs.; rice, 2,201 sacks; rye, 450 sacks; syrup—fruit, 22 bbls.; sugar, 285 bags; vegetables, 7010 lbs.; cereals (in packages), 113 cases.

Foodstuffs stored in warehouses in Sacramento County (outside of Sacramento City), as shown by report of Ed. J. Kay, County Assessor: Beans, 80 sacks; potatoes, 50 sacks; asparagus, 2,910 cases.

HOLLISTER, CALIFORNIA, March 6, 1917.

State Board of Equalization, Sacramento.

GENTLEMEN: Responding to your command of date 1st inst., I have made special canvass of all warehouses, public and private, in San Benito County, regarding foodstuffs stored, and I beg leave to hereby report that I have discovered none save and except such small quantities as are held by mercantile concerns for daily service to customers.

Very truly yours,

GEO. W. McCONNELL.

SAN BERNARDINO, CALIFORNIA, March 6, 1917.

State Board of Equalization, Sacramento.

GENTLEMEN: Pursuant to your action relating to stored food products being held in this county for a rise in prices, your county assessor begs leave to report that he has found the following quantities in the city of San Bernardino:

	March 1, 1917	March 5, 1917
Loeb Fleishman & Co., cold storage plant on I st.	579 sacks	425 sacks
Downing & Mills, cold storage plant on I st.	218 sacks	125 sacks
Home Supply Co., cold storage plant on I st.	88 sacks	60 sacks
Russell Bros., cold storage plant on I st.	168 sacks	109 sacks
Loeb Fleishman & Co., American Truck Co. warehouse	964 sacks	600 sacks
Wild & Zuckerman, American Truck Co. warehouse	500 sacks	320 sacks
Arthur L. Marks, cor. D and 4th sts.	700 sacks	600 sacks
C. Meyers, 370 D st.	150 sacks	100 sacks
A. M. Ham, cor. 3d and D sts.	50 sacks	30 sacks
Independent Feed & Fuel Co.	50 sacks	
Oehl's Market, Temple Blk., E st.	55 sacks	23 sacks
Feetham & McNeil, 484 3d st.	25 sacks	13 sacks
A. F. Hansen, 320 D st.	25 sacks	14 sacks
J. H. Patton	15 sacks	3 sacks
Ed. Lawrence	15 sacks	10 sacks
J. G. Sloan	14 sacks	5 sacks
	3,916 sacks	2,728 sacks

CITY OF REDLANDS

Weyley-Zuckerman & Co., Los Angeles, at transfer warehouse	505 sacks
J. J. Suess, local merchant	143 sacks
	648 sacks

CITY OF ONTARIO

Walter Moore	118 sacks
C. B. Danieis	25 sacks
Thomas White	7 sacks
E. O. Fallis	50 sacks
W. W. Smith	18 sacks
Furnie & Nichols	18 sacks
	236 sacks

CITY OF CHINO.

H. D. Sapp	406 sacks
L. E. Wright	300 sacks
Ecklest George	200 sacks
B. K. Galbreath	100 sacks
	600 sacks

CITIES OF FONTANA AND RIALTO.

Downing & Mills in Fontana	175 sacks
Needham & Lewis in Rialto	30 sacks
Kramer in Rialto	25 sacks
Jones in Rialto	11 sacks
Hawkinson in Rialto	7 sacks
	248 sacks

RECAPITULATION.

	March 1, 1917	March 5, 1917
City of San Bernardino	3,916 sacks	2,728 sacks
City of Redlands		648 sacks
City of Ontario		236 sacks
City of Chino		600 sacks
Cities of Rialto and Fontana		248 sacks
Total		4,460 sacks

Your assessor would report that on Thursday, March 1st, he made a personal inspection of all the ware, storage and grocery houses in the city. This report shows a shrinkage of 1,188 sacks of potatoes during the four and one-half days. It is interesting to note that the shrinkage of stocks in the hands of our retailers was greater than that of the wholesalers. In many stores there were only broken sacks while others had none.

[illegible]

I asked them to give me an accurate memorandum of potatoes, beans and onions. I am enclosing a copy of list received today and as soon as I receive list of other foodstuffs, I will send same to you.

Yours very truly,

JOHN GINTY, Assessor.

In storage March 5, 1917.

Gibraltar Warehouse, sacks of beans	75,166
Greenwich Street Warehouse, sacks of beans	1,517
Battery Street Warehouse, sacks of beans	580
Pioneer Warehouse, sacks of beans	86
China Basin Warehouse, sacks of beans	18,000½
Harbor Warehouse, sacks of beans	45,522
Oriental Warehouse, sacks of beans	200
Total	141,071½
Security Warehouse, sacks of beans in bond, nontaxable	2,000
Townsend Street Warehouse, sacks of beans in bond, nontaxable	2,000
Golden Gate Warehouse, sacks of beans in bond, nontaxable	857
Total	4,857
China Basin Warehouse, sacks of potatoes in storage	2,440½
China Basin Warehouse, sacks of potatoes in transit, nontaxable	4,755
Harbor Warehouse, sacks of potatoes in storage	700
Merchants Ice and Cold Storage Co., sacks of potatoes in storage, sold to city of San Francisco*	31,155
National Ice and Cold Storage Co., sacks of potatoes in storage, sold to State of California*	39,113
Total	78,163
Merchants Ice and Cold Storage Co., sacks of onions in storage	13,619
National Ice and Cold Storage Co., sacks of onions in storage	1,172
Total	14,791

STOCKTON, CALIFORNIA, March 12, 1917.

State Board of Equalization, F. M. Ellis, Secretary, Sacramento, California.

DEAR SIR: In answer to your circular of March 1, 1917, regarding foodstuffs in storage in San Joaquin County on first Monday in March, I find as follows:

Beans	3,184 tons	Barley	4,164 tons
Corn	288 tons	Wheat	5,612 tons
Potatoes	28,288 sacks	Oats	1,136 tons
Onions	1,257 sacks	Rye	263 tons
Flour	12,494 bbls.	Egyptian corn	687 tons
		Hay	1,628 tons

There is also a small number of miscellaneous items, such as eggs, apples, meat and rice.

Yours very truly,

J. W. MOORE, County Assessor.

SAN LUIS OBISPO, CALIFORNIA, March 9, 1917.

State Board of Equalization, Sacramento, California.

GENTLEMEN: The following is the amount of foodstuffs in storage in this county: Beans, 13,900 sacks, weighing 556 tons; potatoes, 805 sacks, weighing 36 tons. There is also in storage 1,370 tons of wheat and 370 tons of barley.

Respectfully yours,

P. J. McCAFFREY, County Assessor.

REDWOOD CITY, CALIFORNIA, March 9, 1917.

R. E. Collins, Chairman State Board of Equalization, Sacramento, California.

DEAR SIR: Replying to your favor of the 1st instant relative to the amount of foodstuffs in cold storage in this county, beg to state that I have made diligent inquiry of the storekeepers nearby in this county and find that there are no warehouses that

*Stored to meet contracts between Scatena and State and city. Sold for $1.70 per sack. Bought and put in warehouse for $1.50 per sack. Storage and insurance paid by seller.

contain any foodstuffs, for the reason that we are so near to San Francisco; all of this product is bought in small quantities and distributed by the retailers. There are no wholesale stores in this county.

Any further information I can assist you I will gladly furnish if this is not sufficient.

Very truly yours,

D. P. FLYNN, County Assessor.

SANTA BARBARA, CALIFORNIA, March 1, 1917.

Board of Equalization, Sacramento:

Statement of produce or merchandise in storage in warehouses of Santa Barbara County on first Monday of March, 1917:

Class	Weight	Name of warehouse	Address
Beans and 46 tons flour	39,167	Southern Pacific Milling Co.	Santa Barbara.
Beans	146,946	Henry Fish Seed Co.	Carpinteria.
Flour	20,100	Ed. Towne	Santa Barbara.
Beans	94,532	Southern Pacific Milling Co.	Carpinteria.
Beans	769,041	Goleta Farmers	Goleta.
Wheat and barley	171,000	Union Co.	Santa Barbara.
Flour	72,712	Santa Barbara Transfer Co.	Santa Barbara.
Beans and 19 tons corn	1,946,164	Lompoc Warehouse Co.	Lompoc.
Beans	3,359,740	Southern Pacific Milling Co.	Lompoc.
Beans	1,310,8[illegible]	Southern Pacific Milling Co.	Santa Maria.
Beans	75,[illegible]2	Southern Pacific Milling Co.	Gates.
Beans and 117 tons barley	690,922	Pacific Coast Railroad Co.	Santa Maria.
Beans	1,927,3[illegible]5	Pacific Coast Railroad Co.	Betteravia.
Beans	58,421	Pacific Coast Railroad Co.	Lake View.
Beans	270,896	Pacific Coast Railroad Co.	Suey.
Beans	261,453	Pacific Coast Railroad Co.	Fugler.
Beans	36,205	Pacific Coast Railroad Co.	Orcutt
Beans	71,022	Pacific Coast Railroad Co.	Graciosa.
Beans and 96 tons barley	995,550	Pacific Coast Railroad Co.	Sisquoc.
Wheat, barley and oats	119,[illegible]74	Pacific Coast Railroad Co.	Los Olivos.
Beans	457,494	Pacific Coast Railroad Co.	Los Alamos
Beans	798,146	Pacific Coast Railroad Co.	Harris.
Beans	1,194,465	Pacific Coast Railroad Co.	Guadalupe.

NOTE. The above is a complete list of "foodstuffs" in storage in Santa Barbara County. You will note there are no spuds or onions listed. I found about two cars of spuds but they were owned by firms doing retail business. No onions at all. I also found about 40 tons of mustard at Lompoc which is not herein listed.

CLIO L. LLOYD, County Assessor.

SANTA CRUZ, CALIFORNIA, March 15, 1917.

State Board of Equalization, Sacramento, California.

GENTLEMEN: Complying with your request of the 1st inst. as to the amount of foodstuff held in storage, beg leave to submit the following for this county, viz: Beans, 366,798 pounds; evaporated apples, 1,222,483 pounds; green apples, 13,760 boxes; potatoes, 3,495 sacks.

Yours respectfully,

W. A. HORTON, County Assessor.

REDDING, CALIFORNIA, March 20, 1917.

State Board of Equalization, Sacramento, California.

Agreeable your notice, made search for foodstuffs in storage this county, find nothing other than usual stock for immediate needs.

M. D. LACK, County Assessor, Shasta County.

FAIRFIELD, CALIFORNIA, March 8, 1917.

State Board of Equalization, Sacramento, California.

DEAR SIRS: In answer to your request for the amounts of foodstuffs stored in this county: The canneries and warehouses are empty; in mills there are 22,000 barrels of flour and 40,000 pounds of mixed cereals; dried fruits in packing houses:

prunes, 365 tons; apricots, 40 tons; peaches, 145 tons; pears, 21 tons; figs, 9 tons; raisins, 14 tons. This is less the peachgrowers' holding, which has not been returned. The stocks held by merchants are small for this season.

Hoping that this covers the information you wish, I am,

Yours truly,

E. E. LONG.
By F. W. WHITBY, Deputy.

SANTA ROSA, CALIFORNIA, March 15, 1917.

Mr. T. M. Eby, Sacramento, California.

DEAR TOM: In reply to yours of the 1st inst., I wish to state that we have no foodstuffs stored in our warehouses of any amount; only hops and a few prunes on storage here.

Very truly yours,

J. C. HOKE SMITH, Assessor.

MODESTO, CALIFORNIA, March 9, 1917.

Honorable State Board of Equalization, Sacramento, California.

GENTLEMEN: In regards to the foodstuffs in storage in Stanislaus County, I submit the following list as a conservative estimate: wheat, 750 tons; flour, 20 tons; rice, 200 tons; corn, 20 tons; beans, 435 tons; potatoes, 600 sacks; peaches (dried), 350 pounds; pears (dried), 600 pounds; raisins, 260 tons; cheese (green), 30,000 pounds (none stored); butter, 14,000 pounds (daily output, none stored).

Very truly yours,

GEO. A. THIRELFALL, County Assessor.

YUBA CITY, CALIFORNIA, March 14, 1917.

To the State Board of Equalization, Sacramento, California.

GENTLEMEN: From reports from the various warehouses in Sutter County I am enabled to report to your honorable body the following produce contained therein: barley, 1,170,258 pounds; beans, 1,725,175 pounds; wheat, 121,545 pounds; Egyptian corn, 513,585 pounds; milo maise, 4,284 pounds; rice, 2,113,407 pounds; raisins, 582,950 pounds.

Very Respectfully.

C. E. McQUAID, Assessor, Sutter County.

RED BLUFF, CALIFORNIA, March 6, 1917.

State Board of Equalization, Sacramento.

GENTLEMEN: As per your request, I am sending you a list of property stored in the different warehouses in the county of Tehama at 12 o'clock noon first Monday in March. I have made a practice of gathering this each year since I have been in office. I find less grain than we had last year; in fact, less of everything than last year. Hoping this will answer your purpose.

Wheat, 1,720 tons; barley, 823 tons; Egyptian corn, 25 tons; feed corn, 20 tons; potatoes, 15 tons; dried peaches, 400 tons; flour, 375 barrels; granulated sugar, 200 barrels.

Truly yours,

LOUIS WINTER, County Assessor.

VISALIA, CALIFORNIA, March 12, 1917.

Honorable State Board of Equalization, Sacramento, California.

GENTLEMEN: Complying with your request of March 1 last relative to the matter of information desired by the State Senate in the matter of excess storage of foodstuffs, will say that I have directed my deputies to comply with this resolution and report findings to this office. Thus far we have been unable to find any unusual amount of foodstuffs stored in this county; in fact, we believe that the supply on hand can be reported to show a shortage rather than an excess of the normal amount carried.

Very Respectfully.

THOS. H. BLAIR, County Assessor.

SONORA, CALIFORNIA, March 7, 1917.

State Board of Equalization, Sacramento, California.

GENTLEMEN: Relative to your communication of March 1st, regarding storage of foodstuffs in warehouses, I beg to state that I find no such supplies in storage in this county.

Very truly yours,

E. H. McMAHON.

VENTURA, CALIFORNIA, March 16, 1917.

Honorable Board of Equalization, Sacramento, California.

GENTLEMEN: Beg to report foodstuff in the warehouses of Ventura County as reported to us March 5, 1917: lima beans, 4,258 tons; small beans, 313 tons; wheat, 90 tons; corn, 21 tons; potatoes, 24 tons; flour, 12 tons; garlic, 5 tons; onions, 1 ton; honey, 0.5 ton. Seed beans are included in the above.

Yours truly,

JASPER BARRY, Chief Deputy Assessor.

WOODLAND, CALIFORNIA, March 13, 1917.

State Board of Equalization, Sacramento, California.

GENTLEMEN: No foodstuffs are stored in the warehouses in Yolo County.

Very truly yours,

H. E. HARRISON, Assessor.
By B. F. HILLHOUSE, Deputy.

MARYSVILLE, CALIFORNIA, March 14, 1917.

State Board of Equalization, Sacramento, California.

GENTLEMEN: In response to yours of March 1, 1917, and in reply to letter of February 28, 1917, from Mr. C. E. Brooks, Secretary of the Senate, to your body, requesting a list of foodstuffs "stored in various warehouses of the State," I have this to say:

Upon inquiry of all our warehouse men I find that there is "on store" only 500 tons of rice, 116 tons of wheat, in Yuba County.

Strange as it may seem, compared with other years, our holdover for speculative purposes is very small, not even a bean to waft sweet odors found on store.

Yours truly,

TOM E. BEVAN, Assessor of Yuba County.

PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

A PROTEST.

We, the undersigned citizens of Big Pine, California, desire to enter our protest against the following:

Assembly Constitutional Amendment No. 26, providing that "hereafter no bill, act, resolution or petition intended to be enacted into law shall be presented to the voters of this State looking toward the controlling, regulating or prohibiting of liquor";

Also: Assembly Constitutional Amendment No. 54, and Senate Constitutional Amendment No. 41, proposing an amendment providing for the formation of segregated districts within which prostitution may be licensed and permitted.

MRS. S. L. BUTLER, and 52 others.

Also:

PALO ALTO, CALIFORNIA, March 11, 1917.

Constitutional Amendment No. 26, introduced by Assemblyman Gelder, proposes to the people of California an amendment, providing that "hereafter no bill, act, resolution or petition intended to be enacted into law shall be presented to the voters of this State looking toward the controlling, regulating or prohibiting of liquor."

Assembly Constitutional Amendment No. 54, introduced by Assemblyman Leo Friedman of San Francisco, and Senate Constitutional Amendment No. 41, introduced by Senator Victor J. Canepa of San Francisco, proposing an amendment providing for the formation of segregated districts, within which prostitution may be licensed and permitted.

We, the undersigned, earnestly petition our legislators to work against the above measures.

A. W. BELL, and 600 others.

COMMUNICATION.

The following communication was received, and ordered printed in the Journal:

HANFORD, CALIFORNIA, March 19, 1917.

To the Honorable State Board of Control:

We, as the Nineteenth Century Round Table Club, beg of you to do all in your power to influence the passing of Senate Bill No. 399, so that the John Muir trail may be completed and will further lead into the wonders of our glorious mountains.

Very sincerely,

EDITH R. LANE, Secretary.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 658—An act providing for the inspection of animals slaughtered for human food, providing for the inspection of the meat and meat food products of such animals, providing for the collection of fees to defray the expenses incurred by maintaining such inspection, providing for the appointment and duties of officials to carry into effect the provisions of this act, providing for the marking of carcasses and parts thereof, and providing a penalty for violation thereof;

Also: Assembly Bill No. 762—An act to amend sections 2 and 7 of an act entitled "An act relating to cold storage, the regulation of refrigerating warehouses, the disposition or sale of food kept or preserved therein, and defining the duties of the State Board of Health in relation thereto," approved June 13, 1913, as amended;

Also: Assembly Bill No. 662—An act to require employers to pay the cost of bonds and photographs required of and furnished by employees or applicants for employment;

Also: Assembly Bill No. 1025—An act prohibiting employers of labor from coercing employees in the purchase of things of value, and prescribing a penalty for the violation of the provisions hereof;

Also: Assembly Bill No. 534—An act prohibiting an employer from discharging an employee for failure to patronize a boarding house or hotel owned or conducted by the employer, and prescribing penalties for violations of the provisions hereof;

Also: Assembly Bill No. 936—An act to amend section 17 of the act known as the "Public Utilities Act," approved April 23, 1915.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 658 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 762 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 662 read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 1025 read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 534 read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 936 read first time, and referred to Committee on Public Utilities.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 271—An act to amend section 1776 of the Code of Civil Procedure, relating to the expenses and compensation of guardians;

Also: Assembly Bill No. 1314—An act to amend section 4042 of the Political Code, relating to additional powers and duties of the board of supervisors;

Also: Assembly Bill No. 1157—An act to change and permanently locate the boundary line between the counties of Kern and San Bernardino;

Also: Assembly Bill No. 925—An act providing for the license of life insurance agents, limiting the payment of commissions or other compensation for services in procuring new insurance to licensed agents only and providing penalty for the violation of this act;

Also: Assembly Bill No. 926—An act prohibiting discrimination in favor of individuals between insurance of the same class and expectation of life in the amount or payment of premiums, or rates charged for policies of insurance, or in the dividends or other benefits payable thereon; also prohibiting the giving or the acceptance of rebates on life insurance policies and providing penalty therefor;

Also: Assembly Bill No. 1355—An act to amend an act entitled "An act to authorize and empower the State Board of Prison Directors to insure jute and jute goods against either fire or marine loss and to pay the cost of such insurance from the revolving fund for the purchase of jute," approved March 10, 1909.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 271 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1314 read first time, and referred to Committee on County Government.

Assembly Bill No. 1157 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 925 read first time, and referred to Committee on Insurance.

Assembly Bill No. 926 read first time, and referred to Committee on Insurance.

Assembly Bill No. 1355 read first time, and referred to Committee on Prisons and Reformatories.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1096—An act to amend section 1576 of the Political Code, relating to separate school districts in cities except cities of the sixth class and additional territory;

Also: Assembly Bill No. 198—An act to amend section 50 of the "Public Utilities Act," approved April 23, 1915;

Also: Assembly Bill No. 272—An act to add a new section to the Code of Civil Procedure to be numbered 1776*a*, fixing the compensation of attorneys for guardians.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1096 read first time, and referred to Committee on Education.

Assembly Bill No. 198 read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 272 read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committee were received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 20, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Ballard to introduce a bill entitled—"An act to provide for the qualifications of sureties on bonds and undertakings accompanying bids and contracts for public work or for material therefor"—has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Duncan, Evans, Flaherty, Ingram, Inman, Irwin, Johnson, Jones, Kelso, King, Luce, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Rominger to introduce a bill entitled—"An act to amend an act entitled 'An act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams and watercourses, for the prevention of the overflow thereof, by widening, deepening,

straightening and otherwise improving the same, and to authorize the boards of supervisors to levy and collect assessments from the property benefited to pay the expenses of the same,' approved March 27, 1895, as amended, by adding a new section thereto, to be numbered 20½, relating to refund of assessments" has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Duncan, Evans, Flaherty, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS.

The following bills were introduced in accordance with above reports:

By Senator Ballard: Senate Bill No. 1153—An act to provide for the qualifications of sureties on bonds and undertakings accompanying bids and contracts for public work or for material therefor.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rominger: Senate Bill No. 1154—An act to add a new section to an act entitled "An act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams and watercourses, for the prevention of the overflow thereof, by widening, deepening, straightening and otherwise improving the same, and to authorize the boards of supervisors to levy and collect assessments from the property benefited to pay the expenses of the same," approved March 27, 1895, as amended, to be numbered 20½, relating to refund of assessments.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate Amendments to Assembly Bill No. 460—An act to amend section 103 of the Code of Civil Procedure, relating to justices' courts and justices.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON CIVIL SERVICE.

SENATE CHAMBER, SACRAMENTO, March 21, 1917.

MR. PRESIDENT: Your Committee on Civil Service, to which was referred Assembly Bill No. 668—An act to amend section 7 of an act entitled "An act to provide for a general system based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this

act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

RIGDON, Chairman.

Assembly Bill No. 668 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Civil Service, to which was referred Senate Bill No. 651—An act to repeal an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913—has had the same under consideration, and respectfully reports the same back and recommends that it do not pass.

RIGDON, Chairman.

Senate Bill No. 651 ordered on file for second reading.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 21, 1917.

MR. PRESIDENT: Your Committee on Corporations, to which was referred Senate Bill No. 605—An act to amend section 361 of the Civil Code, relating to changing the number of directors of corporations—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

SHARKEY, Chairman.

Senate Bill No. 605 ordered on file for second reading.

ON UNIVERSITIES.

SENATE CHAMBER, SACRAMENTO, March 20, 1917.

MR. PRESIDENT: Your Committee on Universities, to which was referred Senate Bill No. 141—An act to establish a university farm in southern California, and making an appropriation to carry out the purposes hereof—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended and that it be re-referred to Committee on Finance.

EVANS, Chairman.

Senate Bill No. 141 re-referred to Committee on Finance.

SENATOR BENSON IN THE CHAIR.

At ten o'clock and thirty minutes a.m., Senator Benson of the Twenty-seventh District was called to the chair.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 90—An act to amend section 290½ of the Civil Code, relating to corporations.

On motion of Senator Jones, Senate Bill No. 90 was passed on file.

Senate Bill No. 101—An act to amend section 16 of an act entitled "An act regulating the employment and hours of labor of children; prohibiting the employment of minors under certain ages; prohibiting the employment of certain illiterate minors; providing for the enforcement hereof by the commissioner of the Bureau of Labor Statistics and providing penalties for the violation hereof," approved February 20, 1905, as amended by an act approved April 14, 1911, as further

amended by an act approved June 2, 1913; and as further amended by an act approved June 5, 1915.

On motion of Senator Lyon, Senate Bill No. 101 was passed on file.

Senate Bill No. 820—An act to provide for the periodical inspection of steam boilers, with certain exceptions, operated in this State; requiring a permit, to be issued by the Industrial Accident Commission, for the operation of such boilers; making it a misdemeanor to operate such boilers without such permit; and allowing an injunction against such operation without such permit where dangerous to the life or safety of employees; providing for a hearing before the Industrial Accident Commission prior to refusal of a permit; providing for the determination of competency of inspectors making such inspections and requiring reports of inspections; and prescribing maximum fees for such inspections.

On motion of Senator Luce, Senate Bill No. 820 was passed on file.

Senate Bill No. 777—An act to amend section 7 of an act entitled "An act to carry into effect the provisions of section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, as amended February 3, 1913, and January 28, 1915.

Bill read third time, previously.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 777 passed by the following vote:

AYES—Senators Ballard, Benson, Carr, F. M., Carr, W. J., Chamberlin, Duncan, Evans, Flaherty, Ingram, Inman, Irwin, Johnson, Jones, Kelloe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Thompson—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 49—An act to repeal section 55*a* of the Penal Code, relative to soliciting, demanding, or pledging votes for or against any particular bill or measure.

On motion of Senator Duncan, Senate Bill No. 49 was passed on file.

Senate Bill No. 878—An act to add a new section to the Civil Code, to be numbered 3320, providing for the damages recoverable from banks on the nonpayment of checks.

In the absence of the author, Senate Bill No. 878 was ordered passed, to retain its place on the file.

Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending sections 1 and 14 of Article XIII thereof, both relating to revenue and taxation, so as to permit taxation of certain public utilities owned or operated by counties, cities and counties, or municipal corporations.

On motion of Senator Irwin, Senate Constitutional Amendment No. 11 was passed on file.

Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section 22 of Article XII thereof, relating to the powers and duties of the Railroad Commission of the State of California.

On motion of Senator Irwin, Senate Constitutional Amendment No. 21 was passed on file.

Senate Constituional Amendment No. 22—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section 23 of Article XII thereof, relating to the powers and duties of the Railroad Commission of the State of California.

On motion of Senator Irwin, Senate Constitutional Amendment No. 22 was passed on file.

Senate Bill No. 422—An act to amend section 1624 of the Civil Code, and repealing Article II of Chapter 3 of Title IV of division second of the Civil Code, and repealing sections 3308, 3309, 3310, 3311, 3312, 3313, 3314, 3353, 3354, 3355, 1739 and 1740 of the Civil Code, Chapter 2 of Title I of Part IV of division third of the Civil Code, Chapter 3 of Title I of Part IV of division third of the Civil Code, Chapter 4 of Title I of Part IV of division third of the Civil Code, and to add Chapters 2, 3, 4, 5, 6 and 7 of Title I of Part IV of division third of said Civil Code in place thereof, relating to the sale of personal property.

In the absence of the author, Senate Bill No. 422 was ordered passed, to retain its place on the file.

Senate Bill No. 423—An act to repeal Title XV of Part IV of division third of the Civil Code of the State of California, and to add a new Title XV of Part IV of division third of said code in place thereof, relating to negotiable instruments, and to make the law of negotiable instruments in the State of California uniform with the law of other states.

In the absence of the author, Senate Bill No. 423 was ordered passed, to retain its place on the file.

Senate Bill No. 421—An act to repeal Article III of Chapter 3 of Title VII of Part IV of the Civil Code of the State of California, and to enact a new Article III of Chapter 3 of Title VII of Part IV of the Civil Code of the State of California, relating to bills of lading.

In the absence of the author, Senate Bill No. 421 was ordered passed, to retain its place on the file.

Senate Bill No. 320—An act to amend section 1858 of the Political Code, relating to the apportionment of the elementary school funds and the counting of attendance in the elementary and secondary schools of the State.

On motion of Senator Jones, Senate Bill No. 320 was passed on file.

Senate Bill No. 736—An act to add a new section to the Penal Code, to be numbered 653f, relating to the restricting of the number of individuals who may learn a trade.

On motion of Senator Rominger, Senate Bill No. 736 was passed on file.

Senate Bill No. 890—An act to amend section 2643 of the Political Code, relating to the powers of boards of supervisors over roads.

On motion of Senator Tyrrell, Senate Bill No. 890 was passed on file.

Senate Bill No. 173—An act authorizing counties to employ public health visitors and prescribing their qualifications and duties.

On motion of Senator Lyon, Senate Bill No. 173 was passed on file.

Senate Bill No. 514—An act to amend section 1720 of the Political Code, and to add a new section to the Political Code, to be numbered 1750*b*, relating to the organization and maintenance of junior college courses of study.

Senate Bill No. 514 re-referred to Committee on Finance.

Senate Bill No. 515—An act to amend section 1721 of the Political Code and to add a new section to the Political Code, to be numbered section 1739*b*, and to repeal section 1725 thereof, relating to the organization of high school districts and county junior college districts.

Senate Bill No. 515 re-referred to Committee on Finance.

Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending section 1 of Article IV thereof, relating to legislative powers, and reserving to the people of the State of California the power to propose laws, statutes and amendments to the Constitution and to enact the same at the polls, independent of the Legislature, and also reserving to the people of the State of California the power to approve or reject at the polls any act or section or part of any act of the Legislature.

On motion of Senator Duncan, Senate Constitutional Amendment No. 5 was passed on file.

Senate Concurrent Resolution No. 20—Relating to the publication of an index of the laws of California.

On motion of Senator Benson, Senate Concurrent Resolution No. 20 was passed on file.

Senate Joint Resolution No. 9—Relating to needy Indians within the State of California.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 9 adopted by the following vote:

AYES—Senators Ballard, Benson, Carr, F. M., Carr, W. J., Duncan, Flaherty, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Thompson—27.

NOES—None.

Title read and approved.

Senate joint resolution ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 44—A resolution to propose to the people of the State of California to amend section 13 of Article VI of the Constitution of the State, relating to inferior courts.

COMMITTEE AMENDMENTS.

During reading of the resolution, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 4, after the word "legislature" insert a comma.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 5, after the word "city" strike out the comma.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 25, after the period following the word "court" strike out the remainder of line 25 and all of lines 26, 27, 28 and 29.

Amendment adopted.

Resolution ordered to print and engrossment.

SECOND READING OF SENATE BILLS.

Senate Bill No. 705—An act to amend sections 1663, 1771 and 1775 of the Political Code, relating to the classification of schools, the powers of county boards of education and the granting of teachers' certificates.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered.

AMENDMENT NUMBER ONE.

On page 5, line 24, beginning with the word "Limited" strike out all down to and including the word "experience" in line 36, and insert in lieu thereof the following: "Elementary school teachers certificates of any county, or city and county of California; *provided*, that the holder thereof has had eight months of successful teaching experience; (4) Diplomas of graduation with the bachelor's degree based upon a four-year course, granted by the University of California or any other university accredited by the state board of education for high school certification; *provided*, that the holder thereof has successfully completed ten months of experience in teaching, or twelve units of pedagogy according to regulations prescribed by the state board of education; (5) Temporary two-year certificates heretofore granted by county, or city and county superintendents of schools in accordance with law.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 585—An act to amend section 1741 of the Political Code, relating to the powers and duties of high school boards.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 709—An act to amend section 5 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 943—An act to add thirteen new sections to the Political Code, to be numbered 1585, 1586, 1587, 1588, 1589, 1589*a*, 1589*b*, 1589*c*, 1590, 1591, 1591*a*, 1591*b* and 1591*c*, and to repeal section 1674 of the Political Code, relating to union school districts.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 944—An act to add a new section to the Political Code, to be numbered 1675*a*, relating to the change of name of school districts and the manner of making such change and to repeal "An act to provide for the change of name of school districts and the manner of making such change," approved March 16, 1903.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 945—An act to add a new section to the Political Code, to be numbered section 1670, relating to the school year, and school month, and to repeal section 1697 of the Political Code, relating to the school month, and section 1878 of the Political Code, relating to the school year.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 414—An act making it unlawful to manufacture, sell, offer for sale, give away, furnish or have in possession any whiskey, rum, brandy, gin, liqueurs, wines or any other spirituous, malt, vinous, fermented or other intoxicating liquors containing more than ten per cent of common or ethyl alcohol in proportion to all other substances therein contained, except for scientific or mechanical purposes, or for medical purposes pursuant to the written prescription of a duly licensed physician or surgeon; prohibiting any physician from giving any person a prescription for the purpose of enabling or assisting such person to evade any of the provisions of this act or to obtain such liquors for any purpose except that of treating disease; and providing penalties for the violation thereof.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of the title after the words "An act" and insert in lieu thereof the following: "regulating the traffic in alcohol and alcoholic liquors, and prohibiting, except in certain places and in certain cases and under certain conditions, the keeping, selling, serving, bartering, giving away, shipment, transporting, delivery or receiving of alcohol or alcoholic liquors, or of vinous or malt liquors which contain certain percentages or more of alcohol or which contain distilled spirits; prohibiting (except under certain conditions and in certain cases and in respect of certain vinous or malt liquors) the sale, serving or bartering of alcoholic liquors for beverage purposes for consumption on the premises where sold, served or bartered, or the keeping, maintaining or conducting of any drinking saloon, bar, bar room or other place where (except under said conditions and in said cases and in respect of said vinous or malt liquors) any alcoholic liquors are sold, served or bartered for beverage purposes for consumption on the premises where sold, served or bartered; prescribing the maximum number of licenses or permits which may be issued by any town, city or city and county for the sale of liquor in sealed packages for consumption elsewhere than on the premises where sold; making unlawful and declaring to be penal offenses various acts in respect of, and various dealings in, alcohol, alcoholic liquors or particular kinds of such liquors, and prescribing penalties for and providing for the punishment of such offenses."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of line 1 after "Section 1.", all of lines 2, 3, 4, 5 and 6, and all of page 2, and insert in lieu thereof the following:

"Except as in this act otherwise provided, it shall be unlawful to sell, serve, barter or give away:

(a) Any alcoholic liquors other than vinous or malt liquors;

(b) any vinous or malt liquors which contain more than twenty-one per cent by volume of alcohol;

(c) any vinous or malt liquors (except fortified sweet wines) which contain any distilled spirits;

(d) any vinous or malt liquors except in lots or quantities of not less than twenty fluid ounces each, and except in sealed packages containing each not less than ten fluid ounces;

(e) any vinous or malt liquors outside the limits of an incorporated town, city or consolidated city and county.

Sec. 2. The provisions of section 1 of this act shall not apply to, and nothing therein contained shall be construed as rendering unlawful:

(a) the sale of alcoholic liquors by a manufacturer thereof to a wholesale druggist or to a registered pharmacist, conducting a pharmacy or by a wholesale druggist to

a registered pharmacist, conducting a pharmacy provided the same are by the seller delivered either (1) directly to the purchaser at his place of business, or (2) to a common carrier to be by such carrier delivered to the purchaser at his place of business;

(b) the sale of wine by a manufacturer thereof or by a wholesale druggist or by a registered pharmacist conducting a pharmacy for sacramental purposes only; provided such wine is sold only to a regularly ordained minister of some religious denomination or upon the written order of some local official board or governing body of a religious organization, and provided a record is kept of such sale by the seller in a permanent book of records of such sales which is always open to public inspection, and in which is recorded at the time of such sale the date thereof, the quantity sold, and the signature of the person purchasing the same;

(c) the distribution and use of wine at and as part of the sacramental service of any religious observance;

(d) the sale, by a manufacturer thereof, or by a wholesale druggist, or by a registered pharmacist, conducting a pharmacy of alcohol for other than beverage purposes, provided a record thereof is made at the time of such sale in a permanent book of records of such sales, which is kept at the place of business of the seller, and is always open to public inspection, showing the date of sale, the quantity sold, the purpose for which the alcohol is purchased, and the signature of the purchaser;

(e) the dispensing of alcoholic liquor by a registered pharmacist conducting a pharmacy for bona fide medicinal purposes only, upon a written prescription, issued, signed and dated by a duly licensed physician, which prescription contains in the handwriting of such physician the name of the person applying for such prescription and the name of the person for whose use it is given, provided that not more than one dispensing is made upon such prescription, and provided such prescription is kept on file at the place of business of such pharmacist in a book or file of prescriptions which is always open to public inspection, and provided that none of the liquor so dispensed is drunk upon the premises where the same is dispensed;

(f) the sale of wine by a manufacturer thereof to a wine blender or to another manufacturer of wines for blending purposes, or to a manufacturer of pure grape brandy to be used in making such brandy, or the sale of pure grape brandy by a manufacturer thereof to a manufacturer of wines to be used by the latter in the fortification of sweet wines, in conformity with the acts of congress relating thereto;

(g) the sale of alcohol or of pure grape or fruit brandy by a manufacturer thereof for export or for shipment to points outside this state, provided the seller delivers the alcohol or brandy so sold to a common carrier for shipment and delivery to a point outside this state.

If, in case of any sale of the character mentioned and provided for in subdivisions (b) or (d) of this section, the purchaser shall not be present at the time and place of sale, any such sale shall be unlawful unless made upon a written order signed by the purchaser, and unless in such case, instead of the signature of the purchaser being entered in the book or books of records mentioned in said subdivisions, such written order shall be by the seller kept on file at his or its place or business in a file of such orders which is always open to public inspection.

SEC. 3. The provisions of subdivisions (d) and (e) of section 1 of this act shall not apply to or be construed as rendering unlawful the sale by a manufacturer thereof, for delivery from the premises where the same are manufactured, of vinous or malt liquors of a character such that the sale thereof is not rendered unlawful by the provisions of subdivisions (b) and (c) of section 1 of this act, or the receiving and filling or orders for vinous or malt liquors of the same character, to be delivered from a cellar, vault, warehouse or storehouse where the same are kept, provided each such sale or order is of a quantity of not less than two gallons, and provided no part of the liquor sold or ordered is consumed upon the premises where sold or where the same are kept for the filling of such orders, but all thereof is by the seller or by the party filling such order delivered from such premises, either (1) directly to a person by whom and to a place at which the same may be lawfully kept, sold, served or used; or (2) to a common carrier to be by such carrier delivered to such person and place, or for shipment by such carrier and delivery to a point outside this State.

SEC. 4. Nothing in this act contained shall be construed as rendering unlawful the serving by a person at his own home, to members of his family or to his guests, of vinous or malt liquors of such character that the serving thereof is not rendered unlawful by subdivisions (b) and (c) of section 1 of this act, provided no money or other representative of value or any valuable consideration is or is to be given or received in return therefor, and provided such home is not a place of public resort.

SEC. 5. Except as otherwise provided in this section or in section 4 of this act, it shall be unlawful:

(a) To sell, serve or barter for beverage purposes any alcoholic liquors to be consumed on the premises where sold, served or bartered; or

(b) To keep, maintain or conduct any drinking saloon, bar, barroom or other place where alcoholic liquor is sold, served or bartered for beverage purposes to be consumed on the premises where sold, served or bartered.

Nothing in this section or in subdivisions (d) or (e) of section 1 of this act shall be construed as rendering unlawful the sale and serving in a hotel, restaurant

or club or on a train or vessel used for the common carriage of passengers, of vinous or malt liquors which do not contain more than fourteen per cent by volume of alcohol, and which do not contain any distilled spirits, provided the same are sold and served only between the hours of twelve o'clock noon and twelve o'clock midnight of a day, with and as part of and to be consumed with a bona fide meal, and provided the same (if served in a hotel, restaurant or club) are served only in a public or general dining room or dining place of such hotel, restaurant or club in which there are no booths or boxes, to which dining room or dining place free access is allowed to all peace officers for purposes of inspection at all times when the same is being used.

SEC. 6. It shall be unlawful:

(a) To keep or possess any alcoholic liquor in any place of public amusement or in any place of public resort, or for purposes of sale in any other place except (1) where either the sale or serving for valuable consideration on such premises, or the receiving and filling of orders for delivery therefrom of alcoholic liquor of the character of that kept or possessed thereon is not rendered unlawful by this act, and is authorized by all such permits and licenses, municipal and other, as are required by law or ordinance to render such receiving and filling of orders, sale or serving lawful; and (2) where the same is kept or possessed to be used solely for scientific, industrial or sacramental purposes;

(b) to keep or possess on any premises where alcoholic liquor is sold for beverage purposes, any alcoholic liquors other than vinous or malt liquors, or any vinous or malt liquors which contain more than twenty one per cent by volume of alcohol, or any vinous or malt liquors (other than fortified sweet wines) which contain any brandy or distilled spirits.

The possession or keeping in any place of public amusement or in any place of public resort of any alcoholic liquor of a character such that under the provisions of this act the same may not either be lawfully sold or served on such premises or orders therefor filled on such premises, or (if any permit or license for the sale or serving of or the filling of orders for such liquor on or from such premises shall be required by any law or ordinance) the possession of any alcoholic liquor on such premises if all permits and licenses necessary to authorize the sale or serving of such liquor on such premises, or the receiving and filling of orders for such liquor on or from such premises, have not been issued, shall be prima facie evidence of a violation of this section. Nothing in this act contained shall be deemed to render unlawful the storage of alcoholic liquors in United States bonded warehouses, or the keeping or possessing of fortification brandy or fortified sweet wines by wine manufacturers, wine blenders or wholesale dealers in wines on their premises.

SEC. 7. It shall be unlawful for any person, firm, association or corporation to sell, barter or serve any alcoholic liquor within the limits of any town, city, county, or city and county without first having obtained from such town, city, or city and county all such licenses and permits as shall be required therefor by general law or by the charter or any valid ordinance of such town, city, or city and county.

SEC. 8. Nothing herein contained shall be deemed to limit the power of any town, city, or consolidated city and county to fix the terms and conditions upon which permits or licenses to sell alcoholic liquors therein shall be granted, or the terms of any such permits or licenses, or the number, if any, of such permits or licenses which shall be issued, or to issue permits or licenses authorizing the sale (for consumption elsewhere than on the premises where the same are sold) of fortified sweet wines containing not more than twenty one per cent by volume of alcohol, and of other vinous and malt liquors containing not more than twenty-one per cent by volume of alcohol, and not containing any distilled spirits; *provided*, that

(a) no permit or license issued by any town, city, or consolidated city and county shall authorize or render lawful anything prohibited or rendered unlawful by this act or by any other law of this state;

(b) In any city, town, or consolidated city and county having a population of more than two thousand, the total number of permits in force at any one time authorizing the sale of vinous or malt liquors in sealed packages, not for consumption on the premises where the same are sold, shall not exceed one to each two thousand or major fraction thereof of the population, and in any town, city, or city and county having a population of less than two thousand not more than one permit to sell alcoholic liquor in sealed packages, not for consumption on the premises, may be granted.

For the purposes of this act the population at any time of any town, city, or city and county shall be deemed to be its population as shown by the last preceding decennial census taken by the United States Government.

SEC. 9. It shall be unlawful for any person, firm, association or corporation who or which shall bottle or otherwise pack any alcoholic liquors, to sell, deliver, ship or cause to be delivered or shipped any such liquor in bottles or other packages, unless and until each such bottle or package, and any outside cover of any such bottles or packages, shall be labeled so as to plainly show the name of the person, firm, association or corporation by whom or by which such liquor was bottled or packed, the nature of the contents of each bottle or package so labeled, the quantity contained therein, the percentage by volume of alcohol in the contents thereof, and (if the same contain any distilled spirits) the percentage by volume of the distilled spirits therein contained; *provided, however*, that the label for a bottle or package

containing only fortified sweet wine may, instead of stating the percentage by volume of distilled spirits contained therein, use the words "including distilled spirits" in stating the volume by percentage of alcohol contained therein, as, for instance, **"containing 20 per cent by volume of alcohol including distilled spirits".**

SEC. 10. It shall be unlawful for any person, firm, association or corporation to receive from a common carrier or otherwise, either in the original package or otherwise, or to possess, any alcoholic liquors, with intent to keep, sell, serve, barter or give away the same in violation of any of the provisions of this act, or to order, direct or cause the shipment or transportation of any alcoholic liquors, either in the original package or otherwise, from a point without the state into this state, or from one point to another in this state, with intent that the same shall be received, kept, served, sold, bartered or given away, either in the original package or otherwise, in violation of any of the provisions of this act, either by such person, firm, association or corporation ordering, directing or causing such shipment or transportation, or by any other person. It shall be unlawful for any person, firm, association or corporation to ship, carry or transport in any manner or by any means whatsoever, either in the original package or otherwise, from a point without the state into this state, or from one point to another in this state, any alcoholic liquors which are intended by any person interested therein to be received, sold or in any manner used, either in the original package or otherwise, in violation of any of the provisions of **this act.**

SEC. 11. Any person violating any of the provisions of this act shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding six hundred dollars, or by imprisonment in the county jail for not exceeding seven months, or by both such fine and imprisonment; but any person found guilty of violating any of the provisions of this act, by conviction for an offense committed after a previous conviction under this act, shall, upon such second conviction, be punished by a fine not exceeding six hundred dollars, nor less than one hundred dollars, and by imprisonment in the county jail for not exceeding seven months, **and for not less than one month.**

SEC. 12. The payment of the internal revenue special tax required of liquor dealers by the United States, by any person or persons other than wholesale druggists, registered pharmacists, wholesale liquor dealers, manufacturers of alcoholic liquors, or persons holding valid permits for the sale of such liquors, shall be prima facie evidence that such person or persons are keeping and selling alcoholic liquors in violation of the act, and in any prosecution under this act a certificate from a collector of internal revenue or from any of his deputies or agents, showing that such tax has been paid by the defendant, either alone or in association with others, shall be sufficient evidence of the payment of such tax.

SEC. 13. The words "alcoholic liquor" or "alcoholic liquors" as used in this act shall include alcohol and all spirituous, vinous or malt liquors, and any other liquor or mixture of liquors which contains one per cent or more by volume of alcohol, and which is not so mixed with drugs or other substances as to prevent its use as a beverage. The words "vinous liquors" as used in this act shall include fortified sweet wines and any other alcoholic liquors made from the fermented juice of the grape or of berries or any other fruits. The word "alcohol" as used in this act means common or ethyl alcohol. The words "fruit brandy" as used in this act shall include brandy made by distilling the fermented juice of the grape, or of berries, or of any other **fruits, in conformity with the acts of Congress relating thereto.**

SEC. 14. Nothing in this act contained shall be construed as authorizing the sale of alcohol or alcoholic liquors in territory that is or shall hereafter become no-license territory under an act entitled "An act to provide for the regulation of the traffic in alcoholic liquors by establishing local option; authorizing the filing of petitions praying for elections to vote upon the question whether the sale of alcoholic liquors shall be licensed within the territory described in such petitions; providing for the calling and holding of such elections; making it the duty of the proper governing body to declare such territory to be no-license territory unless a majority of votes is cast in favor of license; providing that no licenses, permits or other authority to sell or distribute alcoholic liquors in no-license territory shall be granted; forfeiting and declaring void all such licenses or permits theretofore issued and in force; making it a penal offense to sell, give away or distribute alcoholic liquors within such territory, with certain exceptions; and providing penalties for such offenses," approved April 4, 1911, in violation of the terms thereof, or as authorizing the sale of alcoholic liquors in any place where such sale is or shall hereafter be made unlawful by any law or ordinance.

SEC. 15. This act shall take effect and be in force on and after the first day of **January, 1918.**

SEC. 16. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses **or phrases be or be declared to be unconstitutional.**

AMENDMENT NUMBER THREE.

SEC. 17. Every permit or license which shall hereafter be issued by any town, city, county, or city and county for the sale of any alcoholic liquor not rendered unlawful by the terms of this act shall contain a provision or stipulation that the applicant therefor or holder thereof agrees to permit the chief of police, town marshal, mayor of the city, or sheriff or district attorney of the county or any person designated by either or any of them, to fully and carefully inspect at any time during business hours the premises of the holder of the permit or license and the files, books or orders showing the purchases by said holder of alcoholic liquors, and the said chief of police, town marshal, mayor, sheriff, district attorney or person or persons designated by either or any of them are hereby given the power and authority to make such inspection and to use any information so obtained in any prosecution of the holder of such permit or license or any of his agents for the violation of any of the provisions of this act, and every facility and information shall be given by such holder or his agents to said persons whenever requested in order for them to be given an account of the amount of each kind of alcoholic liquor on hand at any time, or previously purchased by such holder of said permit or license during the period of the preceding twelve calendar months.

MOTION.

Senator Crowley moved that the proposed amendments to Senate Bill No. 414 be printed in the Journal, and that the further consideration of the bill, and the pending amendments, be continued until the next legislative day.

Motion carried.

Senate Bill No. 1090—An act to amend sections 2, 3, 6, 7, 12 and 15 of an act entitled "An act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 2 of the title, after the word "sections" insert the following: "one,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, in line 2 of the title, strike out the words "and fifteen" and insert in lieu thereof a comma and the following: "fifteen and sixteen".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, in line 7 of the title, strike out the period and insert in lieu thereof a comma and the following: "as amended."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out that portion of line 1 following the period in said line, also lines 2 to 13 on page 1 and all of pages 2 and 3 and insert in lieu thereof the following:

Section one of an act entitled "An act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911, is hereby amended to read as follows:

Section 1. Forty or more male students fourteen years of age or over in any high school in this state desiring military training shall be organized as a high

school cadet company, or companies, of not less than forty members each; where the number of such students is less than forty and over twenty they shall be organized as a platoon. All such platoons or companies shall be organized under such rules and regulations as the adjutant general of the State of California shall from time to time prescribe; such rules and regulations shall prescribe a minimum course of military instruction, for which such cadets shall receive the same academic credits toward graduation as may be given in other branches in the high school curriculum; drill and target practice shall be rated on the same basis as manual training, and the knowledge acquired from military textbooks shall be deemed academic subjects, for which similar credits shall be given as for work in language or mathematics. The moral, educational and physical welfare of such cadets shall be under the guidance of the principal of the school which such cadets attend.

The commandant of such military organizations, when commissioned by the governor of the State of California, and authorized by a certificate from the proper state authorities to teach military science in the high schools of this state, shall be compensated for such services rendered in any school where he may be employed, the said compensation to be equal to that which would be paid for a like amount of services rendered in any other branch of the curriculum of the said high school where he may be employed.

SEC. 2. Section two of said act, as amended, is hereby amended to read as follows:

SEC. 2. Said companies shall each have one captain, one first lieutenant, and one second lieutenant, appointed and commissioned by the adjutant general, State of California, upon the recommendation of the commandant of cadets herein provided for, and with the approval of the principal, and such noncommissioned officers as correspond to the noncommissioned officers of companies of the national guard and naval militia of California, the noncommissioned officers to be appointed and warranted by the commandant of cadets, with the approval of the principal of the school to which such company is attached.

SEC. 3. Section three of said act, as amended, is hereby amended to read as follows:

SEC. 3. In case any high school has more than one company it shall have one cadet major, one cadet adjutant, with rank of first lieutenant, and one battalion quartermaster and commissary, with rank of second lieutenant, who shall be appointed and commissioned by the adjutant general, State of California, upon the recommendation of the commandant of cadets, and with the approval of the principal and one sergeant major and one color sergeant, who shall be appointed and warranted by the commandant of cadets with the approval of the principal. The adjutant general may, in his discretion, organize the companies of the high school cadets into one or more regiments and may commission the necessary officers and warrant the necessary noncommissioned officers of the same grades and number provided for similar organizations of the national guard of California.

SEC. 4. Section six of said act, as amended, is hereby amended to read as follows:

SEC. 6. Said high school cadets shall have drill in accordance with the drill regulations prescribed for like organizations of the national guard or naval militia, and shall have an encampment of not less than five days duration each year.

SEC. 5. Section seven of said act, as amended, is hereby amended to read as follows:

SEC. 7. Said high school cadets shall wear a uniform similar to that prescribed for like units of the national guard or naval militia of California, except that distinctive collar ornaments will be worn and the rank of cadet officers below the grade of major will be indicated by chevrons worn on the sleeve. The cadet major shall wear the insignia of rank prescribed by the adjutant general, State of California. The adjutant general, State of California, is authorized to issue to the high school cadets the required cap and collar ornaments, and chevrons.

SEC. 6. Section twelve of said act, as amended, is hereby amended to read as follows:

SEC. 12. Said high school cadet companies shall be inspected once each year by officers of the United States army, national guard, or naval militia, detailed by the adjutant general, State of California, for that purpose. Such inspectors shall report to the adjutant general the result of such inspections, relating to the drill, target practice, attendance, discipline, and condition of property of said high school cadet organizations. Such reports will be made and forwarded, in duplicate, one copy to the state superintendent of public instruction and one copy to the adjutant general's office, and shall bear the endorsement of the principal of said school, containing such remarks as the principal may deem pertinent. Such reports shall also contain an inventory of the state property on hand in the cadet companies at the time of said inspections.

SEC. 7. Section fifteen of said act, as amended, is hereby amended to read as follows:

SEC. 15. Upon the recommendation of the adjutant general, State of California, and with the approval of the school board having jurisdiction over the high school, the governor may commission, in the same manner as national guard officers are commissioned, a commandant of cadets for duty in each high school having one or more cadet companies. This officer shall be commissioned major and commandant of

cadets, State of California, and shall hold office at the pleasure of the governor, or until his successor has been appointed and qualifies, or until his connection with the cadets is severed. Said major and commandant of cadets shall be entitled to the same privileges and exemptions accorded national guard officers except that pay and expenses on special detail shall be taken from the high school cadet appropriations, instead of from national guard funds. Said major and commandant of cadets shall wear the same uniform as a major of infantry in the national guard of California, with shoulder straps and collar ornaments designating the California high school cadets and prescribed by the adjutant general, State of California.

SEC. 8. Section sixteen of said act, as amended, is hereby amended to read as follows:

Sec. 16. Whenever any such platoon or company is organized as herein above provided it shall be the duty of the board of high school trustees, board of education, county superintendent of schools, and state superintendent of public instruction, to take all steps necessary to carry out the provisions of this act and to enforce the rules and regulations and course of military instruction prescribed by the adjutant general. The state board of education shall not approve of the course of study of any high school or of any high school district which neglects or refuses to establish such course of military instruction as is provided for herein. No cadet company organized under the provisions of this act shall be called for duty at the time of any industrial dispute or disturbance or to perform police duty of any kind whatever.

SEC. 9. All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 412—An act to amend section 1613 of the Penal Code, relating to the labor of prisoners confined in the county jail.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 761—An act to repeal sections 1959 and 2027 of the Political Code, and to amend sections 1918, 1919, 1924, 1925, 1926, 1927, 1928*a*, 1928*b*, 1928*d*, 1929, 1930, 1931, 1932, 1932½, 1933, 1934, 1951, 1953, 1954, 1955, 1956, 1957, 1958, 1960, 1980, 1982, 2006, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2026, 2086, 2107, 2111 and 2112 of the Political Code, all relating to the National Guard of the State of California.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, line 2 of the title, after the comma following "two thousand twenty-six" insert the words "two thousand seventy-nine".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, line 4, beginning with "Sec. 6," strike out all of lines 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, and 30, and insert in lieu thereof the following:

"Sec. 6. Section one thousand nine hundred twenty-five of the Political Code is hereby amended to read as follows:

1925. The national guard of California shall consist of the following staff departments, to wit: an adjutant general's department, an inspector general's department, a judge advocate general's department, a quartermaster corps, a medical department, a corps of engineers, an ordnance department, a signal corps, an aviation corps, and such other staff departments as may be prescribed and authorized by the national defense act of June 3, 1916, and the various amendments thereto; it shall also consist of the commissioned officers who shall hereafter be placed in the national guard reserve; it shall also consist of all organizations now forming the national guard of this state under the terms of the said national defense act of June 3, 1916, and the amendments thereto; and shall include the naval militia of this state; it shall also consist of such other organizations as may be required by the national defense act of June 3, 1916, and the amendments thereto. The commander-in-chief shall have the power, and it shall be his duty to change the organization of the

national guard of this state so as to conform to any organization, system of drill or instruction now or hereafter prescribed by the laws and regulations of the United States for the organization and government of the national guard, and for that purpose the number of officers and noncommissioned officers of any grade may be increased or diminished or the grades may be altered or created whenever necessary to procure such uniformity."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4 of the printed bill, line 6, strike out the words "one lieutenant colonel" and insert in lieu thereof the following: "and one lieutenant colonel, both of whom shall be either commissioned in the adjutant general's department or detailed from officers of other arms of the service or in the national guard reserve".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4 of the printed bill, lines 23 and 24, strike out the words "The officer with the grade of lieutenant colonel, in the adjutant general's department," and insert in lieu thereof the following: "The officer appointed the assistant adjutant general".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 5 of the printed bill, line 4, after the semicolon following the word "clerk", insert the following: "one auditor;".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 8 of the printed bill, line 8, strike out the words "The senior" and all of lines 9, 10, 11, 12, 13, 14, and 15.

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 10 of the printed bill, line 14, strike out the period following the word "commissioned" and insert in lieu thereof the following: "and in addition thereto must successfully pass such examination as may be required by the war department."

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 10 of the printed bill, lines 22, 23, 24, 25, and 26, strike out the following words: "Graduation from a school of engineering of recognized reputation, or the performance of the duties of a professor of engineering in a technical school of high grade, shall be sufficient qualifications for appointment as an engineer officer in the national guard of California."

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 11 of the printed bill, line 4, after the word "that" strike out the words "general officers,".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 11 of the printed bill, beginning with the comma following the word "commander-in-chief", line 5, strike out "chiefs of departments, and line 6, strike out "ments and corps" and the word "provided," and strike out all of lines 7 and 8.

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 11 of the printed bill, line 32, beginning with the figures "1957" strike out all of lines 32, 33, 34, 35, 36, and 37, and on page 12, strike out the lines 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, and insert in lieu thereof the following:

"1957. When a vacancy occurs among the general officers of the line of the national guard, the governor shall propose to the war department, upon the recommendation of the adjutant general, the name of an officer to fill the vacancy. The officer so recommended will be required to take such examination as may be prescribed by the war department. When notified by the war department that the officer has successfully passed such examination, the governor shall commission him. The officers on the staff of a brigade, regiment, unit of coast artillery corresponding to a regiment of infantry, battalion, or squadron, shall be recommended to the adjutant general by the brigade, regimental, battalion or squadron commander, or commanding officer of unit of coast artillery corresponding to regiment of infantry, who may recommend not to exceed three candidates to the adjutant general, who will cause such candidates to be examined. In making these recommendations seniority of candidates will be taken into consideration. In the case of officers of separate organizations, the adjutant general will select not to exceed three candidates, whom the adjutant general will cause to be examined. The candidate receiving the highest rating in such examination will be recommended by the adjutant general to the governor for commission, subject to such examination as may be prescribed by the war department. All officers shall be commissioned in the arm of the service in which they are appointed and shall be assigned to duty by the adjutant general upon recommendation of the commanding officer of the regiment, unit of coast artillery corresponding to a regiment of infantry, separate battalion or squadron."

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 17 of the printed bill, in line 25, strike out the comma and all of the balance of the line, and insert in lieu thereof a period; also strike out all of line 26 and all of line 27 to and including the period.

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 17 of the printed bill, in line 31, strike out the words "city and county" and insert in lieu thereof the words "city, county and city and county".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 18 of the printed bill, in line 8, strike out the word "court" at the end of the line and insert in lieu thereof the following: "general or special court-martial and the summary court officer of any such summary court".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 18 of the printed bill, immediately following line 21, insert the following new section of the bill:

"SEC. 37½. Section two thousand seventy-nine of the Political Code is hereby amended to read as follows:

2079. There must be audited and allowed by the adjutant general and paid out of the appropriation for military purposes, upon the warrant of the state controller, to the commanding officer of each infantry, coast artillery, engineer, field hospital, ambulance company, and the headquarters company of each regiment of infantry, and each division and marine company of the naval militia, except the engineer division of the naval militia, the sum of one hundred fifty dollars per month; to the commanding officer of each machine gun company, signal company, troop of cavalry, battery of field artillery, supply company, and the engineer divisions of the naval militia, the sum of two hundred dollars per month; to each supply company of separate battalions and squadrons the sum of seventy-five dollars per month; the sum so paid to be used for armory rent, care of arms, and proper incidental expenses of the company, troop, battery, field hospital, or division. There shall be audited, allowed, and paid out of the same appropriation to the commanding officer of each brigade the sum of two hundred dollars per month; to the commanding officer of the naval militia the sum of two hundred dollars per month; to the commanding officer of each regiment

of infantry, and to the commanding officer of each unit of coast artillery corresponding to a regiment of infantry, two hundred dollars per month; to the commanding officer of each separate battalion of field artillery, naval militia, engineer troops and squadron of cavalry, the sum of fifty dollars per month, and to the commanding officer of each separate fort command, coast artillery, the sum of twenty-five dollars per month; the sums so paid to be used for rent of headquarters, clerical expenses, stationery, printing, postage and proper incidental expenses of the commanding officer of the organization for which said sums are audited, allowed and paid. There shall be audited, allowed and paid to the commanding officer of the naval militia, the adjutant of each regiment of infantry and coast artillery, which shall have attached to it a uniformed and organized band of not less than twenty-five men, the sum of seventy-five dollars per month for such band; to the chief surgeon the sum of fifty dollars per month for rent and proper incidental expenses; and to the adjutant general the sum of ten thousand dollars per annum, to be expended by him in promoting target practice. There must be audited and allowed by the adjutant general, and paid out of the appropriation for military purposes, to the medical officer in charge of each detachment of the medical department on duty with each regiment of infantry, coast artillery, the naval militia, separate battalions and squadrons, the sum of fifty dollars per month for rent and proper incidental expenses of such detachments and to the medical officer in charge of detachment of medical corps attached to each separate fort command, coast artillery the sum of ten dollars per month for proper incidental expenses. No claim shall be allowed under the provisions of this section except upon demand made quarterly in duplicate, signed and sworn to by the officer claiming the same, before any officer of the national guard, or notary public, and forwarded through the headquarters of the regiment, coast artillery corps, separate battalion, or separate squadron, or naval militia, with the approval of each commanding officer through whose headquarters they are required to pass, direct to the adjutant general; *provided*, that the adjutant general may make expenditures at any time for the promotion of target practice out of the appropriation for that purpose herein provided for."

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 18 of the printed bill, strike out all of line 31 after the semicolon and all of lines 32 and 33, and insert in lieu thereof the following: "to the chief clerk, two thousand one hundred dollars per annum; to the auditor, one thousand nine hundred dollars per annum; three clerks, one thousand nine hundred dollars each per annum; one clerk, one".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 20 of the printed bill, in line 31, strike out the semicolon and insert a period in lieu thereof, and strike out the words "provided, that", and strike out all of lines 32 and 33.

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 22 of the printed bill, after line 32, add the following:

"SEC. 13. Inasmuch as the provisions of the existing law relating to the national guard are in conflict with the provisions of the national defense act, and the provisions herein contained are necessary to enable the national guard of this state to comply with the requirements of said national defense act, and in view of the unsettled condition of the relations of the United States with foreign powers, this act is declared to be necessary for the immediate preservation of the public peace and safety and to be an urgency measure within the meaning of section one of article four of the constitution."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 884—An act to repeal section 847 of the Civil Code, relating to uses and trusts, to amend section 857 of the Civil Code, relating to express trusts, and to amend section 2220 of the Civil Code, relating to purposes for which a trust may be created.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 885—An act to amend section 715 of the Civil Code, relating to restraints upon alienation.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 9, after the word "exceed", strike out the word "fifty" and insert in lieu thereof the words "twenty-five".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 872—An act defining the meaning of the term "appointive officer," and to prohibit any appointive officer of the State of California, or of any of its departments or commissions, from participating in political conventions, discussions or campaigns for or against any political party, or measure, or candidate, making public political speeches to influence the action of any voter or voters for or against any party, person, or measure, or using any official stationery for such purpose, and providing penalties for the violation thereof.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 174—An act limiting the hours of female employees, requiring employers to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment, providing penalties for violations of the provisions thereof, and repealing an act entitled "An act limiting the hours of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman or other agent of any such employer to violate the provisions of this act," approved March 22, 1911.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of the title after the words "An act" and insert in lieu thereof "to amend section 1 of an act entitled 'An act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishments or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect, or

refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or any other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended."

Amendment adopted.

AMENDMENT NUMBER TWO

Strike out all of the printed bill after the enacting clause and insert in lieu thereof the following:

SECTION 1. Section one of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company, prohibiting such employer in any manufacturing, mercantile, or mechanical establishment, laundry, hotel or restaurant, or other establishment employing any female, to permit such females or all female employees and to compel them to use such seats when they are not engaged in the active duties of their employment, and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or any other agent or any such employer to violate the provisions of this act," approved March 22, 1911, as amended, is hereby amended so as to read as follows:

SECTION 1. No female shall be employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, eating house, restaurant, lodging house, hospital, place of amusement, or telegraph or telephone establishment or office, or by any express or transportation company in this state more than eight hours during any one day or more than forty-eight hours in any week. The hours of work may be so arranged as to permit the employment of females at any time so that they shall not work more than eight hours during the twenty-four hours of one day, or forty-eight hours during any one week: provided, however, that the provisions of this section in relation to hours of employment shall not apply to or affect graduate nurses in hospitals, nor the harvesting, curing, canning or drying of any variety of perishable fruit, fish or vegetable during such periods as may be necessary to harvest, cure, can or dry such fruit, fish or vegetable in order to save the same from spoiling.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 751—An act to prevent the importation into or transportation through the State of California of insects injurious to cultivated crops, providing exemption for specific scientific purposes, fixing the authority to grant such exemption and providing a penalty for a violation of the terms of this act.

Bill read second time, ordered engrossed, and on file for third reading.

THIRD READING OF SENATE BILLS—OUT OF ORDER

Senate Constitutional Amendment No. 13.—A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of the State by adding a new section thereto to be known as section 7½ of Article XI, relating to the consolidation of city and county government and to the framing of charters therefor and amendments to such charters.

Resolution read.

COMMITTEE AMENDMENTS

During the reading of the resolution the following committee amendments were offered:

AMENDMENT NUMBER ONE

In page 1 of the printed bill, line 8 of the text, after the word "charter" insert a comma; in page 1, line 4 of the title, strike out the words "charters" and insert in lieu thereof "charter".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 2, after the word "session" insert a comma; also on line 8 of same page, strike out the words "three-quarters" and insert in lieu thereof the words "one-half *a*"; also, on said line 8, after the word "eleven" insert a comma.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, strike out all of line 10, also strike out on line 11 the words "charter or" and insert in lieu thereof the following:

"SEC. 7½*a*. Any county organized", also on line 11 after the comma after the word "law" insert the word "and".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 13, strike out the balance of the line after the word "state", also strike out down to and including the word "code" on line 14, and in lieu thereof insert the following: ", or by the last preceding census taken under authority of the Congress of the United States".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 3, after the word "been" insert the word "for", also on line 4 after the word "county" insert a comma.

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 5, strike out the word "such", also strike out all lines following, beginning with line 6 down to and including the period after the word "effect" on line 32.

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 33, after the word "by" insert the words "the vote of".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 4, strike out the period after the word "county" and insert the following: "as hereinafter provided, which said petition must state the name and address of a person or persons to whom notice of the insufficiency of the petition shall be sent in the event that the petition shall not have the required number of signatures of the qualified electors signed thereto."

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, line 16, before the word "county" insert the words "electors of the"; also, on same page, line 31, strike out the words "filing said petition, or the person whose name is" and insert in lieu thereof the following: "or persons whose name or names are".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 4, line 7, strike out the comma after the word "shall"; also strike out all of the remaining line 7; also strike out, on line 8, the words "present the same to the board of supervisors" and insert in lieu thereof the words "forthwith attach to said petition his certificate, properly dated, showing that said petition has been signed by the requisite number of qualified electors, and said clerk shall immediately present said petition to the board of supervisors, if it be in session, otherwise at the next regular meeting after the date of such certificate."

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 4, line 15, strike out the word "the" and insert in lieu thereof the word "said"; also on line 16 strike out the word "the" and insert in lieu thereof the word "said".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 4, line 27, after the word "hundred" insert the word "and".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 4, line 29, after the word "city" insert the words "and county", also on said line 29, strike out the word "which"; also strike out all of the lines from and including line 30 down to and including line 37 on same page, and on page 5 strike out all of lines 1, 2 and 3, and insert in lieu thereof the following: "and it may prescribe the existing boundary lines of the county as the territorial limits of said proposed city and county, and propose the formation of all the incorporated cities and towns and all of the unincorporated territory within the county into a consolidated city and county government, to be governed by said charter, and to have combined powers of a city and a county, as provided in this constitution for consolidated city and county government. Or said board of freeholders may propose, in the alternative, that a lesser area than that of the whole county to consist of those incorporated cities and towns as hereinafter required to be designated and named by the board of freeholders as essential to effect consolidation, also those incorporated cities and towns, which as hereinafter provided, have by a majority vote of the qualified electors voting thereon separately, voted in favor of such consolidation, together with such unincorporated territory within the county proposed to be added, may be formed into a consolidated city and county government, to be governed by said charter, and to have combined powers of a city and a county as provided in this constitution for consolidated city and county government.

"When such proposal is submitted in the alternative, the board of freeholders must designate and name as necessary and essential to effect city and county consolidation, all of the incorporated cities within the county having a population of 20,000 inhabitants or over, as ascertained by the legislature of this State, or by the last preceding census taken under the authority of the Congress of the United States, the exterior boundaries of any or all of which cities join or are contiguous, and which, if joined and the cities formed into a consolidated city and county would form one contiguous area, and no consolidation shall be effected unless, as hereinafter provided, a majority of the qualified electors, voting separately thereon in each of said designated and named incorporated cities vote in favor of such proposal."

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 5, line 15, after the word "published" insert a comma followed by the words "printed and circulated"; also on line 22 after the word "published" insert a comma followed by the words "printed and circulated"; also on line 26 strike out the word "and" and insert the word "or"; also on line 27 strike out the period and insert a comma followed by the words "for at least three days."; also on line 28 strike out the word "eighty" and insert in lieu thereof the word "fifty"; also on line 28 after the word "with" insert the word "the".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 6, line 2, after the word "published" insert a comma followed by the words "printed and circulated"; also on line 3 after the word "published" insert a comma followed by the words "printed and circulated".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 6, line 4, after the word "each" insert the word "said".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 6, line 7, strike out the words "This notice shall be pub"; also strike out all of lines 8 and 9 and the word "submitted" on line 10, also the period following same.

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 6, line 10, after the word "publication" insert the words "of the proposed charter as".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 6, line 16, after the comma insert the word "and"; also on line 27 after the word "published" insert a comma followed by the words "printed and circulated", also on line 36 after the word "published" insert a comma followed by the words "printed and circulated".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 7, line 2, before the period following the word "town" insert the following words: "for at least three days before the date of the election".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 8, line 31, strike out the last three words, "and shall likewise", also strike out all of lines 32, 33, 34 and 35, and insert in lieu thereof the words "and shall supersede all laws inconsistent with such charter relative to matters provided in such charter."

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 9, line 2, after the word "*provided*" insert the words "in the alternative", also, on line 3, after the word "whole", strike out the parenthesis and insert a comma; also, on line 5, strike out the parenthesis after the word "consolidation" and insert a comma; also, on line 20, strike out the semicolon at the end of the line and insert a period.

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 9, strike out all lines from and including line 21, down to and including line 37.

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 10, strike out all of the lines from and including line 1 down to and including line 11, and insert in lieu thereof the following:

"The board of freeholders must also include in the boundaries for the new proposed city and county any incorporated city or town, which, if such new proposed city and county is formed would be surrounded in whole or in part by such area proposed to be formed into a city and county, or which is contiguous thereto and not contiguous to the remainder of the original county from which the proposed city and county proposes to separate, notwithstanding that the result of the election in any such incorporated city and town as shown by the canvass of the votes of the board of supervisors, was unfavorable thereto. The board of freeholders may also include in the boundaries of the proposed new city and county, other incorporated cities or towns, not designated and named as essential to effect consolidation, but in which a majority of the electors have voted in favor of such proposal, together with such unincorporated territory within the county as it may desire, the whole to form one contiguous area."

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 10, line 15, strike out the word "hereinafter" and insert in lieu thereof the word "herein".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 10, line 18, strike out the comma after the word "*provided*" and insert a period; also strike out all of lines beginning with line 19 down to and including the word "advisable" on line 25.

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 10, line 28, insert the letter "s" after the last letter "t" in the word "district".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 10, strike out all of lines 36 and 37.

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 11, strike out all of lines 1 and 2, and in lieu thereof insert the following: "correct any mistake or clerical or typographical errors."

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 11, line 5, strike out the word "their" and insert the word "its".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 11, line 20, strike out the word "city" and insert the word "cities".

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 11, line 30, strike out the words "consolidated as one proposal" and insert in lieu thereof the words: "formed into a consolidated city and county, as one proposal".

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 12, line 14, after the word "published", insert a comma, followed by the words "printed and circulated".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 12, line 16, after the word "published" insert a comma followed by the words "printed and circulated".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 12, line 18, after the word "published" insert a comma followed by the words "printed and circulated"; also strike out the last word "dis" on said line 18; also strike out the whole of line 19 and in lieu thereof insert the following: "territory proposed to be formed into a consolidated city and county."

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 12, line 22, after the word "published" insert a comma followed by the words "printed and circulated"; also on line 23 after the word "published" insert a comma followed by the words "printed and circulated"; also on line 24 after the word "published" insert a comma followed by the words "printed and circulated"; also on line 26 after the word "published" insert a comma followed by the words "printed and circulated"; also on line 28 after the word "published" insert a comma followed by the words "printed and circulated".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 14, line 27, strike out the last word "organiza"; also strike out all of lines from and including line 28 down to and including line 36, and in lieu thereof insert the following: "organization, constitution, regulation, government and jurisdiction of such boroughs, which organization, constitution, regulation, government, and jurisdiction may provide for rural districts, with different powers and organization, constitution, regulation, government and jurisdiction from other boroughs. *Provided*, that in the event of such establishment or creation of a borough or boroughs, as hereinabove permitted, the boundaries thereof shall never afterwards be changed or altered, nor shall the governmental rights, powers or jurisdiction of any such borough or boroughs be thereafter limited, extended, modified or taken away, unless and until the borough or boroughs affected by such proposed change or alteration of boundaries, or by the proposed limitation, extension, modification or taking away of governmental rights, powers or jurisdiction, as the case may be, shall each have consented thereto, by the vote of a majority of the electors in each and every such borough, voting at an election or elections called and held for such purpose in each of the boroughs so affected.

2. For the consolidation and merging of school and high school and union high school districts into one or more school, high school and union high school district within the city and county, to be governed by one board of education and one school superintendent, and may provide separate organization, constitution, regulation, government and jurisdiction and powers for rural school districts, if any are established."

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

On page 15, line 14, strike out the period after the word "law" and insert a comma followed by the words "*provided*, that in"; also on line 15 of same page, strike out the word "In" and join paragraphs.

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

On page 15, line 21, after the word "such" insert the following: "inferior court shall thereupon be and become the records of such".

Amendment adopted.

AMENDMENT NUMBER FORTY.

On page 15, line 23, strike out the last words "boards of education shall be" and insert in lieu thereof the words "the board of education or boards shall be".

Amendment adopted.

AMENDMENT NUMBER FORTY-ONE.

On page 15, line 28, between the words "the" and "boards" insert "board or".

Amendment adopted.

AMENDMENT NUMBER FORTY-TWO.

On page 15, line 33, after the word "election" insert a comma followed by the words "or borough election".

Amendment adopted.

AMENDMENT NUMBER FORTY-THREE.

On page 16, strike out all of lines from and including line 7 down to and including the comma after the word "court" on line 11, and insert in lieu thereof the following: "by amendment thereto, for the powers and duties of all county, city and county,

municipal and borough officers; for the manner in which, the method by which, and the terms for which the several county, city and county, municipal and borough officers, except judges of the superior court".

Amendment adopted.

AMENDMENT NUMBER FORTY-FOUR.

On page 16, line 14, insert before the word "compensation" the following: "powers and duties" followed by a comma.

Amendment adopted.

AMENDMENT NUMBER FORTY-FIVE.

On page 16, line 20, after the comma after the word "regulations" insert the following: "and exercise all rights and powers".

Amendment adopted.

AMENDMENT NUMBER FORTY-SIX.

On page 16, line 21, after the comma after the word "officers" insert the following: "and shall have all powers and rights appropriate to a county, city and city and county".

Amendment adopted.

AMENDMENT NUMBER FORTY-SEVEN.

On page 20, line 3, strike out the period after the word "effect" and insert a semicolon; also insert the following: "nor shall the provisions of this section apply to any county which at the time this section takes effect, had adopted a freeholders' charter and was organized and operating under such freeholders' charter."

Amendment adopted.

AMENDMENT NUMBER FORTY-EIGHT.

On page 20, line 3, after the word "general" insert the words "or special".

Amendment adopted.

AMENDMENTS FROM FLOOR.

During reading of resolution, the following amendments were offered, and their adoption moved by Senator Breed:

AMENDMENT NUMBER ONE.

On page 1, line 11, after the word "having" insert a comma, also the words "at the time this section takes effect,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 12, strike out the word "fifty" and insert in lieu thereof the following: "one hundred".

Amendment adopted.

Senate Constitutional Amendment No. 13 ordered to print and engrossment.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 21, 1917.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 826—An act empowering the State Board of Health to examine sources from which shellfish are taken; making it unlawful to take shellfish

from contaminated sources if determined by said board to be a menace to health, making violations of this act misdemeanors and providing for the punishment of same;

Also: Assembly Bill No. 1375—An act to amend sections 2, 8, 9, 10, 11, 12, 12½, 13, 14, 15, 17, 18 and 20, relating to the practice of midwifery, and adding a new section thereto to be numbered 24 relating to the penalty for violation of the provisions of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended by an act to amend an act entitled "An act to amend an act entitled 'An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled "An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act,' approved June 2, 1913, by amending sections 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 17 and 18, and adding a new section thereto to be numbered 12½ relating to the practice of chiropody," approved April 24, 1915;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

CARR, F. M., Chairman.

Assembly Bills Nos. 826 and 1375 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 487—An act to amend sections 3, 8, 11, and 15 of an act entitled "An act defining mattresses; regulating the making, remaking and sale thereof; prohibiting the use of insanitary and unhealthy materials therein; requiring that materials used shall be accurately described and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled; and making the violation of any of the provisions of this act a misdemeanor, and repealing legislation inconsistent with this act," approved June 7, 1915—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

CARR, F. M., Chairman.

Senate Bill No. 487 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 91—An act to prevent the providing for common use of receptacles for drinking purposes in public places, and prescribing penalties for violations thereof;

Also: Senate Bill No. 92—An act to prevent the keeping of towels for common use in public places and prescribing penalties for violations of the provisions thereof;

Also: Assembly Bill No. 141—An act providing for the sanitation, healthfulness and cleanliness and safety of swimming pools, public bathhouses, swimming and bathing places; regulating the granting and revocation of permits therefor from the State Board of Health; providing for the inspection of such places; declaring places and things in violation of this act to be nuisances dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors; and providing for the punishment of the same;

Also: Assembly Bill No. 125—An act to amend section 2 of an act entitled "An act to protect public health from infection caused by exhumation and removal of the remains of deceased persons," approved April 1, 1878;

Also: Assembly Bill No. 510—An act to repeal section 373 of the Penal Code, relating to pest houses in cities and towns;

Also: Assembly Bill No. 742—An act to amend section 3074 of the Political Code, relating to the Bureau of Vital Statistics and duties of State Registrar;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

CARR, F. M., Chairman.

Senate Bills Nos. 91 and 92, and Assembly Bills Nos. 141, 125, 510 and 742 ordered on file for second reading.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, March 20, 1917.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 1110—An act to promote the development of the fruit industry and to protect the State's reputation in the fruit markets by establishing a standard for the packing of certain fresh fruits specified herein—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

KING, Chairman.

Senate Bill No. 1110 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 2—An act providing for the purchase, establishment and maintenance of a branch agricultural experiment station for experimental and research work appertaining to the culture, production and marketing of deciduous fruits and nuts, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

KING, Chairman.

Senate Bill No. 2 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 1151—An act to repeal an act entitled "An act providing for the investigation by the State Veterinarian, the Secretary of the State Board of Health and the State Commissioner of Horticulture of injury to animal life and vegetation in California, caused by smelter wastes, and making an appropriation therefor," approved June 16, 1913—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

KING, Chairman.

Senate Bill No. 1151 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 458—An act to amend sections 2322, 2322*a*, 2322*c* and 2322*d* of the Political Code of the State of California, and to add new sections 2322*f*, 2322*g*, 2322*h*, 2322*i* and 2322*j* to the Political Code of the State of California; said sections relating to orchards, trees, vines or plants of any variety infected or infested with diseases, scale or other insects of any kind injurious to fruit, etc.—has had the same under consideration, and respectfully reports the same back and recommends that it do pass, as amended.

KING, Chairman.

Senate Bill No. 458 ordered on file for second reading.

REPORT OF STANDING COMMITTEES.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 21, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 76—An act defining commission merchants and consignors; providing for filing of bond and certificates showing names of persons doing business or advertising as commission merchants, and providing penalties for the violation of the requirements herein contained—and reports that the same has been correctly re-engrossed.

CANEPA, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 479—An act to amend section 29 of an act entitled "An act to divide the State of California into fish and game districts and repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 19, 1915—and reports that the same has been correctly engrossed.

CANEPA, Chairman.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 76—An act defining commission merchants and consignors; providing for filing of bond and certificates showing names of persons doing business or advertising as commission merchants, and providing penalties for the violation of the requirements herein contained.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 76 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Crowley, Duncan, Flaherty, Hans, Ingram, Inman, Irwin, Johnson, King, Luce, Lyon, Nealon, Purkitt, Rigdon, Rominger, Rush, Sharkey, Shearer, Slater, and Stuckenbruck—25.

NOES—Senators Kehoe, Carr, W. J., and Tyrrell—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At eleven o'clock and twenty-five minutes a.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Senate Bill No. 479—An act to amend section 29 of an act entitled "An act to divide the State of California into fish and game districts and repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved March 19, 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 479 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, King, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Rush, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR EVANS IN THE CHAIR.

At eleven o'clock and forty-five minutes a.m., Senator Evans of the Thirty-ninth District was called to the chair.

THIRD READING OF ASSEMBLY BILLS—(OUT OF ORDER).

On motion of Senator Benson, the third reading file of Assembly bills was taken up out of order.

Assembly Bill No. 205—An act to amend section 628*i* of the Penal Code.

Bill read third time.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., the hour of recess was extended until one o'clock and fifteen minutes p.m.

POINT OF ORDER.

During consideration of Assembly Bill No. 205, Senator Luce raised the point of order that "debate was being engaged in under the pretext of asking questions."

DECISION ON POINT OF ORDER.

The President announced his decision, and declared the point of order well taken.

MOTION TO POSTPONE.

Senator Kehoe moved to postpone further consideration of Assembly Bill No. 205 to the next legislative day.

POINT OF ORDER.

During the consideration of the motion to postpone, Senator Inman raised the point of order that "Senator Sharkey was not debating the motion before the Senate."

DECISION ON POINT OF ORDER.

The President announced his decision, and declared the point of order not well taken.

WITHDRAWAL OF MOTION.

Senator Kehoe withdrew his motion to postpone consideration of Assembly Bill No. 205.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 205 refused passage by the following vote:

AYES—Senators Carr, F. M., Duncan, Flaherty, Hans, Ingram, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Shearer, Slater, Stuckenbruck, and Thompson—16.

NOES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Chandler, Crowley, Evans, Gates, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, Sharkey, and Tyrrell—20.

NOTICE OF MOTION TO RECONSIDER.

Senator Sharkey gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 205 was refused passage.

RECESS.

At one o'clock and fifteen minutes p.m., on motion of Senator Benson, the Acting President declared the Senate at recess until two o'clock and thirty minutes p.m.

RECONVENED.

At two o'clock and thirty minutes p.m., the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 216—An act to amend section 1239 of the Penal Code, relating to appeals in criminal actions.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 182—An act to amend section 555 of the Code of Civil Procedure, relating to rules of attachment.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 290—An act to amend section 995 of the Political Code, relating to resignations of officers.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 183—An act granting to the city of Venice the tidelands and submerged lands of the State of California within the boundaries of the said city.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 8, strike out the words "for a limited period" and insert in lieu thereof the following: "for a period not exceeding twenty-five years".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 10, strike out the words "for limited periods" and insert in lieu thereof the following: "for a period not exceeding twenty-five years".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 86—An act granting certain tidelands and submerged lands of the State of California to the city of Santa Monica upon certain trusts and conditions.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 8, of the printed bill, strike out the words "for limited periods" and insert in lieu thereof the following, "for a period not exceeding twenty-five years".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 10, of the printed bill, strike out the words "for limited periods" and insert in lieu thereof the words, "for a period not exceeding twenty-five years".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 17.

Senate Bill No. 17—An act to amend section 310 of the Penal Code, relating to the use of the national flag for advertising purposes.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SEVENTEEN.

AMENDMENT NUMBER ONE.

On page 2 of the printed bill as amended, in line 14, after the word "regulations" strike out the brackets and insert a period.

AMENDMENT NUMBER TWO.

On page 2 strike out all of lines 15, 16, 17 and 18.

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 17?"

The roll was called, and Assembly amendments to Senate Bill No. 17 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, F. M., Chamberlin, Evans, Flaherty, Gates, Ingram, Johnson, Kehoe, King, Lyon, Maddux, Rigdon, Rominger, Sharkey, Shearer, Slater, and Stuckenbruck—21.

NOES—None.

Senate Bill No. 17 ordered to enrollment.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 203—An act to amend an act entitled "An act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other acts and parts of acts now in force relating to estrays," approved March 23, 1901, and to exempt certain counties from provisions thereof.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator King moved to refer Senate Bill No. 203 to Senator Evans, as a Special Committee of One, to amend as follows:

On page 2, line 20, of the printed bill, strike out the period following the word "ground", and insert in lieu thereof a semicolon, and the following "*provided, however*, that any kind of wire or other fence of height, strength and capacity to exclude cattle, equal to or greater than the wire fence herein described shall also be deemed a good and substantial fence within the meaning of this act."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 20, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 203, with instructions to amend, respectfully reports the same back, amended as per instructions.

EVANS, Special Committee.

Report read, and on motion of Senator King, adopted.

Senate Bill No. 203 ordered to print, and re-engrossment.

RE-REFERENCE OF SENATE BILL.

Senate Bill No. 599 ordered re-referred to Committee on Finance.

SECRETARY CLIFTON E. BROOKS AT THE DESK.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 185—An act granting to any city of the State whose corporate limits include or bound upon any harbor, bay, estuary, or other navigable body of water, the power to improve the same and to establish, acquire, construct, improve and maintain in, upon and along the waters thereof works for use in connection therewith.

Read third time, previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During consideration of Assembly Bill No. 185, Senator Rominger moved to refer Assembly Bill No. 185 to Senator Gates, as a Special Committee of One, to amend as follows:

On page 1, after line 15, of the printed bill, add the following: "Nothing herein, however, shall be deemed or construed to affect or limit the use and enjoyment by persons, firms or corporations of their property or property rights; nor shall anything in this act be construed or deemed to grant to any city the right to destroy, injure, impair or interfere with any private or quasi-public property or property rights, leasehold or otherwise, or to the use and enjoyment thereof."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 185, with instructions to amend, respectfully reports the same back amended as per instructions.

GATES, Special Committee.

Report read, and, on motion of Senator Rominger, adopted.

Assembly Bill No. 185 ordered to print.

Assembly Bill No. 286—An act to amend section 3 of an act entitled "An act to regulate and license the taking and catching of game fishes, and to define game fish and to provide revenue therefrom, for fish preservation and restoration," approved June 16, 1913.

Bill read third time.

On motion of Senator Breed, Assembly Bill No. 286 was passed on file.

Assembly Bill No. 328—An act to amend section 626*l* of the Penal Code, relating to the protection of fish and game.

On motion of Senator Breed, Assembly Bill No. 328 was passed on file.

Assembly Bill No. 689—An act to amend an act entitled "An act to regulate the issuance of licenses for resale to hunters and anglers," approved May 20, 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 689 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Kehoe,

King, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Sharkey, Shearer, and Slater—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 404—An act to amend section 626*p* of the Penal Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 404 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, F. M., Carr, W. J., Chamberlin, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Sharkey, Shearer, and Slater—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 332—An act to amend section 627*a* of the Penal Code, relating to the transportation of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 332 passed by the following vote:

AYES—Senators Benson, Breed, Canepa, Chamberlin, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Sharkey, Shearer, and Slater—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 361—An act to amend section 626*a* of the Penal Code, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 361 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, King, Lyon, McDonald, Maddux, Nealon, Rominger, Rush, Sharkey, Shearer, Slater, and Stuckenbruck—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR HANS IN THE CHAIR.

At three o'clock p.m., Senator Hans, of the Fourteenth District, was called to the chair.

Assembly Bill No. 550—An act to amend section 628*b* of the Penal Code, relating to the protection of fish.

Bill read third time.

On motion of Senator Inman, Assembly Bill No. 550 was passed on file.

Assembly Bill No. 744—An act to amend section 4149b of the Political Code, relating to county fish and game wardens.

On motion of Senator Hans, Assembly Bill No. 744 was passed on file.

Assembly Bill No. 287—An act to amend section 3 of an act entitled "An act to regulate and license the hunting of wild birds and animals, and to provide revenue therefrom, for game and fish preservation and restoration," approved March 22, 1909.

On motion of Senator Hans, Assembly Bill No. 287 was passed on file.

Assembly Bill No. 401—An act to amend section 599f of the Penal Code, relating to the protection of elk.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 401 passed by the following vote:

AYES—Senators Ballard, Benson, Caneva, Carr, W. J., Chamberlin, Evans, Gates, Hans, Ingram, Inman, Irwin, Johnson, King, Lyon, McDonald, Maddux, Neelon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 601—An act to amend an act entitled "An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements, and regulating the acquisition, construction or completion thereof," which became a law under the constitutional provision without the Governor's approval, February 25, 1901, as subsequently amended, by adding a new section thereto, to be numbered section 6½, relating to the cancellation of unsold bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 601 passed by the following vote:

AYES—Senators Ballard, Benson, Caneva, Carr, W. J., Chamberlin, Evans, Gates, Hans, Ingram, Inman, Irwin, Johnson, King, Lyon, McDonald, Maddux, Neelon, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 635—An act to provide for the payment into the county treasury of any moneys now held by county tax collectors which represent duplicate or excess payments of taxes on property in their respective counties, and to provide for the distribution and repayment of such moneys when so paid, and to provide for the payment, repayment and distribution of any duplicate or excess collections which may be made hereafter.

On motion of Senator Tyrrell, Assembly Bill No. 635 was passed on file.

Assembly Bill No. 110—An act to amend section 4252 of the Political Code, relating to salaries and compensation of the county and township officers of counties of the twenty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 110 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, W. J., Chamberlin, Evans, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, and Tyrrell—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 111—An act to add a new section to the Political Code, to be numbered 4252*a*, relating to the compensation of jurors in counties of the twenty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 111 passed by the following vote:

AYES—Senators Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Sharkey, Shearer, Slater, and Tyrrell—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 254—An act to amend section 4285 of the Political Code, relating to the salaries and fees of officers of counties of the fifty-sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 254 passed by the following vote:

AYES—Senators Benson, Breed, Canepa, Carr, F. M., Chamberlin, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, McDonald, Maddux, Nealon, Purkitt, Rominger, Sharkey, Shearer, Slater, and Tyrrell—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 469—An act to add a new section to the Code of Civil Procedure, to be numbered section 1455, relating to the collection by surviving heirs of balances due the estates of deceased annuitants from the public school teachers' retirement salary fund.

On motion of Senator Hans, Assembly Bill No. 469 was pased on file.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 21, 1917.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 1148—An act to amend section 1054 of the Code of Civil Procedure, relating to the extension of time in which an act is to be done;

Also: Assembly Bill No. 52—An act to amend section 1861 of the Civil Code, relating to lien of hotel keepers on property of guests for charges;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Senate Bill No. 1148 and Assembly Bill No. 52 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 715—An act to regulate and control the business of making personal loans and to regulate the assignment of wages when given as security for any such loan;

Also: Senate Bill No. 612—An act to amend section 537 of the Penal Code, relating to fraudulent practices upon keepers of hotels, inns, restaurants, boarding houses, lodging houses or apartment houses;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended

KEHOE, Chairman.

Senate Bills Nos. 715 and 612 ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, March 21, 1917

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 471—An act to amend sections 1, 3, 5, 7, 8, 9 and 10 of an act entitled "An act authorizing levee districts of the State to incur a bonded indebtedness for the purpose of building, constructing or repairing levees of the district; or for excavating and constructing ditches or canals of such district, or for the purpose of acquiring rights of way for any such levees, ditches, or canals, or for any and all of said purposes," approved March 8, 1911, and adding thereto four new sections designated as sections 8a, 8b, 8c, and 11—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

JONES, Chairman.

Senate Bill No. 471 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 594—An act to amend section 8 of an act entitled "An act to provide for the formation of levee districts in the various counties of this State and to provide for the erection of levees, dikes and other works for the purpose of protecting the lands within such districts from overflow and to levy assessments to erect and construct and maintain such levees, dikes and other works and to pay the necessary costs and expenses of maintaining said districts," approved March 20, 1905, and amended by an act approved March 16, 1907;

Also: Senate Bill No. 999—An act to add a new section to an act entitled "An act to create a drainage district to be called Knight's Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knight's Landing ridge, and the construction of a canal leading therefrom; to provide for the creation and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds," approved April 30, 1913, to be numbered 7½, in reference to the payment of invalid assessments;

Also: Senate Bill No. 1000—An act to amend sections 3 and 7 of an act entitled "An act to create a levee district to be called and designated Sacramento River West Side Levee District; to prevent the overflow of flood waters from the Sacramento River from flooding onto the lands within said district by the construction of levees along the west bank of the Sacramento River and adjacent thereto and maintain the same; providing for the election and appointment of officers of said levee district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said levee district," approved May 18, 1915;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

JONES, Chairman.

Senate Bills Nos. 594, 999 and 1000 ordered on file for second reading.

RESOLUTION.

The following resolution was offered:

By Senator Nealon:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate for the sum of two hundred dollars for postage

stamps, the same to be paid out of the contingent fund of the Senate, and the Treasurer is hereby directed to pay the same.

NEALON, Chairman,
Committee on Contingent Expenses.

Resolution read.

Senator Nealon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, W. J., Chandler, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Kehoe, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigden, Rominger, Sharkey, Shearer, Slater, and Tyrrell—24.

NOES—None.

REQUESTS FOR INTRODUCTION OF BILLS—(OUT OF ORDER).

The following requests for permission to introduce bills were presented:

By Senator Tyrrell:

SENATE CHAMBER, SACRAMENTO, March 21, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2 of Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act making an appropriation for the purchase of an automobile for the use of the Governor of the State of California.

Request referred to Committee on Rules.

Also:

By Senator King:

SENATE CHAMBER, SACRAMENTO, March 21, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2 of Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act making an appropriation to pay the claim of E. D. Roberts against the State of California.

Request referred to Committee on Rules.

SECOND READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Senator Jones asked for, and was granted unanimous consent to take up for second reading Assembly Bill No. 1375, previously reported from committee this day.

Assembly Bill No. 1375—An act to amend sections 2, 8, 9, 10, 11, 12, 12½, 13, 14, 15, 17, 18 and 20, relating to the practice of midwifery, and adding a new section thereto to be numbered 24, relating to the penalty for violation of the provisions of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended by an act to amend an act entitled "An act to amend an act entitled 'An act to regulate the examination of applicants for license, and the practice of those licensed,

to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled "An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems and modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, by amending sections 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 17, and 18, and adding a new section thereto to be numbered 12½, relating to the practice of chiropody," approved April 24, 1915.

Bill read second time, and ordered on file for third reading.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 21, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 1027—An act to amend the Code of Civil Procedure by adding thereto a new section to be numbered 1128, providing for a recount of votes cast on any amendment or proposition appearing on the ballots at any election held under the initiative or referendum provisions of Article IV, section 1, of the Constitution of the State of California, or under statutes or city or county charters providing for similar elections, or at any election on a proposition for incurring a bonded indebtedness or on any other proposition submitted to a vote of the electors;

Also: Senate Bill No. 438—An act to prohibit employers or certain agents or representatives of employers from demanding or receiving any money or other consideration from an employee as a condition of employment or of continuing to perform services in such employment; and to provide for the enforcement of this act by the Commissioner of the Bureau of Labor Statistics; and to provide a penalty for the violation thereof; and to repeal Chapter 57 of the Statutes of 1915, approved April 12, 1915;

Also: Senate Bill No. 61—An act to amend section 633 of the Penal Code, relating to the protection of fish;

Also: Senate Bill No. 80—An act to amend section 626½ of the Penal Code, relating to the protection of game;

And reports that the same have been correctly engrossed.

CANEPA, Chairman.

USE OF SENATE CHAMBER GRANTED.

Senator Lyon asked for, and was granted, unanimous consent for the use of the Senate Chamber at eight o'clock p.m. on March 27th, for a public hearing on Senate Bill No. 101 (Child Labor Bill).

Senator Lyon asked for, and was granted, unanimous consent for the use of the Senate Chamber at eight o'clock p.m. on March 29th, for a public hearing on Senate Bill No. 1035 (Anti-Injunction Bill).

ADJOURNMENT.

At three o'clock and thirty minutes p.m., on motion of Senator Benson, the Acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Thursday, March 22, 1917.

The Senate met at ten o'clock a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Caneja, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, Kinz, Luce, Lyon, McDonald, Maddox, Nesbon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—39.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, March 21, 1917, the further reading was dispensed with, on motion of Senator Crowley.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Crowley, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Gustave Pohlmann of San Francisco, member of the Assembly in 1887.

On request of Senator Slater, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mrs. Philip Sweed and Miss Sweed of Petaluma.

On request of Senator Rominger, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. Winfield Scott, former secretary of the Viticultural Association of California.

COMMUNICATION.

The following communication was presented by the State Board of Equalization, and ordered printed in the Journal:

ALTURAS, CALIFORNIA, March 19, 1917.

The Honorable State Board of Equalization, Sacramento, California.

GENTLEMEN: In accordance with instructions contained in your circular letter of March 1st, I hereby submit a report on the amount of foodstuffs in storage in the county of Modoc on the first Monday in March, 1917, as follows:

Number pounds potatoes	77,000
Number pounds onions	860
Number pounds beans	15,050
Number pounds flour	151,850
Number pounds wheat	394,000

Of this amount, we estimate that there will be none for shipment to outside markets, as it will take all there is in the county to supply the home demand, and it is doubtful if there is enough for that purpose, for, owing to the continued cold weather no spring seeding whatever has been done as yet.

However, in gathering the above figures, no attempt has been made to get the amount of foodstuffs being stored for personal use, either for domestic use or for seed; but we have confined our efforts solely to getting at the amount being held for commercial purposes.

Hoping the above report will meet your requirements, I most respectfully submit the same.

Yours very truly,

F. A. SMITH,
Assessor Modoc County, California.

PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

WHEREAS, Senate Bill No. 767, placing a penalty in the form of a tax of four cents per hundred pounds on all food products of the waters of California packed for commercial purposes, is about to be heard by the Senate Committee on Fish and Game; and

WHEREAS, We, representing the welfare of Monterey and vicinity are desirous of aiding and assisting the production of cheap food products rather than working a hardship on the producer as well as the consumer ultimately; therefore, be it

Resolved, By the Monterey Chamber of Commerce, that we earnestly oppose the passage of said bill No. 767.

Passed by unanimous vote on this 19th day of March, 1917

MONTEREY CHAMBER OF COMMERCE.
R. G. METZ, President.

F. E. WOOD, Secretary.

Also:

WHEREAS, Senate Bill No. 767, placing a penalty in the form of a tax of four cents per hundred pounds on all food products of the waters of California packed for commercial purposes, is about to be heard by the Senate Committee on Fish and Game; and

WHEREAS, We, representing the welfare of Monterey and vicinity, are desirous of aiding and assisting the production of cheap food products rather than working a hardship on the producer as well as the consumer ultimately; therefore, be it

Resolved, By the Monterey Fishermen's Association, consisting of over [illegible] hundred men, that we earnestly oppose the passage of said Senate Bill No. 767.

Passed by unanimous vote on this 19th day of March, 1917

MONTEREY FISHERMEN'S ASSOCIATION
ORAZIO ENEA, President.

F. C. SWAIN, Secretary.

Also:

SAN FRANCISCO, March 21, 1917.

Clerk of the Senate, State Capital, Sacramento, California.

DEAR SIR: We are pleased to inform you that Senate Bills Numbers 1036 to 1075, inclusive, have been endorsed by the State Building Trades Council of California, its affiliated local councils and unions, and we urgently request, on behalf of the united building trades artisans, mechanics and laborers of this State, that you support those humanitarian measures, by your voice and vote, in order that the widows and orphans and other just claimants who suffered through the failure of the Commonwealth Bonding and Casualty Insurance Company may be protected in accordance with the spirit and the laws of the great State of California.

Assuring you of our profound interest and our keen vigilance in this matter, we have the honor to remain,

Respectfully,

O. A. TVEITMOE,
General Secretary-Treasurer State Building Trades Council of California.

Also:

WHEREAS, The failure of the Commonwealth Bonding and Casualty Insurance Company of the State of California left destitute the dependents of a number of men killed while at work and also left without compensation a number of men permanently injured; and

WHEREAS, The Industrial Accident Commission has introduced forty bills, Senate Bills Nos. 1036 to 1075 inclusive, to pay the claims of the widows and children, as well as those unable to follow their vocations; and

WHEREAS, Workmen's compensation is the only remedy available for those covered by the Workmen's Compensation, Insurance and Safety Act and the State of California had authorized the Commonwealth Bonding and Casualty Insurance Company to do business in this State; therefore be it

Resolved, That the Building Trades Council of San Francisco, in regular meeting assembled on March 1, 1917, endorses the action of the Industrial Accident Commission in introducing these bills and urges senators and assemblymen now in attendance at the California Legislature to support and vote for Senate Bills Nos. 1030 to 1075, inclusive, in order that unfortunate workers and their families may be assured; and be it further

Resolved, That the Building Trades Council urges labor organizations throughout the State of California to endorse these resolutions and to send copies to senators and assemblymen at Sacramento.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 99—An act to amend an act entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled 'An act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof,'" Approved June 12, 1913, amended May 19, 1915, by adding a new section, to be numbered section 43 and by amending section 11;

Also: Senate Bill No. 30—An act to amend sections 1 and 9 of an act entitled "An act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records," approved June 16, 1906, by extending the application of said act to real property, when the records covering the period when said real property was in another county, have been destroyed among the records of such other county, and to provide for notice of the pendency of actions brought under the provisions hereof;

Also: Senate Bill No. 73—An act to amend section 1415 of the Code of Civil Procedure, relating to the duties of special administrators;

Also: Senate Bill No. 74—An act to add a new section to the Code of Civil Procedure, to be numbered 1418, relating to payment of secured debts by special administrators.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 99, 30, 73 and 74 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 232—An act providing for the examination, certification and registration of plumbers, prescribing powers and duties of the State Board of Health in reference thereto, and penalties for a violation of the provisions hereof.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 486—An act to increase the number of judges of the superior court of the county of Alameda, and for the appointment of such additional judges;

Also: Assembly Bill No. 590—An act to authorize irrigation districts to cooperate and contract with the United States under the provisions of the federal reclamation laws for a water supply, or the construction, operation or maintenance of works authorized by said federal laws including drainage works, or for the assumption by the district of indebtedness to the United States on account of district lands, and to provide the manner and method of payments to the United States under such contract, and for the apportionment of assessments, and levy thereof, upon the lands of the district to secure revenue for such payments, and to provide for the judicial review and determination of the validity of the proceedings in connection with such contract;

Also: Assembly Bill No. 126—An act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered 534, relating to actions concerning water rights;

Also: Assembly Bill No. 1391—An act to amend section 15 of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended;

Also: Assembly Bill No. 695—An act to amend sections 15 and 20 of an act entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, as amended;

Also: Assembly Bill No. 1079—An act to recognize and declare valid all proceedings in Happy Valley Irrigation District.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 486 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 590 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 126 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 1391 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 695 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1079 read first time, and referred to Committee on Irrigation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1144—An act to amend section 629 of the Penal Code of the State of California, relative to placing and maintaining of screens over the inlets of pipes, flumes, ditches, canals and mill races, taking water from any rivers, creek, stream or lake in which fish have been placed or may exist;

Also: Assembly Bill No. 1148—An act to amend section 1489 of the Political Code, relating to the powers and duties of boards of trustees of state normal schools;

Also: Assembly Bill No. 764—An act to amend an act entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled, or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, and amended 1913 and 1915, by amending sections 2, 3, 4, 8, 9, 12 and 19;

Also: Assembly Bill No. 953—An act making an appropriation for the purpose of restoring the channel of Paper Mill Creek in Marin County;

Also: Assembly Bill No. 93—An act to amend section 4259 of the Political Code, relating to salaries and fees of officers in counties of the thirtieth class;

Also: Assembly Bill No. 99—An act to add a new section to the Political Code, to be numbered 4281*a*, relating to fees of trial and grand jurors in counties of the fifty-second class.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1144 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1148 read first time, and referred to Committee on Education.

Assembly Bill No. 764 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 953 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 93 read first time, and referred to Committee on County Government.

Assembly Bill No. 99 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1395—An act to amend section 147 of the Penal Code, relating to inhuman treatment of prisoners;

Also: Assembly Bill No. 849—An act to amend section 4290 of the Political Code, relating to fees and salaries of county officers;

Also: Assembly Bill No. 58—An act to add a new section to the Code of Civil Procedure to be numbered 671a, relating to the filing and recording of judgments and transcripts of judgments rendered in federal courts.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1395 read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bill No. 849 read first time, and referred to Committee on County Government.

Assembly Bill No. 58 read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, March 22, 1917.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 591—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, by amending sections 47 and 70 thereof—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

CARR, W. J., Chairman.

Senate Bill No. 591 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 592—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, by amending section 42 thereof—has had the same under consideration, and respectfully reports the same back with amendments and recommends that the amendments be adopted, but without recommendation on the bill as amended.

CARR, W. J., Chairman.

Senate Bill No. 592 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 21, 1917.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 464—An act to regulate the sale of eggs which have been in transit more than thirty-one days, and prescribing penalties for violations thereof—

Also: Senate Bill No. 565—An act providing for enclosing printed cards in packages containing food products, the ingredients of which are in part composed

of either canned eggs, unshelled eggs, dried eggs, egg yolks, frozen eggs, egg powder or egg albumen, and prescribing penalties for violation of the provisions thereof:
Has had the same under consideration, and respectfully reports the same back without recommendation, and that they be re-referred to Committee on Agriculture.

CARR, F. M., Chairman.

Senate Bills Nos. 464 and 565 re-referred to Committee on Agriculture.

ON BANKING.

SENATE CHAMBER, SACRAMENTO, March 19, 1917.

MR. PRESIDENT: Your Committee on Banking, to which was referred Senate Bill No. 843—An act making bonds of municipal improvement districts legal investments for certain purposes—has had the same under consideration, and respectfully reports the same back and recommends that it do pass, as amended.

HANS, Chairman.

Senate Bill No. 843 ordered on file for second reading.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, March 22, 1917.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 87—An act to empower the State Market Director of California to regulate and control the business of buying and selling fresh fish; to regulate the destruction of food fish; to create a State Fish Exchange; to license those engaged in marketing fish; to create a State Fish Exchange Fund; to provide penalties for violations of this act; to investigate and report on the fish industry; and to promote the sale of fish;

Also: Senate Bill No. 277—An act to add a new section to the Penal Code, to be numbered 636c, relating to the protection of fish and game, and providing for the construction of fishways on dams and other artificial obstructions in the waters of this State, and providing for furnishing of plans of specifications therefor and providing penalties for a violation thereof;

Also: Senate Bill No. 1149—An act to amend section 628 of the Penal Code, relating to the protection of fish;
Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

SLATER, Chairman.

Senate Bills Nos. 87, 277 and 1149 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 278—An act to amend section 637 of the Penal Code, relating to fishways—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

SLATER, Chairman.

Senate Bill No. 278 ordered on file for second reading.

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 22, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Tyrrell to introduce a bill entitled "An act making an appropriation for the purchase of an automobile for the use of the Governor of the State of California"—has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Ross, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator King to introduce an act entitled "An act making an appropriation to pay the claim of E. D. Roberts against the State of California" has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, Lyon, Maddux, Nealon, Parkin, Rigdon, Rominger, Rush, Sharkey, Shearer, Soper, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS.

The following bills were introduced in accordance with above reports:

By Senator Tyrrell: Senate Bill No. 1155—An act making an appropriation for the purchase of an automobile for the use of the Governor of the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator King: Senate Bill No. 1156—An act making an appropriation to pay the claim of E. D. Roberts against the State of California.

Bill read first time, and referred to Committee on Finance.

REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were presented:

By Senator Carr, F. M.:

SENATE CHAMBER, SACRAMENTO, March 22, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2 of Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, and all amendments thereto, by amending sections 64, 102, 320, 329, 527 and 623 thereof, and authorizing the legislative body of municipal corporations of the first, second, third and fourth class to borrow money in anticipation of the collection of taxes, and to execute and deliver negotiable promissory notes or other evidences of indebtedness for such money, and limiting the amount of money which may be borrowed, and prescribing the purposes to which the same may be applied.

Request referred to Committee on Rules.

Also:

By Senator Evans:

SENATE CHAMBER, SACRAMENTO, March 22, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2 of Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend section 2 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911.

Request referred to Committee on Rules.

Also:

By Senator Duncan:

SENATE CHAMBER, SACRAMENTO, March 22, 1917.

MR. PRESIDENT: In accordance with the provisions of Section 2 of Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend section 1557 of the Penal Code, relating to the accounts of persons employed to bring back fugitives from the State.

Request referred to Committee on Rules.

WITHDRAWAL AND RE-REFERENCE OF BILL.

On motion of Senator Maddux, seconded by Senator Jones, Senate Bill No. 409 was ordered withdrawn from Committee on Drainage, Swamp and Overflowed Lands and re-referred to Committee on Judiciary.

CONSIDERATION OF DAILY FILE

THIRD READING OF SENATE BILLS

Senate Bill No. 90—An act to amend section 290½ of the Civil Code, relating to corporations.

On motion of Senator Jones, Senate Bill No. 90 was passed on file.

Senate Bill No. 101—An act to amend section 16 of an act entitled "An act regulating the employment and hours of labor of children; prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the commissioner of the Bureau of Labor Statistics and providing penalties for the violation hereof," approved February 20, 1905, as amended by an act approved April 14, 1911, as further amended by an act approved June 2, 1913; and as further amended by an act approved June 5, 1915.

On motion of Senator Lyon, Senate Bill No. 101 was passed on file.

Senate Bill No. 820—An act to provide for the periodical inspection of steam boilers, with certain exceptions, operated in this State, requiring a permit, to be issued by the Industrial Accident Commission, for the operation of such boilers; making it a misdemeanor to operate such boilers without such permit; and allowing an injunction against such operation without such permit where dangerous to the life or safety of employees; providing for a hearing before the Industrial Accident Commission prior to refusal of a permit; providing for the determination of competency of inspectors making such inspections and requiring reports of inspections; and prescribing maximum fees for such inspections.

In the absence of the author, Senate Bill No. 820 was ordered passed, to retain its place on the file.

Senate Bill No. 49—An act to repeal section 55*a* of the Penal Code, relative to soliciting, demanding, or pledging votes for or against any particular bill or measure.

On motion of Senator Duncan, Senate Bill No. 49 was passed on file.

Senate Bill No. 878—An act to add a new section to the Civil Code, to be numbered 3320, providing for the damages recoverable from banks on the nonpayment of checks.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 878 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, King, Lyon, Nealon, Purkitt, Rigdon, Rominger, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending sections 1 and 14 of Article XIII thereof, both relating to revenue and taxation, so as to permit taxation of certain public utilities owned or operated by counties, cities and counties, or municipal corporations.

On motion of Senator Irwin, Senate Constitutional Amendment No. 11 was passed on file.

Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section 22 of Article XII thereof, relating to the powers and duties of the Railroad Commission of the State of California.

On motion of Senator Irwin, Senate Constitutional Amendment No. 21 was passed on file.

Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section 23 of Article XII thereof, relating to the powers and duties of the Railroad Commission of the State of California.

On motion of Senator Irwin, Senate Constitutional Amendment No. 22 was passed on file.

Senate Bill No. 422—An act to amend section 1624 of the Civil Code, and repealing Article II of Chapter 3 of Title IV of division second of the Civil Code, and repealing sections 3308, 3309, 3310, 3311, 3312, 3313, 3314, 3353, 3354, 3355, 1739 and 1740 of the Civil Code, Chapter 2 of Title I of Part IV of division third of the Civil Code, Chapter 3 of Title I of Part IV of division third of the Civil Code, Chapter 4 of Title I of Part IV of division third of the Civil Code, and to add Chapters 2, 3, 4, 5, 6 and 7 of Title I of Part IV of division third of said Civil Code in place thereof, relating to the sale of personal property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 422 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Hans, Irwin, Johnson, Kehoe, King, Lyon, Maddux, Nealon, Rigdon, Rominger, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 423—An act to repeal Title XV of Part IV of division third of the Civil Code of the State of California, and to add a

new Title XV of Part IV of division third of said code in place thereof, relating to negotiable instruments, and to make the law of negotiable instruments in the State of California uniform with the law of other states.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 423 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Caneva, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Hans, Inman, Ingram, Johnson, Kehoe, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Shearer, Slater, Stucken-bruck, and Thompson—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 424—An act to repeal Article III of Chapter 3 of Title VII of Part IV of the Civil Code of the State of California, and to enact a new Article III of Chapter 3 of Title VII of Part IV of the Civil Code of the State of California, relating to bills of lading.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 424 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Caneva, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Hans, Inman, Ingram, Johnson, Jones, Kehoe, King, Nealon, Rigdon, Rominger, Rush, Shearer, Slater, Stucken-bruck, and Thompson—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 320—An act to amend section 1858 of the Political Code, relating to the apportionment of the elementary school funds and the counting of attendance in the elementary and secondary schools of the State.

On motion of Senator Jones, Senate Bill No. 320 was passed on file.

Senate Bill No. 438—An act to prohibit employers from demanding or receiving any money or other consideration from an employee as a condition of employment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 438 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Caneva, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Rigdon, Rush, Shearer, Slater, Stucken-bruck, Thompson, and Tyrrell—29.

NOES—Senator Ballard—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 61—An act to amend section 633 of the Penal Code, relating to the protection of fish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 61 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Rigdon, Rominger, Sharkey, Shearer, Slater, and Stuckenbruck—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 80—An act to amend section 626*o* of the Penal Code, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 80 passed by the following vote:

AYES—Senators Breed, Brown, Canepa, Carr, F. M., Chamberlin, Chandler, Duncan, Evans, Flaherty, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Lyon, Maddux, Nealon, Rigdon, Rominger, Scott, Shearer, Slater, Stuckenbruck, and Thompson—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 736—An act to add a new section to the Penal Code, to be numbered 653*f*, relating to the restricting of the number of individuals who may learn a trade.

On motion of Senator Rominger, Senate Bill No. 736 was passed on file.

Senate Bill No. 890—An act to amend section 2643 of the Political Code, relating to the powers of boards of supervisors over roads.

On motion of Senator Tyrrell, Senate Bill No. 890 was passed on file.

Senate Bill No. 173—An act authorizing counties to employ public health visitors and prescribing their qualifications and duties.

WITHDRAWAL OF BILL.

Senator Lyon asked for and was granted unanimous consent to withdraw Senate Bill No. 173.

Senate Bill No. 173 ordered withdrawn and stricken from the file.

Senate Constitutional Amendment No. 5.—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending section 1 of Article IV thereof, relating to legislative powers, and reserving to the people of the State of California the power to propose laws, statutes and amendments to the Constitution and to enact the same at the polls, independent of the Legislature, and also reserving to the people of the State of California the power to approve or reject at the polls any act or section or part of any act of the Legislature.

On motion of Senator Duncan, Senate Constitutional Amendment No. 5 was passed on file.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 22, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 532—An act repealing Chapter 1, and Articles I to VI, inclusive, of Chapter 2 of Title X of Part IV, division third, of the Civil Code, and to add a new Chapter 1 of Title X of Part IV, division third, in place thereof, and to amend Article VII of Chapter 2 of Title X of Part IV, division third, of the Civil Code, by making said Article VII, Chapter 2 of Title X of Part IV, division third, of the Civil Code of the State of California, relating to partnerships;

Also: Senate Bill No. 818—An act to promote the comfort, health, safety and general welfare of the people of this State as affected by injury causing the disability or death of employees in the course of their employment, providing for a complete plan of workmen's compensation by creating a liability on the part of immediate employers, principal employers, contracting employers and their insurance carriers to compensate employees and their dependents for such disability or death, irrespective of the fault of any party, providing the means and methods of enforcing such liability and providing for certain liens upon compensation; and regulating compensation insurance coverage against such liability, securing the payment of compensation and confirming the establishment and transactions of the State Compensation Insurance Fund; and requiring safety in all employments and places of employment in this State and providing the means and methods of enforcing such safety, and requiring reports of industrial injuries; and providing penalties for offenses, as defined herein, by employers, their officers and agents, and by employees and other persons and corporations; and defining the powers and duties of the Industrial Accident Commission under this act, and providing for a review of its orders, decisions and awards; and repealing sections 2, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 75a, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86 and 87 of Chapter 176, Statutes of 1913, and all other acts and parts of acts inconsistent herewith, except sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 88 and 90 of said Chapter 176, Statutes of 1913;

Also: Senate Bill No. 1133—An act to amend section 4290 of the Political Code, relating to fees and salaries of county officers;

Also: Senate Bill No. 175—An act to amend section 4263 of the Political Code, relating to the compensation of officers in counties of the thirty-fourth class;

Also: Senate Bill No. 599—An act to provide for the organization and supervision of courses in physical education in the elementary, secondary and normal schools of the State, and appropriating ten thousand dollars therefor;

Also: Senate Bill No. 1081—An act to amend section 1891 of the Political Code, relating to school districts situated in two or more counties;

Also: Senate Bill No. 1082—An act to amend section 1728 of the Political Code, relating to the formation of joint union high school districts;

Also: Senate Bill No. 1083—An act to add a new section to the Political Code, to be numbered section 1543½, and to repeal section 1723 thereof, relating to the jurisdiction of county superintendents of schools over joint and joint union school districts;

And reports that the same have been correctly engrossed.

CANEPA, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 111—An act providing that all justices of the peace in townships having a population of less than fifteen thousand shall act as labor and employment agents—and reports that the same has been correctly re-engrossed.

CANEPA, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Joint Resolution No. 9—Relating to needy Indians within the State of California;

Also: Senate Bill No. 585—An act to amend section 1741 of the Political Code, relating to the powers and duties of high school boards;

Also: Senate Bill No. 709—An act to amend section 5 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State, creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913;

Also: Senate Bill No. 943—An act to add thirteen new sections to the Political Code, to be numbered 1585, 1586, 1587, 1588, 1589, 1589*a*, 1589*b*, 1589*c*, 1590, 1591, 1591*a*, 1591*b*, and 1591*c*, and to repeal section 1674 of the Political Code, relating to union school districts;

Also: Senate Bill No. 944—An act to add a new section to the Political Code, to be numbered 1675*a*, relating to the change of name of school districts and the manner of making such change and to repeal "An act to provide for the change of name of school districts and the manner of making such change," approved March 16, 1903;

Also: Senate Bill No. 945—An act to add a new section to the Political Code, to be numbered section 1670, relating to the school year, and school month, and to repeal section 1697 of the Political Code, relating to the school month, and section 1878 of the Political Code, relating to the school year;

Also: Senate Bill No. 412—An act to amend section 1613 of the Penal Code, relating to the labor of prisoners confined in the county jail;

Also: Senate Bill No. 884—An act to repeal section 847 of the Civil Code, relating to uses and trusts, to amend section 857 of the Civil Code, relating to express trusts, and to amend section 2220 of the Civil Code, relating to purposes for which a trust may be created;

Also: Senate Bill No. 872—An act defining the meaning of the term "appointive officer," and to prohibit any appointive officer of the State of California, or of any of its departments or commissions, from participating in political conventions, discussions or campaigns for or against any political party, or measure, or candidate, making public political speeches to influence the action of any voter or voters for or against any party, person, or measure, or using any official stationery for such purpose, and providing penalties for the violation thereof;

Also: Senate Bill No. 751—An act to prevent the importation into or transportation through the State of California of insects injurious to cultivated crops, providing exemption for specific scientific purposes, fixing the authority to grant such exemption and providing a penalty for a violation of the terms of this act;

And reports that the same have been correctly engrossed.

CANEPA, Chairman.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 532—An act repealing Chapter 1 and Articles I to VI, inclusive, of Chapter 2 of Title X of Part IV, division third, of the Civil Code, and to add a new Chapter 1 of Title X of Part IV, division third, in place thereof, and to amend Article VII of Chapter 2 of Title X of Part IV, division third, of the Civil Code, by making said Article VII, Chapter 2 of Title X of Part IV, division third, of the Civil Code of the State of California, relating to partnerships.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 532 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, F. M., Chandler, Duncan, Evans, Gates, Ingram, Irwin, Jones, Kehoe, Maddox, Nealon, Purkitt, Rigdon, Roninger, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 818—An act to promote the comfort, health, safety and general welfare of the people of this State as affected by injury causing the disability or death of employees in the course of their employment, providing for a complete plan of workmen's compensation by creating a liability on the part of immediate employers, principal employers, contracting employers and their insurance carriers to compensate employees and their dependents for such disability or death,

irrespective of the fault of any party, providing the means and methods of enforcing such liability and providing for certain liens upon compensation; and regulating compensation insurance coverage against such liability, securing the payment of compensation and confirming the establishment and transactions of the State Compensation Insurance Fund; and requiring safety in all employments and places of employment in this State and providing the means and methods of enforcing such safety, and requiring reports of industrial injuries; and providing penalties for offenses, as defined herein, by employers, their officers and agents, and by employees and other persons and corporations; and defining the powers and duties of the Industrial Accident Commission under this act, and providing for a review of its orders, decisions and awards; and repealing sections 2, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 75*a*, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86 and 87 of Chapter 176, Statutes of 1913, and all other acts and parts of acts inconsistent herewith, except sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 88 and 90 of said Chapter 176, Statutes of 1913.

Senator Luce moved that Senate Bill No. 818 be made a special order for Tuesday, March 27, 1917, at eleven o'clock a.m.

Motion carried.

Senate Bill No. 1133—An act to amend section 4290 of the Political Code, relating to fees and salaries of county officers.

In the absence of the author, Senate Bill No. 1133 was ordered passed, to retain its place on the file.

Senate Bill No. 175—An act to amend section 4263 of the Political Code, relating to the compensation of officers in counties of the thirty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 175 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Lewis, Johnson, Jones, Kehoe, Lyon, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Shearer, Slater, and Stuckenbruck—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1027—An act to amend the Code of Civil Procedure by adding thereto a new section to be numbered and known as section 1128, providing for a recount of votes cast on any amendment or proposition appearing on the ballots at any election held under the initiative or referendum provisions of Article IV, section 1, of the Constitution of the State of California, or under statutes or city or county charters providing for similar elections, or at any election on a proposition for incurring a bonded indebtedness or on any other proposition submitted to a vote of the electors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1027 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Cronin, Duncan, Evans, Flaherty, Gates, Ingram, Irwin, Irwin, Jones, King, Lion, Lion, Maddux, Nourse, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, and Stuckenbruck—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 111—An act providing that all justices of the peace in townships having a population of less than fifteen thousand shall act as labor and employment agents.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Duncan moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following responded to their names:

Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Chamberlin, Cronin, Duncan, Evans, Flaherty, Gates, Ingram, Irwin, Irwin, Jones, King, Kehoe, Lion, Lion, McDonald, Maddux, Nourse, Parkin, Rigdon, Rominger, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

The Secretary announced the absentees.

Time, eleven o'clock and forty-three minutes.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and forty-five minutes a.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Kehoe.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Senate Bill No. 111 finally passed by the following vote:

AYES—Senators Benson, Breed, Canepa, Carr, W. J., Chamberlin, Cronin, Duncan, Evans, Flaherty, Ingram, Jones, King, Lion, Lion, McDonald, Nourse, Rigdon, Rominger, Rush, Scott, Sharkey, and Slater—22.

NOES—Senators Ballard, Breed, Burnett, Gates, F. M., Hans, Irwin, Irwin, Maddux, Parkin, Shearer, Stuckenbruck, Thompson, and Tyrrell—13.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1081—An act to amend section 1891 of the Political Code, relating to school districts situated in two or more counties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1081 passed by the following vote:

AYES—Senators Ballard, Breed, Canepa, Carr, F. M., Chamberlin, Cronin, Duncan, Evans, Flaherty, Ingram, Irwin, Kehoe, Lion, Maddux, Nourse, Parkin,

Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1082—An act to amend section 1728 of the Political Code, relating to the formation of joint union high school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1082 passed by the following vote:

AYES—Senators Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Kehoe, Luce, Lyon, Maddux, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Thompson, and Tyrrell—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1083—An act to add a new section to the Political Code, to be numbered section 1543*b*, relating to the jurisdiction of county superintendent of schools over joint and joint union school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1083 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Canepa, Carr, F. M., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Kehoe, Lyon, Maddux, Nourse, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Thompson—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATE CONCURRENT RESOLUTION NO. 20

WHEREAS, The organic and statutory law of this state is embodied in the constitution and the four codes and several thousand general laws; and

WHEREAS, There is great need and demand for a single and complete index thereto; now, therefore, be it

Resolved by the Senate, the Assembly concurring, That the chief of the legislative counsel bureau be and he is hereby directed to prepare a complete index of the constitution and of all the laws of this state, including the laws enacted by the legislature at its forty-second session; and be it further

Resolved, That the superintendent of state printing be and he is hereby directed to print two thousand copies of said index, the cost of printing and distribution to be paid out of the contingent funds of the Senate and Assembly in equal amounts; and be it further

Resolved, That one copy of said index shall be distributed to each member of the legislature and to each state officer, the balance to be offered for sale to the public at a price sufficient to cover the cost of publication and distribution, all receipts to be paid into the state treasury to reimburse the contingent fund of the Senate and Assembly, respectively, for the expenditure provided for herein.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 20 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Kehoe, McDonald

Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—27.

NOES—None.

Title read and approved.

Resolution ordered transmitted to the Assembly.

Senate Bill No. 585—An act to amend section 1741 of the Political Code, relating to the powers and duties of high school boards.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 585 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Chamberlin, Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 709—An act to amend section 5 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913.

In the absence of the author, Senate Bill No. 709 was ordered passed, to retain its place on the file.

Senate Bill No. 943—An act to add thirteen new sections to the Political Code, to be numbered 1585, 1586, 1587, 1588, 1589, 1589*a*, 1589*b*, 1589*c*, 1590, 1591, 1591*a*, 1591*b* and 1591*c*, and to repeal section 1674 of the Political Code, relating to union school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 943 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 944—An act to add a new section to the Political Code, to be numbered 1675*a*, relating to the change of name of school districts and the manner of making such change and to repeal "An act to provide for the change of name of school districts and the manner of making such change," approved March 16, 1903.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 944 passed by the following vote:

AYES—Senators Benson, Breed, Canepa, Carr, F. M., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Kehoe, King, Luce,

Lyon, McDonald Maddux, Neabon, Rigdon, Rominger, Rush, Scott, Sanborn, Sherman, Slater, Stuckenbruck, and Thompson—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 945—An act to add a new section to the Political Code, to be numbered section 1670, relating to the school year, and school month, and to repeal section 1697 of the Political Code, relating to the school month, and section 1878 of the Political Code, relating to the school year.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 945 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Kehoe, King, Lyon, McDonald, Maddux, Neabon, Rigdon, Rominger, Rush, Scott, Sherman, Sheaver, Slater, Stuckenbruck, and Thompson—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 412—An act to amend section 1613 of the Penal Code, relating to the labor of prisoners confined in the county jail.

On motion of Senator Ingram, Senate Bill No. 412 was passed on file.

Senate Bill No. 884—An act to repeal section 847 of the Civil Code, relating to uses and trusts, to amend section 857 of the Civil Code, relating to express trusts, and to amend section 2220 of the Civil Code, relating to purposes for which a trust may be created.

In the absence of the author, Senate Bill No. 884 was ordered passed, to retain its place on the file.

Senate Bill No. 872—An act defining the meaning of the term "appointive officer," and to prohibit any appointive officer of the State of California, or of any of its departments or commissions, from participating in political conventions, discussions or campaigns for or against any political party, or measure, or candidate, making public political speeches to influence the action of any voter or voters for or against any party, person, or measure, or using any official stationery for such purpose, and providing penalties for the violation thereof.

On motion of Senator Duncan, Senate Bill No. 872 was passed on file.

Senate Bill No. 751—An act to prevent the importation into or transportation through the State of California of insects injurious to cultivated crops, providing exemption for specific scientific purposes, fixing the authority to grant such exemption and providing a penalty for a violation of the terms of this act.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Benson moved to refer Senate Bill No. 751 to Senator Kehoe, as a Special Committee of One, to amend as follows:

On page 1 of the printed bill, strike out lines 1 and 2 and insert in lieu thereof the following:

"SECTION 1. No person, firm or corporation shall bring into the State of California, nor shall any railroad, steamship, express or other transportation company knowingly transport into the State of California".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 751, with instructions to amend, respectfully reports the same back, amended as per instructions.

KEHOE, Special Committee.

Report read, and on motion of Senator Benson, adopted.

Senate Bill No. 751 ordered to print, and re-engrossment.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 289.

Senate Bill No. 289—An act to amend section 4288 of the Political Code.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER TWO HUNDRED EIGHTY-NINE.

AMENDMENT NUMBER ONE.

Amend the title of Senate Bill No. 289 to read as follows:

"An act to amend section 4288 of the Political Code relative to time of payment of salaries of county officers."

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 289.

The roll was called, and Assembly amendment to Senate Bill No. 289 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Flaherty, Gates, Hans, Ingram, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Pinkatt, Rigdon, Romenger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—32.

NOES—None.

Senate Bill No. 289 ordered to enrollment.

Also:

The Senate took up for consideration Assembly amendments to Senate Bill No. 827.

Senate Bill No. 827—An act to provide for the periodical inspection of elevators operated in places of employment in this State; to require a permit for such operation; to make it a misdemeanor to operate such elevator without such permit; and to provide for an injunction against such operation if dangerous to the life or safety of employees; to vest in the Industrial Accident Commission the power to make such inspections and determine the competency of inspectors and require reports of inspections; and to issue such permits and prescribe maximum fees therefor.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED TWENTY-SEVEN.

AMENDMENT NUMBER ONE.

On page 1, line 10, of the title, strike out the word "maximum".

AMENDMENT NUMBER TWO.

On page 1, line 10, of the title, strike out the word "maximum".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 827?"

The roll was called, and Assembly amendments to Senate Bill No. 827 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Chamberlain, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Kehoe, King, Lewis, Maddux, Nealon, Purkitt, Rigdon, Roninger, Rush, Scott, Sharkey, Slater, Stockenbruck, and Thompson—29.

NOES—None.

Senate Bill No. 827 ordered to enrollment.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 22, 1917.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 995—An act to provide for printing, binding, digesting and indexing the opinions of the Attorney General of this State and making an appropriation to pay the cost and expenses of the same—has had the same under consideration, and respectfully reports the same back and recommends that it do pass, and be re-referred to Committee on Finance.

KEHOE, Chairman.

Senate Bill No. 995 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 994—An act to amend section 475 of the Political Code, relating to clerks, stenographers, and service agent of the Attorney General's office—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended, and be re-referred to Committee on Finance.

KEHOE, Chairman.

Senate Bill No. 994 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 1019—An act to amend section 854 of the Code of Civil Procedure, relating to demurrers to complaints in justice's court actions;

Also: Senate Bill No. 164—An act to amend section 3440 of the Civil Code, relating to certain transfers which are presumed to be fraudulent;

Also: Senate Bill No. 993—An act to amend section 474 of the Political Code, relating to the powers and duties of the Attorney General;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Senate Bills Nos. 1019, 164 and 993 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 268—An act to amend section 1469 of the Code of Civil Procedure, relating to administration of estates not exceeding two thousand dollars in value;

Also: Senate Bill No. 51—An act to add a new section to the Code of Civil Procedure, to be numbered 337*a*, relating to the time when an action upon an open book account accrues;

Also: Senate Bill No. 1101—An act to amend section 224 of the Civil Code, relating to persons whose consent is necessary to the adoption of a minor child;

Also: Senate Bill No. 1099—An act to amend section 226 of the Civil Code, relating to proceedings on adoption;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

KEHOE, Chairman.

Assembly Bill No. 268 and Senate Bills Nos. 51, 1101 and 1099 ordered on file for second reading.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, March 22, 1917.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 1079—An act to validate and declare valid all proceedings in Happy Valley Irrigation District, has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

MADDUX, Chairman.

Assembly Bill No. 1079 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 121—An act providing for the organization of water districts by the board of supervisors of any county of the State upon petition therefor by the landowners therein, providing for the joint government and control thereof by the landowners therein and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of said county in which the lands contained in said district are located; providing for the acquisition and construction by said district of water works, for the irrigation of the lands embraced therein and for the distribution of water for irrigation purposes and domestic use; providing for the payment of the debts thereof by a tax levied on the property embraced therein; providing for the issuance and sale of bonds thereby, providing that said bonds may be investigated by an appointive board of three individuals; providing for the approval of said bonds by the State Superintendent of Banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

MADDUX, Chairman.

Senate Bill No. 121 ordered on file for second reading.

RECESS.

At twelve o'clock and fifteen minutes p.m., on motion of Senator Benson, the President pro tempore declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 668—An act to amend section 7 of an act entitled "An act to provide for a general system based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a state civil service commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 826—An act empowering the State Board of Health to examine sources from which shellfish are taken; making it

unlawful to take shellfish from contaminated sources if determined by said board to be a menace to health; making violations of this act misdemeanors and providing for the punishment of same.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 141—An act providing for the sanitation, healthfulness and cleanliness and safety of swimming pools, public bathhouses, swimming and bathing places; regulating the granting and revocation of permits therefor from the State Board of Health, providing for the inspection of such places; declaring places and things in violation of this act to be nuisances dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors; and providing for the punishment of the same.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 125—An act to amend section 2 of an act entitled "An act to protect public health from infection caused by exhumation and removal of the remains of deceased persons," approved April 1, 1878.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 510—An act to repeal section 373 of the Penal Code, relating to pesthouses in cities and towns.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 52—An act to amend section 1861 of the Civil Code, relating to lien of hotelkeepers on property of guests for charges.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 742—An act to amend section 3074 of the Political Code, relating to the Bureau of Vital Statistics and duties of State Registrar.

Bill read second time, and ordered on file for third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 185—An act granting to any city of the State whose corporate limits include or bound upon any harbor, bay, estuary, or other navigable body of water, the power to improve the same and to establish, acquire, construct, improve and maintain in, upon and along the waters thereof works for use in connection therewith.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 185 passed by the following vote:

AYES—Senators Ballard, Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Ingram, Inman, Johnson, Kehoe, King, Lane, Lyon, McDonald, Maddux, Nealon, Rominger, Scott, Shearer, Slater, and Stuckenbruck—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 286—An act to amend section 3 of an act entitled "An act to regulate and license the taking and catching of game fishes, and to define game fish and to provide revenue therefrom, for fish preservation and restoration," approved June 16, 1913.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 286 passed by the following vote:

AYES—Senators Ballard, Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Ingram, Inman, Johnson, Kehoe, King, Lyon, McDonald, Nealon, Rominger, Scott, Shearer, Slater, Stuckenbruck, and Tyrrell—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 328—An act to amend section 626*l* of the Penal Code, relating to the protection of fish and game.

On motion of Senator Benson, Assembly Bill No. 328 was passed on file.

Assembly Bill No. 550—An act to amend section 628*b* of the Penal Code, relating to the protection of fish.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Inman moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Ballard, Breed, Carr, F. M., Carr, W. J., Chamberlin, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Parkin, Rominger, Rush, Scott, Shearer, Slater, Stuckenbruck, and Tyrrell—26.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At two o'clock and thirty minutes p.m., further proceedings under call of the Senate were dispensed with, on motion of Senator Inman.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Assembly Bill No. 550 finally passed by the following vote:

AYES—Senators Ballard, Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Kehoe, King, Maddux, Nealon, Parkin, Rominger, Rush, Shearer, and Tyrrell—22.
NOES—Senators Duncan, Lyon, McDonald, Scott, Slater, and Stuckenbruck—6.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 744—An act to amend section 4149*b* of the Political Code, relating to county fish and game wardens.

On motion of Senator Carr, F. M., Assembly Bill No. 744 was passed on file.

Assembly Bill No. 635—An act to provide for the payment into the county treasury of any moneys now held by county tax collectors which represent duplicate or excess payments of taxes on property in their respective counties, and to provide for the distribution and repayment of such moneys when so paid, and to provide for the payment, repayment and distribution of any duplicate or excess collections which may be made hereafter.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 635 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 216—An act to amend section 1239 of the Penal Code, relating to appeals in criminal actions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 216 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 182—An act to amend section 555 of the Code of Civil Procedure, relating to rules of attachment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 182 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 290—An act to amend section 995 of the Political Code, relating to resignations of officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 290 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rominger, Rush, Scott, Shearer, Slater, Stuckenbruck, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 469—An act to add a new section to the Code of Civil Procedure, to be numbered section 1455, relating to the collection by surviving heirs of balances due the estates of deceased annuitants from the public school teachers' retirement salary fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 469 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, King, Luce, Lyon, McDonald, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, and Stuckenbruck—30.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

SECRETARY CLIFTON L. BROOKS AT THE DESK.

Assembly Bill No. 183—An act granting to the city of Venice the tidelands and submerged lands of the State of California within the boundaries of the said city.

Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 183 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Evans, Flaherty, Gates, Ingram, Johnson, Kehoe, King, Luce, Lyon, Rominger, Rush, Sharkey, Slater, Stuckenbruck, and Tyrrell—23.
NOES—Senators Chandler, Inman, Irwin, and Purkitt—4.

Title read and approved.
Bill ordered transmitted to the Assembly.
Assembly Bill No. 287—An act to amend section 3 of an act entitled "An act to regulate and license the hunting of wild birds and animals, and to provide revenue therefrom, for game and fish preservation and restoration," approved March 22, 1909.
Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator McDonald moved to refer Assembly Bill No. 287 to Senator Duncan, as a Special Committee of One, to amend as follows:

On page 1, line 10, of the printed bill, after the word "war" and before the word "free", insert the words "or California Indian".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 287, with instructions to amend, respectfully reports the same back, amended as per instructions.

DUNCAN, Special Committee.

Report refused adoption.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator McDonald moved to refer Assembly Bill No. 287 to Senator Irwin, as a Special Committee of One, to amend as follows:

On page 1, line 10, of the printed bill, after the word "war" and before the word "free", insert the words "or American Indians".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 287, with instructions to amend, respectfully reports the same back, amended as per instructions.

IRWIN, Special Committee.

Report read, and, on motion of Senator McDonald, adopted.

Assembly Bill No. 287 ordered to print.

Assembly Bill No. 86—An act granting certain tidelands and submerged lands of the State of California to the city of Santa Monica upon certain trusts and conditions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 86 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Chamberlin, Crowley, Evans, Flaherty, Hans, Ingram, Inman, Irwin, Kehoe, King, Luce, Lyon, McDonald, Nealon, Rominger, Rush, Scott, Sharkey, Slater, and Stukenbruck—26.

NOES—Senator Purkitt—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1375—An act to amend sections 2, 8, 9, 10, 11, 12, 12½, 13, 14, 15, 17, 18 and 20, relating to the practice of midwifery, and adding a new section thereto to be numbered 24 relating to the penalty for violation of the provisions of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended by an act to amend an act entitled "An act to amend an act entitled 'An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled "An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems and modes of treating the sick or afflicted in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act,' approved June 2, 1913, by amending sections 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 17 and 18, and adding a new section thereto to be numbered 12½ relating to the practice of chiropody," approved April 24, 1915.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Stuckenbruck moved to refer Assembly Bill No. 1375 to Senator Purkitt, as a Special Committee of One, to amend as follows:

On page 21 of the printed bill, between lines 34 and 35, insert the following: "*provided*, that the said board must also issue a certificate to practice a system or mode of treating the sick or afflicted, and without an examination to any applicant holding and producing a license or certificate entitling him to practice a system or mode of treating the sick or afflicted, as provided for in said certificate issued prior to March 4, 1907, either by the medical board or by any board or officer authorized by law to issue a license or certificate entitling such applicant to practice a system or mode of treating the sick or afflicted, either in the District of Columbia, or in any state or territory of the United States; *provided, however*, that the applicant shall have practiced said system or mode of treating the sick or afflicted under such license or certificate in another state or territory or the District of Columbia for at least one year; *and provided, further*, that the applicant's preliminary and medical educational qualifications to practice said system or mode of treating the sick or afflicted, shall not have been, or shall not be, at the time of the issuing of said license or certificate in any degree or particular less than those required by the laws of this state at the same time."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 1375, with instructions to amend, respectfully reports the same back, amended as per instructions.

PURKITT, Special Committee.

MOTION.

Senator Scott moved that further consideration of Assembly Bill No. 1375 be continued to the next legislative day, and the report of the Special Committee of One, with pending amendments, be printed in the Journal.

POINT OF ORDER.

Senator Inman raised the point of order that "the motion by Senator Scott was out of order, as the question before the Senate was the report of the Special Committee of One."

DECISION ON POINT OF ORDER.

The President announced his decision, and declared the point of order not well taken.

The question being on the motion by Senator Scott.

A viva voce vote was taken, and the motion carried.

Assembly Bill No. 1375 continued to the next legislative day.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Sharkey moved to reconsider the vote whereby Assembly Bill No. 205 was refused passage.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Assembly Bill No. 205 was refused passage, carried by the following vote:

AYES—Senators Benson, Breed, Burnett, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Flaherty, Hans, Ingram, Inman, Irwin, McDonald, Nealon, Purkitt, Rigdon, Scott, Sharkey, Shearer, Slater, and Tyrrell—22.

NOES—Senators Ballard, Canepa, Carr, W. J., Gates, Jones, Kehoe, King, Luce, Lyon, and Rominger—10.

Assembly Bill No. 205—An act to amend section 628*l* of the Penal Code.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 205 refused passage by the following vote:

AYES—Senators Carr, E. M., Duncan, Flaherty, Hans, Ingram, McDonald, Nealon, Purkitt, Rigdon, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—15.

NOES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Gates, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Rominger, and Tyrrell—21.

SECOND READING OF SENATE BILLS

Senate Bill No. 414—An act making it unlawful to manufacture, sell, offer for sale, give away, furnish or have in possession any whiskey, rum, brandy, gin, liqueurs, wines or any other spirituous, malt, vinous, fermented or other intoxicating liquors containing more than ten per cent of common or ethyl alcohol in proportion to all other substances therein contained, except for scientific or mechanical purposes, or for medical purposes pursuant to the written prescription of a duly licensed physician or surgeon; prohibiting any physician from giving any person a prescription for the purpose of enabling or assisting such person to evade any of the provisions of this act or to obtain such liquors for any purpose except that of treating disease; and providing penalties for the violation thereof.

Bill read second time, previously.

The following amendments, offered the previous day and ordered printed in the Journal, were taken up for consideration:

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of line 1 after "Section 1.", all of lines 2, 3, 4, 5 and 6, and all of page 2, and insert in lieu thereof the following:

"Except as in this act otherwise provided, it shall be unlawful to sell, serve, barter or give away:

(a) Any alcoholic liquors other than vinous or malt liquors;

(b) any vinous or malt liquors which contain more than twenty-one per cent by volume of alcohol;

(c) any vinous or malt liquors (except fortified sweet wines) which contain any distilled spirits;

(d) any vinous or malt liquors except in lots or quantities of not less than twenty fluid ounces each, and except in sealed packages containing each not less than ten fluid ounces;

(e) any vinous or malt liquors outside the limits of an incorporated town, city or consolidated city and county.

Sec. 2. The provisions of section 1 of this act shall not apply to, and nothing therein contained shall be construed as rendering unlawful:

(a) the sale of alcoholic liquors by a manufacturer thereof to a wholesale druggist or to a registered pharmacist, conducting a pharmacy or by a wholesale druggist to a registered pharmacist, conducting a pharmacy provided the same are by the seller delivered either (1) directly to the purchaser at his place of business, or (2) to a common carrier to be by such carrier delivered to the purchaser at his place of business;

(b) the sale of wine by a manufacturer thereof or by a wholesale druggist or by a registered pharmacist conducting a pharmacy, for sacramental purposes only; provided such wine is sold only to a regularly ordained minister of some religious denomination or upon the written order of some local official board or governing body of a religious organization, and provided a record is kept of such sale by the seller in a permanent book of records of such sales which is always open to public inspection, and in which is recorded at the time of such sale the date thereof, the quantity sold, and the signature of the person purchasing the same;

(c) the distribution and use of wine at and as part of the sacramental service of any religious observance;

(d) the sale, by a manufacturer thereof, or by a wholesale druggist, or by a registered pharmacist, conducting a pharmacy of alcohol for other than beverage

purposes, provided a record thereof is made at the time of such sale in a permanent book of records of such sales, which is kept at the place of business of the seller, and is always open to public inspection, showing the date of sale, the quantity sold, the purpose for which the alcohol is purchased, and the signature of the purchaser;

(e) the dispensing of alcoholic liquor by a registered pharmacist conducting a pharmacy for bona fide medicinal purposes only, upon a written prescription, issued, signed and dated by a duly licensed physician, which prescription contains in the handwriting of such physician the name of the person applying for such prescription and the name of the person for whose use it is given, provided that not more than one dispensing is made upon such prescription, and provided such prescription is kept on file at the place of business of such pharmacist in a book or file of prescriptions which is always open to public inspection, and provided that none of the liquor so dispensed is drunk upon the premises where the same is dispensed;

(f) the sale of wine by a manufacturer thereof to a wine blender or to another manufacturer of wines for blending purposes, or to a manufacturer of pure grape brandy to be used in making such brandy, or the sale of pure grape brandy by a manufacturer thereof to a manufacturer of wines to be used by the latter in the fortification of sweet wines, in conformity with the acts of congress relating thereto;

(g) the sale of alcohol or of pure grape or fruit brandy by a manufacturer thereof for export or for shipment to points outside this state, provided the seller delivers the alcohol or brandy so sold to a common carrier for shipment and delivery to a point outside this state.

If, in case of any sale of the character mentioned and provided for in subdivisions (b) or (d) of this section, the purchaser shall not be present at the time and place of sale, any such sale shall be unlawful unless made upon a written order signed by the purchaser, and unless in such case, instead of the signature of the purchaser being entered in the book or books of records mentioned in said subdivisions, such written order shall be by the seller kept on file at his or its place or business in a file of such orders which is always open to public inspection.

SEC. 3. The provisions of subdivisions (d) and (e) of section 1 of this act shall not apply to or be construed as rendering unlawful the sale by a manufacturer thereof, for delivery from the premises where the same are manufactured, of vinous or malt liquors of a character such that the sale thereof is not rendered unlawful by the provisions of subdivisions (b) and (c) of section 1 of this act, or the receiving and filling of orders for vinous or malt liquors of the same character, to be delivered from a cellar, vault, warehouse or storehouse where the same are kept, provided each such sale or order is of a quantity of not less than two gallons, and provided no part of the liquor sold or ordered is consumed upon the premises where sold or where the same are kept for the filling of such orders, but all thereof is by the seller or by the party filling such order delivered from such premises, either (1) directly to a person by whom and to a place at which the same may be lawfully kept, sold, served or used; or (2) to a common carrier to be by such carrier delivered to such person and place, or for shipment by such carrier and delivery to a point outside this State.

SEC. 4. Nothing in this act contained shall be construed as rendering unlawful the serving by a person at his own home, to members of his family or to his guests, of vinous or malt liquors of such character that the serving thereof is not rendered unlawful by subdivisions (b) and (c) of section 1 of this act, provided no money or other representative of value or any valuable consideration is or is to be given or received in return therefor, and provided such home is not a place of public resort.

SEC. 5. Except as otherwise provided in this section or in section 4 of this act, it shall be unlawful:

(a) To sell, serve or barter for beverage purposes any alcoholic liquors to be consumed on the premises where sold, served or bartered; or

(b) To keep, maintain or conduct any drinking saloon, bar, barroom or other place where alcoholic liquor is sold, served or bartered for beverage purposes to be consumed on the premises where sold, served or bartered.

Nothing in this section or in subdivisions (d) or (e) of section 1 of this act shall be construed as rendering unlawful the sale and serving in a hotel, restaurant or club or on a train or vessel used for the common carriage of passengers, of vinous or malt liquors which do not contain more than fourteen per cent by volume of alcohol, and which do not contain any distilled spirits, provided the same are sold and served only between the hours of twelve o'clock noon and twelve o'clock midnight of a day, with and as part of and to be consumed with a bona fide meal, and provided the same (if served in a hotel, restaurant or club) are served only in a public or general dining room or dining place of such hotel, restaurant or club in which there are no booths or boxes, to which dining room or dining place free access is allowed to all peace officers for purposes of inspection at all times when the same is being used.

SEC. 6. It shall be unlawful:

(a) To keep or possess any alcoholic liquor in any place of public amusement or in any place of public resort, or for purposes of sale in any other place except (1) where either the sale or serving for valuable consideration on such premises, or the receiving and filling of orders for delivery therefrom of alcoholic liquor of the character of that kept or possessed thereon is not rendered unlawful by this act, and

is authorized by all such permits and licenses, municipal and other, as are required by law or ordinance to render such receiving and filling of orders, sale or serving lawful; and (2) where the same is kept or possessed to be used solely for scientific, industrial or sacramental purposes;

(b) to keep or possess on any premises where alcoholic liquor is sold for beverage purposes, any alcoholic liquors other than vinous or malt liquors, or any vinous or malt liquors which contain more than twenty-one per cent by volume of alcohol, or any vinous or malt liquors (other than fortified sweet wines) which contain any brandy or distilled spirits.

The possession or keeping in any place of public amusement or in any place of public resort of any alcoholic liquor of a character such that under the provisions of this act the same may not either be lawfully sold or served on such premises or orders therefor filled on such premises, or (if any permit or license for the sale or serving of or the filling of orders for such liquor on or from such premises shall be required by any law or ordinance) the possession of any alcoholic liquor on such premises if all permits and licenses necessary to authorize the sale or serving of such liquor on such premises, or the receiving and filling of orders for such liquor on or from such premises, have not been issued, shall be prima facie evidence of a violation of this section. Nothing in this act contained shall be deemed to render unlawful the storage of alcoholic liquors in United States bonded warehouses, or the keeping or possessing of fortification brandy or fortified sweet wines by wine manufacturers, wine blenders or wholesale dealers in wines on their premises.

SEC. 7. It shall be unlawful for any person, firm, association or corporation to sell, barter or serve any alcoholic liquor within the limits of any town, city, county, or city and county without first having obtained from such town, city, or city and county all such licenses and permits as shall be required therefor by general law or by the charter or any valid ordinance of such town, city, or city and county.

SEC. 8. Nothing herein contained shall be deemed to limit the power of any town, city, or consolidated city and county to fix the terms and conditions upon which permits or licenses to sell alcoholic liquors therein shall be granted, or the terms of any such permits or licenses, or the number, if any, of such permits or licenses which shall be issued, or to issue permits or licenses authorizing the sale (for consumption elsewhere than on the premises where the same are sold) of fortified sweet wines containing not more than twenty-one per cent by volume of alcohol, and of other vinous and malt liquors containing not more than twenty-one per cent by volume of alcohol, and not containing any distilled spirits: *provided*, that

(a) no permit or license issued by any town, city, or consolidated city and county shall authorize or render lawful anything prohibited or rendered unlawful by this act or by any other law of this state;

(b) In any city, town, or consolidated city and county having a population of more than two thousand, the total number of permits in force at any one time authorizing the sale of vinous or malt liquors in sealed packages, not for consumption on the premises where the same are sold, shall not exceed one to each two thousand or major fraction thereof of the population, and in any town, city, or city and county having a population of less than two thousand not more than one permit to sell alcoholic liquors in sealed packages, not for consumption on the premises, may be granted.

For the purposes of this act the population at any time of any town, city, or city and county shall be deemed to be its population as shown by the last preceding decennial census taken by the United States government.

SEC. 9. It shall be unlawful for any person, firm, association or corporation who or which shall bottle or otherwise pack any alcoholic liquors to sell, deliver, ship or cause to be delivered or shipped any such liquor in bottles or other packages unless and until each such bottle or package, and any outside cover of any such bottles or packages, shall be labeled so as to plainly show the name of the person, firm, association or corporation by whom or by which such liquor was bottled or packed, the nature of the contents of each bottle or package so labeled, the quantity contained therein, the percentage by volume of alcohol in the contents thereof, and (if the same contain any distilled spirits) the percentage by volume of the distilled spirits therein contained; *provided, however*, that the label for a bottle or package containing only fortified sweet wine may, instead of stating the percentage by volume of distilled spirits contained therein, use the words "including distilled spirits" in stating the volume by percentage of alcohol contained therein, as, for instance, "containing 20 per cent by volume of alcohol including distilled spirits".

SEC. 10. It shall be unlawful for any person, firm, association or corporation to receive from a common carrier or otherwise, either in the original package or otherwise, or to possess, any alcoholic liquors, with intent to keep, sell, serve, barter or give away the same in violation of any of the provisions of this act, or to order, direct or cause the shipment or transportation of any alcoholic liquors, either in the original package or otherwise, from a point without the state into this state, or from one point to another in this state, with intent that the same shall be received, kept, served, sold, bartered or given away, either in the original package or otherwise, in violation of any of the provisions of this act, either by such person, firm, association or corporation ordering, directing or causing such shipment or transportation, or by any other person. It shall be unlawful for any person, firm, association

or corporation to ship, carry or transport in any manner or by any means whatsoever, either in the original package or otherwise, from a point without the state into this state, or from one point to another in this state, any alcoholic liquors which are intended by any person interested therein to be received, sold or in any manner used, either in the original package or otherwise, in violation of any of the provisions of this act.

SEC. 11. Any person violating any of the provisions of this act shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding six hundred dollars, or by imprisonment in the county jail for not exceeding seven months, or by both such fine and imprisonment; but any person found guilty of violating any of the provisions of this act, by conviction for an offense committed after a previous conviction under this act, shall, upon such second conviction, be punished by a fine not exceeding six hundred dollars, nor less than one hundred dollars, and by imprisonment in the county jail for not exceeding seven months, and for not less than one month.

SEC. 12. The payment of the internal revenue special tax required of liquor dealers by the United States, by any person or persons other than wholesale druggists, registered pharmacists, wholesale liquor dealers, manufacturers of alcoholic liquors, or persons holding valid permits for the sale of such liquors, shall be prima facie evidence that such person or persons are keeping and selling alcoholic liquors in violation of the act, and in any prosecution under this act a certificate from a collector of internal revenue or from any of his deputies or agents, showing that such tax has been paid by the defendant, either alone or in association with others, shall be sufficient evidence of the payment of such tax.

SEC. 13. The words "alcoholic liquor" or "alcoholic liquors" as used in this act shall include alcohol and all spirituous, vinous or malt liquors, and any other liquor or mixture of liquors which contains one per cent or more by volume of alcohol, and which is not so mixed with drugs or other substances as to prevent its use as a beverage. The words "vinous liquors" as used in this act shall include fortified sweet wines and any other alcoholic liquors made from the fermented juice of the grape or of berries or any other fruits. The word "alcohol" as used in this act means common or ethyl alcohol. The words "fruit brandy" as used in this act shall include brandy made by distilling the fermented juice of the grape, or of berries, or of any other fruits, in conformity with the acts of Congress relating thereto.

SEC. 14. Nothing in this act contained shall be construed as authorizing the sale of alcohol or alcoholic liquors in territory that is or shall hereafter become nolicense territory under an act entitled "An act to provide for the regulation of the traffic in alcoholic liquors by establishing local option; authorizing the filing of petitions praying for elections to vote upon the question whether the sale of alcoholic liquors shall be licensed within the territory described in such petitions; providing for the calling and holding of such elections; making it the duty of the proper governing body to declare such territory to be nolicense territory unless a majority of votes is cast in favor of license; providing that no licenses, permits or other authority to sell or distribute alcoholic liquors in nolicense territory shall be granted; forfeiting and declaring void all such licenses or permits theretofore issued and in force; making it a penal offense to sell, give away or distribute alcoholic liquors within such territory, with certain exceptions; and providing penalties for such offenses," approved April 4, 1911, in violation of the terms thereof, or as authorizing the sale of alcoholic liquors in any place where such sale is or shall hereafter be made unlawful by any law or ordinance.

SEC. 15. This act shall take effect and be in force on and after the first day of January, 1918.

SEC. 16. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be or be declared to be unconstitutional.

AYES AND NOES DEMANDED.

The question being on the adoption of amendment No. 2.

A roll call was demanded by Senators McDonald, Canepa and Scott.

Thereupon the Secretary was directed to call the roll.

The roll was called, and amendment No. 2 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Duncan, Evans, Gates, Ingram, Inman, Irwin, Johnson,

Jones, Kehoe, King, Luce, Purkitt, Rigdon, Rominger, Sharkey, Shearer, Thompson, and Tyrrell—27.

NOES—Senators Canepa, Crowley, Flaherty, Hans, McDonald, Nealon, and Scott—7.

AMENDMENT NUMBER THREE.

SEC. 17. Every permit or license which shall hereafter be issued by any town, city, county, or city and county for the sale of any alcoholic liquor not rendered unlawful by the terms of this act shall contain a provision or stipulation that the applicant therefor or holder thereof agrees to permit the chief of police, town marshal, mayor of the city, or sheriff or district attorney of the county or any person designated by either or any of them, to fully and carefully inspect at any time during business hours the premises of the holder of the permit or license and the files, books or orders showing the purchases by said holder of alcoholic liquors, and the said chief of police, town marshal, mayor, sheriff, district attorney or person or persons designated by either or any of them are hereby given the power and authority to make such inspection and to use any information so obtained in any prosecution of the holder of such permit or license or any of his agents for the violation of any of the provisions of this act, and every facility and information shall be given by such holder or his agents to said persons whenever requested in order for them to be given an account of the amount of each kind of alcoholic liquor on hand at any time, or previously purchased by such holder of said permit or license during the period of the preceding twelve calendar months.

Amendment not adopted.

AMENDMENT FROM THE FLOOR.

Senator McDonald moved to amend Senate Bill No. 414 as follows:

On page 2 of the amended bill, between lines 12 and 13, insert the following:
"(f) Any dry wines less than two years old;
"(g) Any sweet wines less than one year old."

AYES AND NOES DEMANDED.

The question being upon the adoption of the amendment submitted by Senator McDonald.

A roll call was demanded by Senators McDonald, Canepa and Scott.

Thereupon the Secretary was directed to call the roll.

The roll was called, and the amendment lost by the following vote:

AYES—Senators Burnett, Canepa, Crowley, Flaherty, Hans, McDonald, Nealon, and Scott—8.

NOES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Duncan, Evans, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Purkitt, Rigdon, Rominger, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—26.

Senator Rominger moved that Senate Bill No. 414 be made a special order for Wednesday, March 28, 1917, at eleven o'clock a.m.

Motion carried.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

Senate Bill No. 487—An act to amend sections 3, 8, 11 and 15 of an act entitled "An act defining mattresses; regulating the making, remaking and sale thereof; prohibiting the use of insanitary and unhealthy materials therein; requiring that materials used shall be accurately described and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled; and making the violation of any of the provisions of this act a misdemeanor, and repealing legislation inconsistent with this act," approved June 7, 1915.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 2 of the title, strike out everything after the word "sections" and insert in lieu thereof the following: "two, three, four, eight, eleven, thirteen and fifteen of an act".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, in line 1, strike out the word "three" and insert in lieu thereof the word "two".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out all of line 1 after "Sec." and all of lines 2 to 36, inclusive, and insert in lieu thereof the following:

"2. (1) No person or corporation, by himself or by his agents, servants or employees, shall employ or use in the making, remaking or renovating of any mattress, any material of any kind that has been used in or has formed a part of, any mattress used in or about any public or private hospital, or institution for the treatment of persons suffering from diseases, or for or about any person having any infectious or contagious disease; any material known as 'shoddy,' and made in whole or in part from old or worn clothing, carpets or other fabric, or material previously used, or any other fabric or material from which shoddy is constructed; any material, not otherwise prohibited by this act, of which prior use has been made; unless any and all of said material have been thoroughly sterilized, and disinfected by a reasonable process, approved by the state board of health of the State of California.

(2) No person or corporation by himself or by his agents, servants or employees, shall sell, offer to sell, deliver or consign, or have in his possession with intent to sell, deliver or consign any mattress made, remade or renovated in violation of subsection one of this section.

SEC. 2. Section three of said act, approved June 7, 1915, is hereby amended to read as follows:

SEC. 3. No person or corporation, by himself, or his agents, servants, or employees, shall directly or indirectly, at wholesale or retail, or otherwise, sell, offer for sale, deliver, or consign, or have in his possession with intent to sell, deliver or consign, any matter that shall not be plainly and indelibly stamped or printed thereon, or upon a muslin or linen tag, not smaller than three inches square, securely sewed to the covering thereof a statement, in the English language, setting forth the kind or kinds of materials used in filling the said mattress, and whether the materials are in whole or in part, new or old, or second-hand, or shoddy, and the name and address of the manufacturer or vendor thereof, or both; also the quantity of such materials used, expressed in terms of avoirdupois weight; also size of same, expressed in linear measure, clearly indicating the length and breadth thereof, except that tags attached to comforters need state only the percentage of new material and (or) shoddy material, and that no sizes need be marked on same.

SEC. 3. Section four of said act, approved June 7, 1915, is hereby amended to read as follows:

SEC. 4. Whenever the word 'felt,' as applied to cotton, is used in the said statement concerning any materials, it shall be indicated in said statement whether said felt is 'felted cotton' or 'felted linters.' This section shall not apply to comforters.

SEC. 4. Section eight of said act, approved June 7, 1915, is hereby amended to read as follows:

SEC. 8. Any mattress made from more than one new material shall have stamped upon the tag attached thereto the percentage of each material so used. The provisions of this section shall not apply to comforters.

SEC. 5. Section eleven of said act, approved June 7, 1915, is hereby amended to read as follows:

SEC. 11. The statement required under section three of this act shall be the following form:

MATERIALS USED IN FILLING.

Percentage of kinds of materials _____

Gross weight of materials, including cover _____ lbs.

Vendor _____

Address _____

This article is made in compliance with the act of the State of California, approved the _____ day of _____, _____.

SEC. 6. Section thirteen of said act, approved June 7, 1915, is hereby amended to read as follows:

SEC. 13. The unit for a separate and distinct offense in violation of this act shall be each and every mattress made, remade, renovated, sold, offered for sale, delivered, consigned, or possessed with intent to sell, deliver or consign, contrary to the provisions hereof. No provisions of this act shall apply to merchandise manufactured for use and sale outside of the State of California, excepting section two, relating to the sterilization of second-hand or shoddy materials

SEC. 7. Section fifteen of said act, approved June 7, 1915, is hereby amended to read as follows:

SEC. 15. The enforcement of the provisions of this act shall be under the supervision of the state superintendent of weights and measures."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

REPORTS OF STANDING COMMITTEES (OUT OF ORDER).

The following report of standing committee was received and read:

ON CONSTITUTIONAL AMENDMENTS

SENATE CHAMBER, SACRAMENTO, March 21, 1917

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to section 9 of Article IX, of the Constitution of the State of California in relation to the powers of the Board of Regents of the University of California—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it be adopted as amended.

BALLARD, Chairman

Senate Constitutional Amendment No. 20 ordered on file.

REQUESTS FOR LEAVE OF ABSENCE.

On motion of Senator Slater, Senator Maddux was granted leave of absence for Friday, March 23d; Saturday, March 24th, and Sunday, March 25th.

On motion of Senator Gates, Senator Lyon was granted leave of absence for Friday, March 23d; Saturday, March 24th; Sunday, March 25th, and Monday, March 26th.

Senator Purkitt asked for, and was granted, leave of absence for Monday, March 26th, and Tuesday, March 27th.

ADJOURNMENT.

At five o'clock and forty minutes p.m., on motion of Senator Benson, the President pro tempore declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Friday, March 23, 1917.

The Senate met at ten o'clock a.m.

Hon. Benjamin F. Rush, of the Fifth District, Senior Member of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram,

Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—36.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, March 22, 1917, the further reading was dispensed with, on motion of Senator Crowley.

SENATOR BENSON IN THE CHAIR.

At ten o'clock and five minutes a.m., Senator Benson of the Twenty-seventh District was called to the chair.

LEAVES OF ABSENCE.

Senator Breed was, on motion of Senator Gates, granted leave of absence for this day.

PETITION.

The following petition was presented by Senator Brown, and ordered printed in the Journal:

LOS ANGELES, March 15, 1917.

Hon. Hiram W. Johnson, Governor of the State of California;
Hon. W. D. Stephens, President of the Senate of the State of California;
Hon. C. C. Young, Speaker of the Assembly of the State of California;
Senators and Assemblymen of the State of California, in Session Assembled at Sacramento, California.

GREETINGS: WHEREAS, The operation and construction of municipally owned utilities within the city of Los Angeles, and municipalities generally throughout the State, are in their first stages of development; and

WHEREAS, The success thus far obtained in Los Angeles and other municipalities of the State in government ownership of these utilities has been had in the face of many years of consistent opposition from certain opponents of municipal ownership; and

WHEREAS, This success continues to invite increased opposition from these same interests; and

WHEREAS, It has been proposed at the present session of the Legislature to submit a constitutional amendment to the people of the State, which, if adopted, would tax these municipally owned utilities that are now free from taxation; and

WHEREAS, In the judgment of the council of the city of Los Angeles, it is to the greatest interest of the people of the State that all possible state support and encouragement be given to municipally operated utilities during the early years in the life of these utilities; and

WHEREAS, The imposition of such a tax would be the placing by the State of an obstacle in the way of the ultimate success of municipal ownership at a time when State encouragement is most needed in the early stages of this modern development of governmental activity; therefore, be it

Resolved, By the council of the city of Los Angeles that the representatives of this city and the county of Los Angeles in the State Senate and the State Assembly be respectfully urged and requested to take every honorable means to defeat the adoption by the Legislature of such a constitutional amendment as above described; and that they further be requested to enlist the cooperation of all members of the Legislature who are interested in the final success of municipal ownership of utilities throughout the State of California.

I, Chas. L. Wilde, city clerk of the city of Los Angeles, hereby certify that the foregoing resolution was adopted by the city council at its meeting held March 15, 1917.

CHAS. L. WILDE, City Clerk.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON BANKING.

SENATE CHAMBER, SACRAMENTO, March 21, 1917.

MR. PRESIDENT: Your Committee on Banking, to which was referred Assembly Bill No. 368—An act to amend the Penal Code by adding a new section to be known as section 563b, thereto, relating to offenses against or concerning banking institutions and prescribing penalties for violation of the provisions of the act.

Also: Assembly Bill No. 937—An act to amend section 570 of the Code of Civil Procedure, relating to the disposition of unclaimed funds in the hands of a receiver;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

HANS, Chairman.

Assembly Bills Nos. 368 and 937 ordered on file for second reading.

MESSAGES FROM THE ASSEMBLY—OUT OF ORDER.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, together with amendments to title, Senate Bill No. 901—An act to amend the title and section 5 of an act entitled "An act to provide for the indicating of the net quantity of foodstuffs and stuffs intended to be used or prepared for use as food for human beings when sold, offered, or exposed for sale in containers, and providing penalties for the violation thereof," approved May 24, 1913, and amended June 7, 1915—and respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 901—An act to amend Chapter 639, amended Statutes of 1915, the same being an act to provide for the indicating of the net quantity of foodstuffs and stuffs intended to be used or prepared for use as food for human beings when sold, offered, or exposed for sale in containers, and providing penalties for the violation thereof.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 2 of the title, change the word "section" to "sections", and after the word "five" insert "and ten".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 901?"

The roll was called, and Assembly amendment to Senate Bill No. 901 was concurred in by the following vote:

AYES—Senators Ballard, Benson, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, King, Nealon, Purkitt, Rominger, Scott, Slater, Stuckenbruck, and Tyrrell—22.
NOES—None.

Senate Bill No. 901 ordered to enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 21st passed Senate Bill No. 714—An act to amend an act entitled "An act for the relief of purchasers of school lands," approved June 3, 1913.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 714 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 512—An act to amend sections 19c, 19i, 19k, 19l and 19s of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes, and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith" approved June 5, 1915, and to add thereto two new sections to be numbered 19l' and 19s'"

Also Assembly Bill No. 980—An act relating to and regulating the carrying, possession, sale or other disposition of firearms capable of being concealed upon the person, prohibiting the sale to or carrying of concealed weapons by persons under the age of eighteen years; prohibiting the possession, carrying, manufacturing and sale of certain other dangerous weapons and the giving, transferring and disposition thereof to other persons within this State; providing for the registering of the sales of firearms; prohibiting the carrying or possession of concealed weapons in municipal corporations, providing for the destruction of certain dangerous weapons as nuisances and making it a felony to use or attempt to use certain dangerous weapons against another.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 512 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 980 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 292—An act providing for the discharge and restoration to citizenship of paroled prisoners from state prisons;

Also: Assembly Bill No. 523—An act fixing the compensation of grand and trial jurors in counties of the twenty-eighth class.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 292 read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bill No. 523 read first time, and referred to Committee on County Government.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 90—An act to amend section 290½ of the Civil Code, relating to corporations.

On motion of Senator Jones, Senate Bill No. 90 was passed on file.

Senate Bill No. 101—An act to amend section 16 of an act entitled "An act regulating the employment and hours of labor of children; prohibiting the employment of minors under certain ages; prohibiting the employment of certain illiterate minors; providing for the enforcement hereof by the commissioner of the Bureau of Labor Statistics and providing penalties for the violation hereof," approved February 20,

1905, as amended by an act approved April 14, 1911, as further amended by an act approved June 2, 1913; and as further amended by an act approved June 5, 1915.

In the absence of the author, Senate Bill No. 101 was ordered passed, to retain its place on the file.

Senate Bill No. 820—An act to provide for the periodical inspection of steam boilers, with certain exceptions, operated in this State; requiring a permit, to be issued by the Industrial Accident Commission for the operation of such boilers; making it a misdemeanor to operate such boilers without such permit; and allowing an injunction against such operation without such permit where dangerous to the life or safety of employees; providing for a hearing before the Industrial Accident Commission prior to refusal of a permit; providing for the determination of competency of inspectors making such inspections and requiring reports of inspections; and prescribing maximum fees for such inspections.

On motion of Senator Luce, Senate Bill No. 820 was passed on file.

Senate Bill No. 49—An act to repeal section 55*a* of the Penal Code, relative to soliciting, demanding, or pledging votes for or against any particular bill or measure.

On motion of Senator Duncan, Senate Bill No. 49 was passed on file.

Senate Bill No. 1135—An act making an appropriation for the survey, location and construction of a state highway from the city of Madera to a point on the boundary line separating the county of Madera from the county of Mariposa near Summerdale.

In the absence of the author, Senate Bill No. 1135 was ordered passed, to retain its place on the file.

Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending sections 1 and 14 of Article XIII thereof, both relating to revenue and taxation, so as to permit taxation of certain public utilities owned or operated by counties, cities and counties, or municipal corporations.

On motion of Senator Irwin, Senate Constitutional Amendment No. 11 was passed on file.

Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section 22 of Article XII thereof, relating to the powers and duties of the Railroad Commission of the State of California.

On motion of Senator Irwin, Senate Constitutional Amendment No. 21 was passed on file.

Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section 23 of Article XII thereof, relating to the powers and duties of the Railroad Commission of the State of California.

On motion of Senator Irwin, Senate Constitutional Amendment No. 22 was passed on file.

Senate Bill No. 320—An act to amend section 1858 of the Political Code, relating to the apportionment of the elementary school funds and the counting of attendance in the elementary and secondary schools of the State.

On motion of Senator Jones, Senate Bill No. 320 was passed on file.

SPECIAL ORDER.

Senator Rominger moved that Senate Bill No. 736 be made a special order for Thursday, March 29, 1917, at eleven o'clock a.m.

THIRD READING OF SENATE BILLS (RESUMED).

Senate Bill No. 1133—An act to amend section 4290 of the Political Code, relating to fees and salaries of county officers.

In the absence of the author, Senate Bill No. 1133 was ordered passed, to retain its place on the file.

Senate Bill No. 890—An act to amend section 2643 of the Political Code, relating to the powers of boards of supervisors over roads.

On motion of Senator Tyrrell, Senate Bill No. 890 was passed on file.

Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending section 1 of Article IV thereof, relating to legislative powers, and reserving to the people of the State of California the power to propose laws, statutes and amendments to the Constitution and to enact the same at the polls, independent of the Legislature, and also reserving to the people of the State of California the power to approve or reject at the polls any act or section or part of any act of the Legislature.

On motion of Senator Duncan, Senate Constitutional Amendment No. 5 was passed on file.

Senate Bill No. 412—An act to amend section 1613 of the Penal Code, relating to the labor of prisoners confined in the county jail.

On motion of Senator Ingram, Senate Bill No. 412 was passed on file.

Senate Bill No. 884—An act to repeal section 847 of the Civil Code, relating to uses and trusts, to amend section 857 of the Civil Code, relating to express trusts, and to amend section 2220 of the Civil Code, relating to purposes for which a trust may be created.

On motion of Senator Tyrrell, Senate Bill No. 884 was passed on file.

Senate Constitutional Amendment No. 20—Resolution to propose to the people of the State of California an amendment to section 9 of Article IX of the Constitution of the State of California in relation to the powers of the Board of Regents of the University of California.

In the absence of the author, Senate Constitutional Amendment No. 20 was ordered passed, to retain its place on the file.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following resolutions were offered:

By Senator Sharkey: Senate Concurrent Resolution No. 21—Approving amendments to the Charter of the City of San Rafael, a municipal corporation, in the County of Marin, State of California, voted for and ratified by the qualified electors of said City at a general election held therein on the twelfth day of April, 1915.

Resolution read and referred to Committee on Municipal Corporations.

By Senator Benson: Senate Concurrent Resolution No. 22—Relative to adoption of Joint Rules.

Resolution read and referred to Committee on Rules.

SECOND READING OF SENATE BILLS.

Senate Bill No. 91—An act to prevent the providing for common use of receptacles for drinking purposes in public places, and prescribing penalties for violations thereof.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 651—An act to repeal an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 605—An act to amend section 361 of the Civil Code, relating to changing the number of directors of corporations.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 92—An act to prevent the keeping of towels for common use in public places, and prescribing penalties for violations of the provisions thereof.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1151—An act to repeal an act entitled "An act providing for the investigation by the State Veterinarian, the Secretary of the State Board of Health and the State Commissioner of Horticulture, of injury to animal life and vegetation in California, caused by smelter wastes, and making an appropriation therefor," approved June 16, 1913.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1110—An act to promote the development of the California fruit industry and to protect the State's reputation in the fruit markets by establishing a standard for the packing of certain fresh fruits specified herein, prescribing penalties for violations of the provisions hereof, and repealing all acts inconsistent herewith.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 2 of the title, strike out all the title after the words "reputation in" and insert in lieu thereof the following: "the markets by establishing a standard for the packing of certain fresh fruits specified herein, and to prevent deception in the packing, prescribing penalties for violations of the provisions hereof, and repealing all acts inconsistent herewith."

Amendment adopted.

AMENDMENT NUMBER TWO.

Page 1, line 1, strike out all after "Section 1" and insert in lieu thereof the following:

There is hereby created and established a standard for the packing of fresh fruits of the kinds specified in this act.

SEC. 2. Any box, basket, package or container of fresh fruit of the kind specified in this act, which shall be packed and offered for sale, or for transportation for sale, shall be packed in accordance with the specifications herein provided.

SEC. 3. All fresh fruits of the kinds specified in this act when packed shall be practically free from insects and fungous diseases.

SEC. 4. All fresh fruits of the kinds specified in this act which shall be sold in bulk or loose in the box or in any other manner, excepting in standardized packs as provided in this act (excepting grapes, which must conform to the standards provided in section eight hereof), shall be exempt from the provisions of this act.

SEC. 5. When used in this act the words herein mentioned shall be defined as follows: "Pack, packing or packed," shall mean the regular compact arrangement of all or part of the fruit in a box, package, crate, basket or other receptacle used for the purpose of sale or transportation for sale. The words "in bulk or loose in the box without packing" shall mean the indiscriminate placing without any thought of regular arrangement of any of the kinds of fresh fruit mentioned in this act into a box, wagon, or other receptacle used for the purpose of sale or transportation for sale. The words "fresh fruit" shall mean the produce of any tree, vine or plant mentioned in this act. The word "maturity" shall mean a degree of ripeness fit for shipment. The word "county" includes a consolidated "city and county."

SEC. 6. All cherries packed in boxes or packages shall contain fruit well colored, of practically uniform size, quality, and maturity, and one variety only, excepting that such boxes or packages may contain more than one variety if such fact be plainly stamped on the outside of the box or package with the words "mixed varieties" with letters not less than one-half inch high. Each box or package shall be stamped on the outside with the minimum weight of contents, and name of variety or varieties.

SEC. 7. Peaches, apricots, pears, quinces, plums and prunes when packed shall be of practically uniform size, quality and maturity. When packed in crates, packages or containers made up of two or more subcontainers having sloping sides, for the purpose of ventilation of the fruit therein, the fruit shall not vary in size more than ten per cent in each layer, and no layer below the top layer shall contain a greater numerical count than the top layer. Each box, crate, package, container or subcontainer shall be stamped upon the outside with the minimum weight of its contents. Each box, crate, package, or container except subcontainers, shall bear in plain letters the name of the variety contained therein. When packed in a box, package or container having perpendicular sides and ends, each box shall contain approximately the same numerical count in each layer; *provided*, that when peaches are packed in boxes, packages or containers having perpendicular sides the box, package or container shall also be marked upon the outside of the end thereof in plain figures with the approximate number of peaches in the box, which shall be within four peaches of the true count.

When the fruits mentioned in this section are contained in boxes known to the trade as "lug" boxes, the provisions of this section appertaining to variety, numerical count and marking shall not apply.

SEC. 8*a*. Table grapes, when packed, shall be of practically uniform quality, and shall be well matured and show a sugar content of not less than seventeen per cent Balling scale, except Emperor, Gros Coleman and Cornichon, which shall show not less than sixteen per cent Balling scale. Each crate or package except subcontainers shall be stamped in plain letters with the name of the variety of grapes therein. Each package, container, or subcontainer shall be stamped in plain figures and letters upon one end with a minimum net weight, and no package, container or subcontainer shall contain less than the minimum stamped thereon. Special packages, in addition thereto, shall be plainly marked "Special" and have the actual gross weight stamped thereon.

SEC. 8*b*. The standard packages for table grapes when packed shall be:

1. Standard crate which after packing when measured at the end, shall not exceed five inches between the top and bottom and when measured in the center shall not exceed five and three fourths inches between the top and bottom and containing a minimum net weight of not less than twenty-four pounds, nor a maximum net weight of more than twenty-five pounds.

2. Double crates containing a minimum net weight of not less than forty-eight pounds, nor a maximum net weight of more than fifty pounds.

3. One-half crates containing a minimum net weight of not less than twelve pounds.

4. Thirty pound lugs containing a minimum net weight of not less than twenty-two pounds.

5. Forty pound lugs containing a minimum net weight of not less than thirty-two pounds.

6. Fifty pound lugs containing a minimum net weight of not less than forty-two pounds.

7. Williams lugs containing a minimum net weight of not less than twenty-four pounds.

8. Kegs packed with sawdust or other preserving material containing a minimum net weight of not more than thirty-two pounds.

9. All other packages of table grapes shall be "Special" packages.

SEC. 9. Berries shall be packed in uniform packages of dry quart containing an interior capacity of sixty-seven and two-tenths cubic inches, or dry pint containing an interior capacity of thirty-three and six-tenths cubic inches, or dry one-half pint containing an interior capacity of sixteen and eight-tenths cubic inches, and shall be practically uniform in quality, color and maturity. If berries shall be placed in packages of a different size or capacity than is herein provided, the container shall be stamped with letters not less than one-half inch high "Special."

SEC. 10. Cantaloupes packed in crates as follows shall be known as standard packed:

Standard crates twelve by twelve by twenty-two and one-half inches inside measurement without distention of sides, containing forty-five or thirty-six cantaloupes.

Pony crates eleven by eleven by twenty-two and one-half inches inside measurement without distention of sides, containing forty-five or fifty-four cantaloupes.

Jumbo crates thirteen by thirteen by twenty-two and one-half inches inside measurement without distention of sides, containing thirty-six or forty-five cantaloupes.

Standard flats four by twelve by twenty-two and one-half inches inside measurement without distention of sides, containing twelve or fifteen cantaloupes.

Jumbo flats four and one-half by thirteen and one-half by twenty-two and one-half inches inside measurement without distention of sides, containing twelve or fifteen cantaloupes.

All other sizes of crates when packed shall be marked "Special." All packed crates shall have the number of cantaloupes contained therein stamped in plain figures on the label end of the crates with figures not less than one-half inch high. All cantaloupes when packed shall be fully netted of uniform size, firm and mature, free from bruises and practically free from aphis honey dew and other defects.

SEC. 11*a*. It shall be unlawful for anyone to sell, offer for sale, ship or deliver for shipment any citrus fruits which are immature or frozen to the extent of being unfit for consumption or is otherwise unfit for consumption, and for anyone to receive any such fruits under a contract of sale, or for the purpose of sale, or offering for sale, or for shipment, or for delivery for shipment; *provided, however*, that nothing in this section contained shall be construed to prevent the sale or shipment for sale of frozen or otherwise defective fruit to a byproduct factory, or the manufacturer thereof into citrus byproducts; nor shall this section apply to the sale, or contract for sale, of citrus fruits on the trees, nor shall it apply to common carriers or their agents who are not interested in such fruits and are merely receiving the same for transportation.

SEC. 11*b*. Within thirty days after this act shall take effect the state commissioner of horticulture shall appoint a board of investigation, which board shall be composed of the director of the state food and drug laboratory, and nine members who shall be residents of the State of California, who shall be representative men from the several citrus districts of the state, actually engaged in the growing or marketing of citrus fruits, and of which board the state commissioner of horticulture shall ex officio be a member. It shall be the duty of said board to ascertain, by experimental or other investigations, proper and definite standards of maturity of citrus fruits in the different sections of the State of California, and to report to the state commissioner of horticulture the result of their labors with such recommendation for the establishment of definite standards by legislative enactments as they may see fit. No member of said board shall receive any compensation for his services as such.

SEC. 12*a*. All crates, packages or containers of fruit of a kind specified in this act except subcontainers, when packed and offered for sale shall bear upon them in plain sight and in plain letters on the outside thereof, the name of the orchard where the same was produced, with the post-office address thereof, or the name and post-office address of the person, firm, company, corporation or organization who shall have first packed or authorized the packing of the same, or the name under which such packer shall be engaged in business, together with the post-office address of such packer.

SEC. 12*b*. Any fruit packed for sale or shipment, delivered for shipment, offered for sale or sold in violation of any of the provisions of this act, together with the containers in which the same may be, shall be deemed to be a public nuisance, and the whole or any part thereof may be seized by any inspector of fresh fruits, or deputy inspector of fresh fruits, appointed or acting under the terms of this act, and by order of the superior court of the county or city and county within which the same may be found, may be condemned and destroyed or released upon such condition as the court in its discretion may impose to assure that the same will not be packed, shipped, delivered for shipment, offered for sale or sold in violation of any of the provisions of this act. Any proceedings instituted under the terms of this section shall be deemed to be a matter of extreme urgency and shall take precedence over any and all other matters not of equal urgency.

SEC. 12c. When any fruit shall be seized by an inspector of fresh fruits or a deputy inspector of fresh fruits under this section, the inspector may institute in the superior court of the county or city and county in which such fruit has been seized, an action against the person in whose possession such fruit may be found for the condemnation thereof, in which action such inspector shall be plaintiff. Upon application of such inspector the district attorney of the county shall promptly prepare the necessary papers and institute and prosecute such action.

SEC. 13. The office of "inspector of fresh fruits" is hereby created for each and every county in the state. The horticultural commissioner of each county, and all deputy horticultural commissioners shall be ex officio inspectors of fresh fruits thereof, and the district inspectors under each county horticultural commissioner are ex officio "deputy inspectors of fresh fruits" in their respective districts. For the purpose of creating and securing unity in inspection, the offices of "inspectors in chief of fresh fruits" are hereby created, and the state commissioner of horticulture and his chief deputy, for the purposes of this act, are hereby made ex officio such inspectors in chief and shall, where there is a dispute or difference between the inspectors of fresh fruits of two or more counties, or where the interpretation of inspection standards between two or more counties differs materially, have the power and authority, acting either jointly or severally, to settle the dispute between the inspectors of fresh fruit of such counties and to fix reasonable standards between such counties where they materially differ.

SEC. 14a. If, in any county, or city and county, of this state, there is no commissioner of horticulture, it shall be the duty of the board of supervisors thereof to appoint an inspector of fresh fruits and such deputy inspectors of fresh fruits as the said board of supervisors shall deem necessary. Such inspectors and deputy inspectors of fresh fruits shall be appointed to serve for such time during each year as fresh fruits are being packed or shipped in said county or city and county. The salary of any inspector of fresh fruits appointed pursuant to this section shall be five dollars per day during the time actually employed, and necessary traveling expenses. The salary of a deputy inspector of fresh fruits appointed pursuant to this section shall be three dollars and fifty cents per day during the time actually employed, and necessary traveling expenses.

In case the board of supervisors of any county, or city and county, having no county horticultural commissioner shall fail or neglect for thirty days after receipt of a written request from the state commissioner of horticulture, to appoint an inspector of fresh fruits, or necessary deputy inspectors of fresh fruits for such county, or city and county, then the said state commissioner of horticulture shall forthwith assign to said county, or city and county, one or more deputy state commissioners of horticulture, as he shall deem necessary, and such deputy or deputies shall perform all of the duties, within the said county or city and county to which assigned, as is provided in this act to be performed by an inspector of fresh fruits. The actual cost of services rendered by an inspector or deputy inspector, as the case may be, of fresh fruits, assigned to any county in pursuance hereof, together with his necessary traveling expenses shall be a county charge and shall be paid in the same manner in which other claims against the county are paid.

SEC. 14b. Every inspector of fresh fruits and every deputy inspector of fresh fruits shall have power to enter and to inspect every place within the county for which he has been appointed where any fruit mentioned in this act is produced, packed, shipped, delivered for shipment, offered for sale or sold, and to inspect such places and all such fruits and the containers thereof and the equipment found in any such places.

SEC. 14c. Upon the petition of twenty-five resident freeholders who are fruit growers, or shippers of fruit, the board of supervisors may remove any inspector of fresh fruits, and the inspector of fresh fruits shall remove any deputy upon proper showing of neglect of duty, malfeasance in office, or general unfitness for office. Whenever a vacancy in the office of inspector of fresh fruits or deputy inspector of fresh fruits occurs, the vacancy shall immediately be filled by the appointing power.

SEC. 15. No person, firm, corporation, company or organization shall pack or cause to be packed for sale or shipment, or shall ship or sell or offer for sale any fruit which, or the box, crate or package in which the same shall be contained, shall in any respect fail to comply with the requirements of this act.

Any person, firm, corporation, company or organization who shall violate the provisions of this act shall be deemed to be guilty of a misdemeanor.

SEC. 16. All laws in conflict with this act or any part thereof are hereby repealed only in so far as they may conflict with any of the provisions of this act.

SEC. 17. If any section, subsection, sentence, clause, or phrase of this act is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 458—An act to amend sections 2322, 2322*a*, 2322*c* and 2322*d* of the Political Code and to add new sections 2322*f*, 2322*g*, 2322*h*, 2322*i*, and 2322*j* to the Political Code, said sections relating to orchards, trees, vines or plants of any variety, infected or infested with diseases, scale or other insects of any kind injurious to fruit, fruit trees, vines or other plants or vegetables, or noxious weeds and to the extermination or the control of insects, ground squirrels, gopher or other animal pests and plant diseases or noxious weeds, and to the appointment and removal of a county horticultural commissioner in the several counties of the State; prescribing his duties and powers and fixing his compensation and term of office, also providing for a State Board of Horticultural Examiners, prescribing the duties of said board, and providing for examination to be taken by persons desiring to qualify for position as county horticultural commissioner; providing for the dividing of the several counties of the State into districts by the respective county horticultural commissioners, and providing for the appointment of deputy commissioners, local inspectors, and quarantine guardians, prescribing their duties and powers and fixing their compensation.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 17, after the word "vegetables" insert a comma.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 24, strike out lines 24 to 27 inclusive and insert in lieu thereof the following: "The said board of supervisors shall provide a suitable office for the said county horticultural commissioner, and shall furnish and equip the said office with all necessary furniture and effects for the proper discharge of the commissioner's duties. The said board of supervisors shall also provide the county horticultural commissioner with all necessary field equipment for the proper discharge of the duties of his office."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 32, insert the word "state" after the word "A".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4, line 1, strike out the word "horticulture" and insert in lieu thereof the word "horticultural".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 4, line 10, strike out the word "the" and insert the word "said" in lieu thereof; also strike out the words "where said examination".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 4, line 11, strike out the words "is to be held".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 4, line 33, strike out the words "persons qualified" and insert in lieu thereof the words "qualified persons certified".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 5, line 24, after the word "named" insert the word "as".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 7, line 9, strike out the comma after the word "scale".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 7, line 16, strike out the comma after the word "trees".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 7, line 17, after the word "infected" insert the words "or infested"

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 7, line 20, after the word "eradicate" insert the words "or to destroy".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 7, line 21, after the word "control" insert the words "to the satisfaction of the county horticultural commissioner".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 7, line 26, strike out the comma after the word "orchard".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 7, line 33, strike out the comma after the word "scale".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 8, line 16, strike out the comma after the word "possession" and insert a comma after the following word "thereof".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 8, line 17, insert a comma after the word "bailee".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 9, line 29, insert comma after the word "option".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 10, line 13, omit that portion of paragraph beginning with the word "No" and ending with the word "provided" on line 16, and insert in lieu thereof the fol-

lowing: "Such certificate shall be revocable whenever the county horticultural commissioner shall deem such revocation necessary. No person shall be permitted to engage in the business of fumigating or spraying for hire within the State of California for the purpose of controlling or eradicating plant pests or diseases, who has not first secured a certificate in the manner herein provided".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

Page 11, line 22, after the word "at" insert the words "not less than."

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

Page 11, line 23, after the word "at" insert the words "not less than."

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

Page 11, line 31, after the word "county" insert the words "or locality."

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

Page 11, line 32, after the word "county" insert the words "or locality."

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

Page 11, lines 35 and 36, after the word "same" strike out the words "or which may be used for that purpose."

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

Page 12, line 5, after the word "diseases" insert the words "or noxious weed seeds."

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

Page 12, lines 23 and 24, strike out the words "or which may be used for such purposes."

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

Page 12, lines 29, 30 and 31, insert a period after the word "agents" in line 29 and strike out the rest of the sentence reading "also the name of the county where the contents were grown and a statement of the contents therein."

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

Page 12, line 32, insert after the suffix at the beginning of the line "ment" a comma and the following language: "also the name of the locality where the contents were grown and a statement of the contents therein."

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

Page 13, line 3, after the word "county" insert the words "or locality."

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE AND ONE-HALF.

Page 13, line 4, after the word "County" insert the words "or locality."

Amendment adopted.

AMENDMENT NUMBER THIRTY.

Page 13, line 7, after the word "diseases" insert the words "or noxious weed seeds."

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

Page 13, line 14, after the word "shipment" strike out the word "to" and insert in lieu thereof the word "shall."

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE AND ONE-HALF.

Page 13, line 21, after the word "county" insert the words "or locality."

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

Page 13, line 22, after the word "county" insert the words "or locality."

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

Page 13, line 24, after the word "diseases" insert the words "or noxious weed seeds."

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

Page 13, line 33, after the word "county" insert the words "or locality."

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

Page 13, line 34, after the word "county" insert the words "or locality."

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

Page 13, line 36, after the word "diseases" insert the words "or noxious weed seeds."

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

Page 13, line 37, after the word "county" insert the words "or locality," and in same line change the next word "in" to the word "into."

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

Page 14, line 5, after the word "disinfected" insert the words "or cleaned."

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

Page 14, add to the end of section 7, after the word "consignee", the following: "Any and every provision of this act relating to shipment or transportation of nursery stock, trees, shrubs, plants, vines, cuttings, grafts, scions, buds, or fruit pits, or fruit, or vegetables, or seed from one county of the State of California to another county of said State, shall apply equally and identically to such shipment or transportation of such articles from one locality to another locality within the same county of said State."

Amendment adopted.

AMENDMENT NUMBER FORTY.

Page 14, line 14, after the word "time" insert the words "to time."

Amendment adopted.

AMENDMENT NUMBER FORTY-ONE.

Page 14, line 19, strike out the words "determine and prescribe" and insert in lieu thereof the words "and advise."

Amendment adopted.

AMENDMENTS FROM THE FLOOR.

Senator Purkitt moved to amend Senate Bill No. 458 as follows:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, in line 7, after the comma following the word "nursery" insert the words "or rice-fields,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, in line 9, after the word "variety" insert the words "or rice-fields,".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, in line 13, after the comma following the word "weeds" insert the words "or red rice, or water-grasses or other weeds or grasses detrimental to rice culture".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, in line 24, after the comma following the word "weeds" insert the following: "or red rice, water-grasses, or other weeds or grasses detrimental to rice culture, when growing in fields of rice or fields adjacent thereto, or in canals or ditches used for the purpose of conveying water to rice-fields for the irrigation thereof,".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 7 of the printed bill, in line 13, after the comma following the word "weeds" insert the words "or red rice, water-grasses or other weeds or grasses detrimental to rice culture,".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 7 of the printed bill, in line 16, after the comma following the word "vines" insert the following: "or rice-fields, or fields adjacent to rice-fields, or canals or ditches used for the purpose of conveying water to rice-fields for the irrigation thereof,".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 7 of the printed bill, in line 19, after the word "weeds" insert the words "or red rice, water-grasses, or other weeds or grasses detrimental to rice culture,".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 7 of the printed bill, in line 23, after the word "weeds" insert the words "or red rice, or water-grasses, or other weeds or grasses detrimental to rice culture,".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 7 of the printed bill, in line 29, after the word "weeds" insert the words "or red rice, water-grasses, or other weeds or grasses detrimental to rice culture,".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 8 of the printed bill, in line 5, after the comma following the word "weeds" insert the words "or red rice, water-grasses, or other weeds or grasses detrimental to rice culture, when said public park, street, highway, or other property subject to the control of the city or county government is adjacent to rice fields, or canals or ditches used for the purpose of conveying water to rice fields for the irrigation thereof,".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 8 of the printed bill, in line 26, after the comma following the word "nurseries" insert the words "or rice fields or fields adjacent to rice fields, or canals or ditches used for the purpose of conveying water to rice fields for the irrigation thereof,".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 8 of the printed bill, in line 29, after the comma following the word "weeds" insert the words "or red rice, water-grasses, or other weeds or grasses detrimental to rice culture,".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 9 of the printed bill, in line 3, change the period following the word "weeds" to a comma and add the following: "or red rice, water-grasses, or other weeds or grasses detrimental to rice culture."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1148—An act to amend section 1054 of the Code of Civil Procedure, relating to the extension of time in which an act is to be done.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 715—An act to regulate and control the business of making personal loans and to regulate the assignment of wages when given as security for any such loan.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Page 1, line 1, strike out all of section 1 and in lieu thereof insert the following SECTION 1. No person, firm, copartnership, association, society or corporation

shall, directly or indirectly, engage in this State in the business (a) of making loans evidenced by the promissory note or other written obligation of the borrower, or secured by any mortgage or pledge of personal property; or (b) of making loans upon salaries or wage earnings; or (c) of purchasing the obligations executed by borrowers for the repayment of the loans above described; or (d) of negotiating or arranging such loans; or (e) of aiding the borrower or lender to procure or make any such loans; or (f) of becoming guarantor or surety for any such loan or (g) of furnishing any guaranty, indemnity or security in connection with any loan or purchase as aforesaid; where the interest and charges to be paid for or on such loans, including all fees, expenses and charges of every kind, shall be at a rate in excess of eight per cent per annum on the amount actually loaned to the borrower, without first obtaining from the Commissioner of Corporations a license to carry on such business."

Amendment adopted.

AMENDMENT NUMBER TWO.

Page 2, line 4, after the word "commissioner" strike out the balance of section 2, viz, lines 5 to 13, both inclusive, and in lieu thereof insert the following: "a bond to the State of California in the penal sum of twenty-five hundred dollars, duly executed by the applicant and by sufficient sureties, approved by the Commissioner of Corporations, for the faithful observance of all of the provisions of this act; and pay a fee of one hundred dollars, which fee shall include the entire cost of examinations by the Commissioner of Corporations, as provided in section 6 of this act, for a period of one year."

Amendment adopted.

AMENDMENT NUMBER THREE.

Page 2, line 24, strike out the words "thirtieth day of June" and in lieu thereof insert "thirty-first day of December."

Amendment adopted.

AMENDMENT NUMBER FOUR.

Page 2, line 34, strike out the words "five thousand" and in lieu thereof insert "twenty-five hundred".

Amendment adopted.

AMENDMENT NUMBER FIVE.

Page 4, line 26, after the word "times" insert the following: "to subpoena witnesses and".

Amendment adopted.

AMENDMENT NUMBER SIX.

Page 5, line 1, strike out lines 1 to 5, both inclusive, and in lieu thereof insert the following: "The Commissioner of Corporations shall biennially transmit to the Governor a report of his examinations with such recommendations and suggestions as he may deem necessary."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

Page 5, line 6, after the word "shall" insert the following: "excepting as hereinafter mentioned".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

Page 5, line 14, strike out lines 14 to 24, both inclusive, and in lieu thereof insert the following: "Every licensee licensed hereunder may loan to any one person or firm a sum of money, goods or things in action, not exceeding in amount or value the sum of three hundred dollars and may charge, contract for and receive thereon interest at a rate not to exceed three and one-half per cent. per month; *provided, however*, that any such loan that is secured by a pledge of personal property, as pledge is defined by sections 2986 and 2987 of the Civil Code of the State of California, or secured by assignment or hypothecation of salary or wage earnings, shall not bear interest at a rate in excess of two per cent. per month. No

person or firm shall owe any licensee at any one time more than $300 for principal on any loan that carries an interest rate of three and one-half per cent.

"Interest shall not be payable in advance or compounded and shall be computed on unpaid balances. In addition to the interest herein provided for, no bonus and no charge or amount whatsoever for any examination, service, brokerage, commission, attorney's fee (except for foreclosure or entry of judgment following non-payment of loan), or other thing, shall be directly or indirectly charged, contracted for or received, except the lawful fees, if any, actually and necessarily paid out by the licensee to any public officer, for filing or recording in any public office any instrument securing the loan, which fees may be collected when the loan in made, or at any time thereafter.

"If interest or charges in excess of those permitted by this act shall be charged, contracted for or received by any licensee, the contract of loan shall be void and the licensee shall have no right to collect or receive any principal, interest or charges whatsoever.

"Every such licensee shall furnish the borrower, at the time the loan is made, a statement in the English language showing in clear and distinct terms (1) the amount of the loan, (2) the date when made, (3) the date when due, (4) the name of the person to whom the loan is made, (5) the name of the lender, (6) the amount and rate of interest charged, and (7) a brief description of the security, if any, for the loan, which said statement shall be signed by the lender. On the back of such statement shall be printed in English a copy of section 7 of this act and of the last sentence of section 10 of this act. The lender shall give to the borrower a plain and complete receipt for each payment made on account of the loan at the time such payment is made."

Amendment adopted.

AMENDMENT NUMBER NINE.

Page 6, line 1, strike out the following contained on lines 1 and 2, viz., "No licensee shall sell any pawn or pledge until the same shall have remained one year in his possession", and in lieu thereof insert the following: "No licensee shall sell any pawn or pledge until one year after default made in the payment of the obligation secured thereby".

Amendment adopted.

AMENDMENT NUMBER TEN.

Page 7, line 36, strike out lines 36 and 37, and page 8, strike out lines 1 to 6, both inclusive, the same being section 11, and insert in lieu thereof the following:

"SEC. 11. This act shall not be held to apply to any national bank, nor to any commercial bank, savings bank or trust company within the meaning of the state bank act, nor to any building and loan association or insurance company holding certificates authorizing them to do business, issued by the Superintendent of Banks, the Bureau of Building and Loan Supervision and the Insurance Commissioner, respectively, nor to any loans or transactions by and with such national banks, commercial banks, savings banks, trust companies, building and loan associations or insurance companies, nor to any loans made upon real estate security."

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

Page 8, line 16, strike out the word "shall" and insert in lieu thereof the word "may".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

Page 8, line 17, strike out the word "shall" and insert in lieu thereof the word "may".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

Page 8, line 20, insert a new paragraph, to be inserted before section 13, as follows:

It shall be unlawful for the Commissioner of Corporations, or for any person employed by his department, to divulge or make known in any manner whatever not provided by law, any information contained in the annual report of any licensee made in pursuance hereof, excepting only the rates of interest which may have

been charged by any such licensee. Any violation of the provisions of this paragraph shall be a misdemeanor and shall be punished by a fine not exceeding $500, or by imprisonment not exceeding six months, or both, in the discretion of the court.

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

Page 8, line 20, strike out lines 20 to 24, both inclusive, being all of section 13, and in lieu thereof insert the following:

SEC. 13. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 612—An act to amend section 537 of the Penal Code, relating to fraudulent practices upon keepers of hotels, inns, restaurants, boarding houses, lodging houses or apartment houses.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the title, after the word "or" insert the word "furnished".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 5, after the word "or" insert the word "furnished".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 8, after the word "or" insert the word "furnished".

Amendment adopted.

AMENDMENT NUMBER FOUR

On page 1, line 10, before the word "apart-" insert the word "furnished".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 471—An act to amend sections 1, 3, 5, 7, 8, 9 and 10 of an act entitled "An act authorizing levee districts of the State to incur a bonded indebtedness for the purpose of building, constructing or repairing levees of the district; or for excavating and constructing ditches or canals of such district, or for the purpose of acquiring rights of way for any such levees, ditches, or canals, or for any and all of said purposes," approved March 8, 1911, and adding thereto four new sections designated as sections 8*a*, 8*b*, 8*c*, and 11.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2 of the title, between the words "one" and "three", insert "two".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, after line 26, insert the following:
"SEC. 2. Section two of said act is hereby amended to read as follows ".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 594—An act to amend section 8 of an act entitled "An act to provide for the formation of levee districts in the various counties of this State and to provide for the erection of levees, dikes and other works for the purpose of protecting the lands within such districts from overflow and to levy assessments to erect and construct and maintain such levees, dikes and other works and to pay the necessary costs and expenses of maintaining said districts," approved March 20, 1905, and amended by an act approved March 16, 1907.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 999—An act to add a new section to an act entitled "An act to create a drainage district to be called Knight's Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knight's Landing ridge, and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds," approved April 30, 1913, to be numbered 7½, in reference to the payment of invalid assessments.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1000—An act to amend sections 3 and 7 of an act entitled "An act to create a levee district to be called and designated Sacramento River West Side Levee District; to prevent the overflow of flood waters from the Sacramento River from flooding on to the lands within said district by the construction of levees along the west bank of the Sacramento River and adjacent thereto and maintain the same; providing for the election and appointment of officers of said levee district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said levee district," approved May 18, 1915.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 591—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities,

their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, by amending sections 47 and 70 thereof.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Strike out subsection 7 of the bill (line 26, on page 7, to line 23, on page 8, inclusive) and insert in lieu thereof the following

7. If the political subdivision, in a petition of the first class, fails to file said action in a court of competent jurisdiction within said period of sixty days after the commission has made and filed its said findings, or if the political subdivision in a petition of the second class, fails to proceed diligently to submit said proposition, to its voters, or fails, if its voters have voted in favor of the acquisition of said lands, property and rights, or of said part or portion thereof, to file said action in a court of competent jurisdiction within sixty days after the voters have voted in favor of said acquisition, the owner of such lands, property and rights, or of said part or portion thereof, may file with the commission a verified petition in writing setting forth said fact, which petition may also set forth in detail the expenditures which the owner has necessarily incurred in the proceeding before the commission. The commission shall thereupon cause written notice of not less than ten days, with a true and correct copy of the owner's said petition attached thereto, to be served upon the political subdivision, to appear before the commission at a time and place specified in the notice, to show cause why an order should not be made by the commission (1) finding that the political subdivision has failed to pursue diligently its rights herein conferred, (2) determining that said finding as to just compensation shall no longer be of any force or effect, and (3) determining the reasonable expenditures necessarily incurred by the owner, which, in the opinion of the commission should be assessed against the political subdivision. If the commission shall determine that the political subdivision, in case of a petition of the first class, has failed to commence said action in a court of competent jurisdiction within said period of sixty days after the commission has made and filed its said finding of just compensation, or that the political subdivision, in case of a petition of the second class, has failed to proceed diligently to submit said proposition to its voters or has failed after its voters have voted in favor of the acquisition of said lands, property or rights, or said part or portion thereof, to file said action in a court of competent jurisdiction within said sixty days after the voters have voted in favor of said acquisition, the commission shall make and file its order declaring that said finding shall no longer be of any force or effect, and make its findings as to the reasonable expenditures necessarily incurred by the owner in the proceeding before the commission, which the commission may find should be assessed against the political subdivision. The political subdivision shall thereupon be liable to the owner in the amount thus found by the commission and the owner may thereupon maintain an action against the political subdivision for said amount in any court of competent jurisdiction.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 592—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, by amending section 43 thereof.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out all of lines 5 to 37, inclusive, and insert in lieu thereof the following:

SEC. 43*a*. No public road, highway or street shall hereafter be constructed across the track of any railroad corporation at grade, nor shall the track of any railroad corporation be constructed across a public road, highway or street at grade, nor shall the track of any railroad corporation be constructed across the track of any other railroad or street railroad corporation at grade, nor shall the track of a street railroad corporation be constructed across the track of a railroad corporation at grade, without having first secured the permission of the commission; *provided*, that this subsection shall not apply to the replacement of lawfully existing tracks. The commission shall have the right to refuse its permission or to grant it upon such terms and conditions as it may prescribe.

(b) The commission shall have the exclusive power to determine and prescribe the manner, including the particular point of crossing, and the terms of installation, operation, maintenance, use and protection of each crossing of one railroad by another railroad or street railroad, and of a street railroad by a railroad, and of each crossing of a public road or highway by a railroad or street railroad and of a street by a railroad or *vice versa*, subject to the provisions of section 2694 of the Political Code so far as applicable, and to alter, relocate or abolish any such crossing, and to require where, in its judgment it would be practicable, a separation of grades at any such crossing heretofore or hereafter established and to prescribe the terms upon which such separation shall be made and the proportions in which the expense of the construction, alteration, relocation or abolition of such crossings or the separation of such grades shall be divided between the railroad or street railroad corporations affected or between such corporations and the state, county, municipality or other political subdivision affected. It shall be the duty of each corporation and political subdivision to which any of the expense is apportioned to pay from the funds available therefor in its treasury the amount apportioned to it at the time and to the parties specified by the order of the commission and if the same is not paid in accordance with the commission's order the corporation or political subdivision entitled thereto under the commission's order shall have the right to sue therefor in any court of competent jurisdiction. If no such funds are available as aforesaid, it shall be the duty of the appropriate boards, officers and employees entrusted with the levy and collection of the taxes or assessments of such political subdivision to do all acts necessary to include in the next succeeding tax or assessment levy the amount due and to collect the same, whereupon the amount due shall be paid over to the corporation or corporations, the state, political subdivision, or political subdivisions entitled thereto under the commission's order. The commission shall have the power by order to designate the state, certain of said corporations, and political subdivisions, affected, to do all or specified portions of the acts required by any order of the commission made under the provisions of this subsection, and to prescribe the manner and the time within which the parties so designated shall be paid or reimbursed by the other corporations, the State and political subdivisions among which the expense of the work has been apportioned by the commission.

(c) 1. The commission shall have power in accordance with the procedure provided in this subsection to fix the just compensation to be paid for property or any interest in or to property to be taken or damaged in the separation of grades at any crossing specified in subsection (b) hereof, or for property or any interest in or to property to be taken or damaged in the construction, alteration or relocation, under the order or with the approval of the commission, of elevated tracks or subways for any railroad or street railroad over or under any public road, street, highway or private right of way, or of any public road, street or highway over or under the tracks of any railroad corporation or street railroad corporation; and upon the payment of the just compensation so fixed to make a final order of condemnation as hereinafter provided.

2. Proceedings under subsection (c) hereof may be commenced by order on the commission's own motion or by a petition filed by the state, county, city and county, incorporated city or town, other political subdivision, railroad corporation, or street railroad corporation, affected. Any proceeding commenced under this subsection may be made a part of any proceeding commenced under subsection (b) hereof. Said petition shall set forth the name and interest of the petitioner, and said order on the commission's own motion and said petition shall set forth a statement of the purpose of the proceedings and the use for which property or interest in or to property is sought to be taken, a description of each piece of land or other property or interest in or to property sought to be taken, and whether the same includes the whole or only a part of an entire parcel or tract or piece of property or interest in or to property and the names and addresses of all owners and claimants thereof, if known, or a statement that they are unknown, and a statement of each railroad

corporation, street railroad corporation, the state and political subdivision which in the opinion of the commission or the petitioner has an interest in the proceeding. Said petition shall pray that the commission fix the just compensation to be paid for the acquisition of or damage to the property and interest in or to property specified in the petition, that the commission designate the party or parties to the proceeding who shall pay such compensation and the owners and claimants of the property and interest in or to property condemned to whom such compensation shall be paid and that the commission make its final order of condemnation; provided, that when the proceeding is commenced by order on the commission's own motion said matters shall be included in the statement of the purpose of the proceeding. Said petition shall be duly verified and at the time the same is filed with the commission the petitioner shall also file the additional copies thereof equal in number to three more than the number of owners and claimants named in the petition.

3. Upon the filing of said petition with the commission or the making of said order on the commission's own motion, the commission shall make its order specifying the nature of the proceeding, containing a general description of the property and interest in or to property to be condemned, and directing the owners and claimants and the railroad corporations, street railroad corporations, and governmental authorities in interest named in said petition or order on the commission's own motion, who shall also be named in said order to show cause, to appear before the commission at a time and place specified in said order, to show cause, if any they have, why the commission should not proceed after hearing to fix the just compensation to be paid for the acquisition of or damage to the property and interest in or to property specified in said petition or order on the commission's own motion, to designate the party or parties to the proceeding who shall pay such compensation and the owners and claimants to whom such compensation shall be paid and to make its final order of condemnation. Said order to show cause shall direct the secretary of the commission to serve or cause to be served upon each said owner and claimant, railroad corporation, street railroad corporation and governmental authority in interest a copy of said order certified under the seal of the commission to which shall be attached a true and correct copy of the petition or order on the commission's own motion, provided that when the proceeding is commenced by order on the commission's own motion said order to show cause may be incorporated in said order on the commission's own motion. Personal service shall be made in accordance with the provisions of the Code of Civil Procedure of the State of California, provided that service may also be made by depositing a copy of said order to show cause certified under seal of the commission with a true copy of the petition or order on the commission's own motion attached thereto or made a part thereof in the United States mail, enclosed in a sealed envelope, registered, with postage prepaid, addressed to each owner or claimant, railroad corporation, street railroad corporation and governmental authority in interest named in said petition or order on the commission's own motion. If any owner or claimant named in the petition or order on the commission's own motion resides out of the state or has departed from the state or can not after due diligence be found within the state, or conceals himself to avoid service, or is a corporation having no managing or business agent, cashier or secretary or other officer upon whom summons may be served, who, after due diligence, can not be found within the state, and the fact appears by affidavit to the satisfaction of the commission, and it also appears by such affidavit or by the petition or order on the commission's own motion that a cause of action exists against such owner or claimant on whom service is to be made and that he is a necessary or proper party to the proceeding, the commission may make an order that the service be made on such owner or claimant by publication of the commission's said order to show cause. Said order of the commission shall direct that the publication be made in a newspaper to be designated by the commission as likely to give notice to the owner or claimant to be served, and for such time as the commission may find to be reasonable, at least once a week, but publication against an owner or claimant residing out of the state or absent therefrom shall not be less than two months. If the address of any owner or claimant as stated in the petition or order on the commission's own motion is out of the state, the secretary of the commission shall within fifteen days after the making and filing of said order to show cause, deposit or cause to be deposited a copy of said order to show cause certified under the seal of the commission, with a true and correct copy of the petition or order on the commission's own motion attached thereto or made a part thereof, in the United States mail, enclosed in a sealed envelope, registered, with postage prepaid, addressed to such owner or claimant at the address specified in the petition or order on the commission's own motion. Personal service of a copy of the order to show cause and of the petition or order on the commission's own motion out of the state is equivalent to publication and deposit in the United States mail. Within ten days prior to the time set for the first hearing on the petition or order on the commission's own motion, which time shall be not less than thirty days after the filing of said petition or the making of said order on the commission's own motion, the secretary shall serve or cause to be served upon the petitioner a written notice of such hearing, specifying the time and place at which such hearing shall be had. In all respects not in this paragraph otherwise provided, service and the

proof of service shall be made as provided by the Code of Civil Procedure of the State of California. Upon the completion of service upon the petitioner or upon any owner or claimant, railroad corporation, street railroad corporation or governmental authority in interest named in the petition or order on the commission's own motion, the commission shall have full and complete jurisdiction in so far as such petitioner, owner or claimant, railroad corporation, street railroad corporation, or governmental authority in interest is concerned, to make each finding hereinafter referred to, to fix the just compensation to be paid for the acquisition of or damage to any property or interest in or to property specified in the petition or order on the commission's own motion, to designate the party or parties to the proceeding who shall pay such compensation and the owner or claimant to whom such compensation shall be paid and to make its final order of condemnation. The failure to make such service upon any person alleging that he is an owner or claimant or party in interest but not named in the petition or order on the commission's own motion or to acquire jurisdiction over such person shall in no way affect the jurisdiction of the commission over owners and claimants and parties in interest on whom service has been made as in this paragraph provided. The commission shall have power at any time subsequent to the filing of the petition, and prior to making and filing its finding of just compensation, to authorize the amendment of the petition, or in case the proceeding is by order on the commission's own motion to amend said order, by altering or modifying the description of said property, or interest in or to property, or by adding to or deducting from said property or interest in or to property, or by bringing in any additional party or parties and in each other respect including each jurisdictional allegation.

4. At the time and place specified in said order to show cause, or at such other time and place as, for good cause, may be otherwise ordered by the commission, the commission shall proceed to a hearing upon the petition or order on the commission's own motion. When the proceeding has been submitted the commission shall make and file its finding upon the question whether the use to which the property or interest in or to property is to be applied is a use authorized by law and whether the taking is necessary to such use, and shall make and file its written finding and fixing the just compensation to be paid for said property or interest in or to property, provided that if the commission finds that severance damages should be paid, the just compensation for such damages shall be found and stated separately. Said just compensation shall be fixed by the commission as of the day on which the petition was filed or the order on the commission's own motion was made. The commission shall also make its order designating the party or parties to the proceeding who shall pay the just compensation so fixed, or any portion thereof, the amounts in which it shall be paid, the times at which it shall be paid, the property or interest in or to property for which it shall be paid and the owners and claimants of such property or interest in or to property to whom it shall be paid. The commission may prescribe any other terms or conditions with reference to the payment of such compensation as to the commission may seem proper, including a provision that the money due be paid to the commission to be distributed to the parties entitled thereto. The party or parties whom the commission may designate to pay such compensation or any part thereof shall thereupon become liable therefor, and may be sued in any court of competent jurisdiction by the party or parties entitled to such compensation as provided in the commission's order, provided that in cases in which the order of the commission authorizing any work to be done under the provisions of this section is permissive in character and not mandatory, the commission may prescribe the time within which the party receiving such permission must elect to proceed and notify the commission thereof, and only in the event such party elects to proceed and so notifies the commission shall any liability arise in such cases to pay the just compensation or any part thereof under the provisions of this subsection. When any political subdivision of the state is designated by the commission to pay such compensation or any portion thereof the same shall be collectable in the manner provided in subsection (b) hereof for the collection of expenses apportioned by the commission to political subdivisions of the state.

5. When the just compensation has been paid in accordance with the commission's order made under the provisions of this subsection for property or interest in or to property, the commission shall make its final order of condemnation which must describe the property or interest in or to property condemned and the purpose of such condemnation. A copy of said order certified under the seal of the commission shall thereupon be filed in the office of the recorder of the county in which the property or interest in or to property therein described is situated, and thereupon the property or interest in or to property described therein shall vest in the parties and for the purposes specified in said order.

6. The finding of the commission on the question of the necessity for the taking and the finding, fixing the just compensation to be paid for any property or interest in or to property under the provisions of this subsection shall be final and shall not be subject to modification, alteration, reversal or review by any court of this state. The provisions of this act with reference to rehearing and review shall be applicable to the findings of the commission made and filed under the provisions of this section.

Petitions for rehearing must be filed within twenty days from the date of making and filing the finding as to which a rehearing is desired. If a finding of the commission made and filed under the provisions of this section is set aside by the supreme court of the State of California, the matter shall be referred back to the commission for further action in a proceeding before the commission, and the commission shall have the right, on taking further action, to consider the entire testimony theretofore taken in the proceeding before the commission as well as such further testimony, if any, as may be presented in connection with such further action.

7. The procedure provided in this section shall be alternative and cumulative and not exclusive to the right to pursue any other procedure now or hereafter established providing for the acquisition under eminent domain proceedings of property or interest in or to property.

8. The legislature hereby declares that subsection (c) hereof is enacted as a germané and cognate part of and as an aid to the jurisdiction of the railroad commission in the supervision and regulation of railroad and street railroad corporations.

9. Nothing in this section shall be construed to entitle any owner or claimant of property and interest in or to property to receive damages when the right to receive such damages does not exist under the laws of this state apart from the provisions of this section.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 843—An act making bonds of municipal improvement districts legal investments for certain purposes.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 2, of the printed bill, strike out the word "legally" and insert in lieu thereof the words "heretofore or hereafter"; also, after the word "under" insert the words "and in pursuance of"; also after the word "law" strike out the words "which provide" and insert in lieu thereof the word "providing".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 4, strike out the word "and" before the word "construction" and insert in lieu thereof the word "or"; also in the word "improvements" strike out the letter "s" and the comma thereafter; also in the word "works" strike out the letter "s"; also strike out the word "and" following the word "works" and insert in lieu thereof the word "or".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 5, strike out the word "utilities" and insert in lieu thereof the word "utility".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 9, after the word "companies" strike out the words "banks, both".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 10, strike out the words "commercial and savings, and"; also after the word "companies" strike out the comma.

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 1, line 16, after the word "districts" add a semicolon and the following words: "*provided, however*, no bank shall invest or loan more than five per centum of its assets in any one such bond issue."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 1 of the printed bill, following section 1 of the act, add the following section

SEC. 2. This act is intended to be, and shall be considered, the latest enactment upon the matters herein contained, and is supplemental to any and all other acts regulating, relating to, and declaring what shall be, legal investments.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 87—An act to empower the State Market Director of California to regulate and control the business of buying and selling fresh fish; to regulate the destruction of food fish; to create a state fish exchange; to license those engaged in marketing fish; to create a state fish exchange fund; to provide penalties for violations of this act; to investigate and report on the fish industry; and to promote the sale of fish.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In the sixth line of the title, after the word "fund" and before the comma, insert the words "and a revolving fund".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 17, after the comma following the figures "1915" insert the following: "or in the event of the repeal of said act, by the state market commission act.".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, after line 16, insert a new paragraph as follows:

"(d) In the exercise of powers under this act, the state market director may confer with parties interested with a view of securing their advice and counsel as to maximum prices to be paid and charged."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 5, after line 2, insert a new paragraph as follows:

"Third. To food fish in the possession of canners, curers or packers and which are not suitable for their use and which in consequence are destroyed or diverted to use other than human consumption; *provided*, that within forty-eight hours after the destruction or diversion of any such fish, the person responsible therefor shall report to the state market director the number of pounds and varieties of fish, reason for destruction or diversion and how disposed of. The deposit in the United States mail of a written statement of said facts, properly addressed to the state market director, shall be accepted as a sufficient report."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 5, line 29, after the comma following the word "dealers" strike out the words "peddlers and hucksters,".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 5, line 31, after the comma following the word "dealers" strike out the words "peddlers and hucksters,".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 5, line 33, after the comma following the word "mollusks" insert the following: "and all peddlers and hucksters,".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 8, line 5, after the word "shall" strike out the following "signs all licenses and".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 8, line 6, before the word "to" strike out the word "them" and insert in lieu thereof the words "all licenses".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 8, after the word "shall" in line 6, strike out all of lines 6, 7 and 8, and insert in lieu thereof the following: "thereupon sign and issue them in accordance with the terms of this act."

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 9, line 25, after the word "control" insert the following: "out of the state fish exchange fund".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 9, line 34, after the comma following the word "fund" insert the following "or in the event of the repeal of the act creating the state commission market fund, approved June 10, 1915, to the state market commission fund.".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 10, line 11, before the word "except" insert the following: "or to crustaceans or mollusks".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 277—An act to add a new section to the Penal Code, to be numbered 636c, relating to the protection of fish and game, and providing for the construction of fishways on dams and other artificial obstructions in the waters of this State, and providing for furnishing of plans and specifications therefor and providing penalties for a violation thereof.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 4, after the word "corporation" strike out the following: "desiring to construct a dam or other artificial obstruction on any of the waters of this state in which fish have been placed or may exist, shall, before the commencement of construction of said dam or other artificial obstruction, file with the state fish and game commission a plan of said dam or other artificial obstruction, together with a statement of the name, length and location of the waters on which the said dam or other artificial obstruction is to be built; said dam or other obstruction to

provide for the construction of a durable and efficient fishway over or around said dam or other artificial obstruction, in accordance with the plans and specifications to be furnished by the fish and game commission.", and in lieu thereof insert the following: "owning in whole or in part, or leasing or operating or having in charge any completed dam or other artificial obstruction on any of the waters of this state in which fish have been planted or may exist, and every person, firm or corporation proposing to construct a dam or other artificial obstruction on any of the waters of this state in which fish have been planted or may exist, shall, before the alteration of said completed dam or other artificial obstruction, or before the commencement of the construction of said proposed dam or other artificial obstruction, file with the state fish and game commission a notice of intention to alter said completed dam or other artificial obstruction or to construct said proposed dam or other artificial obstruction. Said notice shall state the name, length and location of the waters and the exact point upon said waters where said completed dam or other artificial obstruction to be altered or reconstructed is situated or the said proposed dam or other artificial obstruction is to be constructed. Upon the receipt of said notice, the said fish and game commission shall furnish to the person, firm or corporation filing such notice, plans and specifications for a durable and efficient fishway over or around said completed dam or other artificial obstruction or said proposed dam or other artificial obstruction. The person, firm or corporation altering or reconstructing said completed dam or other artificial obstruction or constructing said proposed dam or other artificial obstruction must build and maintain the fishway provided for by said plans and specifications furnished by said fish and game commission."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, in line 6, strike out the words "one hundred fifty" and insert in lieu thereof the words "twenty-five."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, in line 8, strike out the words "one hundred" and insert in lieu thereof the words "twenty-five."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1149—An act to amend section 628 of the Penal Code, relating to the protection of fish.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out all of line 17 and insert in lieu thereof the following: "during any one day, male crabs (*Cancer magister*), not exceeding six in number, of five and one-half".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 278—An act to amend section 637 of the Penal Code, relating to fishways.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1019—An act to amend section 854 of the Code of Civil Procedure, relating to demurrers to complaints in justice's court actions.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 164—An act to amend section 3440 of the Civil Code, relating to certain transfers which are presumed to be fraudulent.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 993—An act to amend section 474 of the Political Code, relating to the powers and duties of the Attorney General.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 51—An act to add a new section to the Code of Civil Procedure, to be numbered 337*a*, relating to the time when an action upon an open book account accrues.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 6, strike out the word "time" and insert in lieu thereof the word "date".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1101—An act to amend section 224 of the Civil Code, relating to persons whose consent is necessary to the adoption of a minor child.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered.

AMENDMENT NUMBER ONE.

On page 2, line 1, after the word "superseding" insert the words "or amending".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 1, after the comma following the word "same" insert the following: "or by order of the juvenile court of the county, where such child was left in the care and custody of another by its parent or parents, without any provision for its support, for the period of one year, determining such child to be an abandoned child as defined in said juvenile court law; *provided, however*, that said juvenile court shall never make such order of abandonment without first giving notice of said abandonment proceeding by personal service of citation or other court process on the parent or parents or person having the custody of such child residing within the State, if their residence is known, and also such other or further notice to said parent or parents or person having the custody of such child, or other person or persons as the court may require,".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, strike out all of lines 3 to 12, inclusive, and insert in lieu thereof the following:

"4. From a father or mother who has been declared either feeble-minded or insane by the state commission in lunacy or by three competent persons appointed by said commission, *provided*, that if so declared insane, said father or mother shall have subsequently been determined to be incurably insane by the superior court of the county where he or she resides."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 13, strike out the figures and words "(b) Any" and insert in lieu thereof the following:

"5. From a father or mother of any".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 15, strike out the figures and word "(c) Any" and insert in lieu thereof the following:

"6. From a father or mother of any".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 26, strike out the words "within ten days after its execution" and insert in lieu thereof the words "prior to the commencement of any adoption proceedings affecting such child".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1099—An act to amend section 226 of the Civil Code, relating to proceedings on adoption.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 6, after the comma following the word "discretion" insert the following: "(except when an organization or society engaged in the work of placing dependent or deserted children into homes in this State with the written approval of the State Board of Charities and Corrections shall have consented in writing to the filing of such petition)".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 10, after the word "The" strike out the figure "(1)".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 11, before the word "child" strike out the figure "(2)"; also, before the word "the" strike out the figure "(3)".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 13, after the word "and" strike out the figure "(4)".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 14, after the word "and" strike out the figure "(5)".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 1, line 19, after the word "then" strike out the figure "(6)".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 1, line 22, before the word "must" strike out the figure "(7)".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 121.—An act providing for the organization of water districts by the board of supervisors of any county of the State upon petition therefor by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of said county in which the lands contained in said district are located; providing for the acquisition and construction by said district of water works, for the irrigation of the lands embraced therein and for the distribution of water for irrigation purposes and domestic use; providing for the payment of the debts thereof by a tax levied on the property embraced therein; providing for the issuance and sale of bonds thereby; providing that said bonds may be investigated by an appointive board of three hydraulic engineers; providing for the approval of said bonds by the State Superintendent of Banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 15 of the title, after the word "thereby" strike out the semicolon and the remainder of the title on pages 1 and 2, and insert in lieu thereof a period after the word "thereby".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 3, after the word "may" strike out the word "cause", and insert in lieu thereof the words "petition for".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 20, following the comma after the word "district" insert the following: "which boundaries thereof shall not include the lands or territory of any county water district authorized by an act adopted and approved as of date of June 10, 1913, as shown by the laws of the State of California, or until twelve months after the final decree of adjudication of the dissolution of said county water district,".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 5, line 3, after the word "thereof" strike out the semicolon and insert in lieu thereof a comma and the following: "and the first election of the district for the election of the five directors of the district must be called and held in not less than three months or not more than six months from the date of the order of the board of supervisors appointing the five directors of the district, and the term of office of the directors shall be only for the period of one year;".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 8, line 36, after the period following the word "thereof" add the following: "*And provided, further*, that all purchases of property of $10,000, or in excess thereof,

shall be made only in a manner as follows: First, by decree of condemnation; second, by the consent in writing, spread on the minutes of the district, of four of the five directors; third, by the approval of the board of supervisors of the county, spread on the minutes of said board."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 9, line 6, after the comma following the word "district" add the following: "and the county assessment roll shall, for all purposes of this act, be the official assessment roll of the district,".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 13, beginning with line 30 and ending on page 14, with line 34, strike out the whole of section 14.

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 14, line 35, after the word "Sec." strike out the figures "15" and insert the figures "14" in lieu thereof.

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 15, line 29, after the word "Sec." strike out the figures "16" and insert in lieu thereof the figures "15".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 16, line 7, after the word "Sec." strike out the figures "17" and insert in lieu thereof the figures "16".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 18, line 23, after the word "Sec." strike out the figures "18" and insert in lieu thereof the figures "17".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 19, line 3, after the word "Sec." strike out the figures "19" and insert in lieu thereof the figures "18".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 19, line 11, after the word "Sec." strike out the "figures "20" and insert in lieu thereof the figures "19".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 19, line 31, after the word "state" strike out the semicolon and insert in lieu thereof a period, and strike out all of lines 32 and 33, up to and including the word "district" in line 34.

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 20, line 3, after the word "Sec." strike out the figures "21" and insert in lieu thereof the figures "20".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 20, line 9, after the word "Sec." strike out the figures "22" and insert in lieu thereof the figures "21".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 20, line 18, after the word "Sec." strike out the figures "23" and insert in lieu thereof the figures "22".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 20, line 22, after the word "Sec." strike out the figures "24" and insert in lieu thereof the figures "23".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 20, line 30, after the word "Sec." strike out the figures "25" and insert in lieu thereof the figures "24".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 709—An act to amend section 5 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 709 passed by the following vote:

AYES—Senators Ballard, Benson, Brown, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Purkitt, Rigdon, Rominger, Rush, Scott, and Stuckenbruck—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE GOVERNOR.

On motion of Senator Jones, the following message from the Governor was read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

To the Senate of the State of California:

In accordance with section 16, of Article IV of the Constitution, I return to you herein without my approval Senate Bill No. 262.

Senator Edgar A. Luce, who introduced this bill, has asked me to veto it for the reasons set forth in the following statement to me:

"Senate Bill No. 262 which has passed the Assembly and is now before you, was introduced by me to remedy a condition in San Diego Bay, in regard

to the fishing there. It amends section 636 of the Penal Code. The Fish and Game Commission inform me that they have another bill amending this same section in many other particulars, which will doubtless be passed by the Legislature. It may result in confusion to have both of these measures, amending the same section signed by you. I therefore believe it advisable for you to veto Senate Bill No. 262, of which I am the author, as the amendments contained therein to the Penal Code, will be also contained in the bill which will doubtless later on be submitted to you. Therefore, in order to simplify matters, I would recommend that my bill be vetoed."

For the reasons, therefore, that Senator Luce has given, I veto this bill.

WM. D. STEPHENS, Governor.

Dated: SACRAMENTO, CALIFORNIA, March 23, 1917.

The question being, "Shall Senate Bill No. 262 become a law notwithstanding the objection of the Governor?"

The roll was called, and the objection sustained by the following vote:

AYES—Senators Ballard, Benson, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Nealon, Rigdon, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Thompson—31.

NOES—None.

RECESS.

At ten o'clock and fifty-five minutes a.m., on motion of Senator Jones, the acting President declared the Senate at recess until eleven o'clock and thirty-five minutes a.m., for the purpose of meeting with the Assembly in Joint Convention.

IN JOINT CONVENTION.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, March 23, 1917.

At eleven o'clock a.m., the Senate and Assembly met in Joint Convention.

The Hon. Frank H. Benson, acting President of the Senate, directed Clifton E. Brooks, the Secretary of the Senate, to call the roll of the Senators.

SENATE ROLL CALL.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—36.

The Acting President of the Senate declared a quorum of the Senate present.

Hon. C. C. Young, Speaker of the Assembly, directed B. O. Boothby, the Chief Clerk of the Assembly, to call the roll of Assemblymen.

ASSEMBLY ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Allen, Ambrose, Anderson, Argabrite, Arnerich, Ashley, Baker, Baldwin, Bartlett, Brackett, Brown, C. H., Brown, T. V., Bruck, Burke, Byrne, Calahan, Carlson, Collins, Dennett, Doran, Edwards, Eksward, Farmer, Finley, Friedman, Gebhart, Gelder, Godsil, Goetting, Green, L., Greene, C. W., Harris, Hawes, Hawson, Hayes, D. R., Hayes, J. J., Hilton, Horbach, Hudson, Johnson, A. B., Johnston, J. W., Kline, Knight, Kylberg, Long, Lyon, C. W., McCray, Madison, Manning,

Marks, Martin, Mathews, Merriam, Mitchell, Morris, Morrison, Mouser, Parker, Pettis, J. A., Pettit, M., Phillips, Polsley, Prendergast, Quinn, Ream, Rose, Ryan, Satterwhite, Shepherd, Smith, Tarke, Vicini, Watson, Williams, Wills, Wishard, Wright, Yonkin, and Mr. Speaker—79.

The Speaker of the Assembly declared a quorum of the Assembly present.

APPOINTMENTS OF JOINT COMMITTEE.

Hon. Frank H. Benson, acting President of the Senate, appointed the following Senators as members of the Joint Committee to escort the Governor to the bar of the Assembly: Senators Jones and Nealon.

Hon. C. C. Young, Speaker of the Assembly, appointed the following Assemblymen as members of the Joint Committee to escort the Governor to the bar of the Assembly: Messrs. Finley, Lyon, C. W., and Marks.

REPORT OF JOINT COMMITTEE.

Senator Jones, chairman of the Joint Committee of the Senate and Assembly to wait upon the Governor, appeared at the bar of the House and announced to the acting President of the Senate the presence of His Excellency, William D. Stephens, Governor of the State of California.

PRESENTATION OF GOVERNOR WILLIAM D. STEPHENS.

The Honorable Frank H. Benson, acting President of the Senate, then presented Governor William D. Stephens to the Joint Convention. The Governor then addressed the Joint Convention as follows:

Gentlemen of the Legislature:

I avail myself of the privilege of appearing before you personally in order to address you the more intimately.

World events beyond our control have brought us face to face with conditions that may well have our most profound consideration.

Our beloved republic is in imminent danger of being drawn into the almost world-wide war, a war of unprecedented violence and destructiveness. If this can not be averted, as God grant it may be, California's safety is imperiled.

Upon this subject the war department at Washington in an official document says:

> To transport promptly large bodies of troops into California would be difficult if not impossible in face of opposition at the passes.
>
> The invader would have a most fertile region at his back while the reverse would be the situation with us. The harbor defenses maintained in this region are reasonably strong, but they are of little use unless supported by a reasonably strong mobile force maintained in this region.
>
> To rely for defense during the first stage of a war upon a mobile force shipped in from the east is to invite disaster.

With these conditions confronting us it is clearly manifest that should war ensue we must be prepared not only to contribute our just share to the protection of the whole nation, but we must from our own resources stoutly defend our borders against invasion. We love peace and abhor war. But we are Americans, and as Americans we shall suffer no hostile step upon our soil.

In this hour of peril our chief reliance is upon the national government, to whose call California will respond loyally and promptly. It is unnecessary to pledge our people to the support of the President. This they will accord instantly and unanimously. The fires of American patriotism burn as brightly as in the days when our fathers laid the foundation of the republic and as brightly upon the Pacific Coast as upon the Atlantic.

That we may be of service to the nation in the event of hostilities, it is imperative that we have the disposition to defend our homes, and that we possess the necessary equipment and the knowledge to use it effectively. Love of country alone, if not translated into action, will not preserve our land from spoliation by foreign foe. We must have patriotism plus efficiency.

Under the national law all able-bodied citizens of military age are subject to call by the President for military service. It is only fair, therefore, that the State should provide, in anticipation of hostilities, so far as consistent with the federal laws, such

training as will prepare men for the hardships of a soldier's life. For the most part the federal government calls men only when immediate, active service is required. Therefore men are taken from their peaceful pursuits without previous training. I deem it our duty to make provision so that at least such of our patriotic citizens as are willing to devote time to training in camp life shall be afforded opportunity to do so.

To ask men to leave their peaceful callings and take up arms in defense of our firesides, without affording them every facility within our power to prepare them to withstand the hardships that warfare imposes, would be to prove ourselves indifferent and unworthy. Such a course would expose our patriotic sons and brothers to cruel and needless suffering.

Impending events may make it necessary to provide an appropriation to meet emergencies. I respectfully suggest that you give this subject profound consideration.

Information now being sought may enable me to submit a specific recommendation in the near future. With no desire to unduly alarm, we must recognize the gravity of the situation, and be prepared for prompt and vigorous action.

IMPORTANCE OF COAST ROADS.

In the matter of cooperation with the federal government, every ounce of energy that we can command should be brought to bear to strengthen our borders against possible assault and invasion.

In this connection the matter of coast highways is a most important factor. Every dollar expended upon good roads is advantageously spent if we consider only the commercial benefits resulting. But coastal highways have a military value transcending in importance even the commercial aspect.

In the building of these highways it might be advisable to seek the cooperation and aid of the federal government at the approaching extra session of congress. The national government is vitally interested in whatever is done in a military way to protect the coast line, and it is possible that substantial aid will be accorded, if the State and the counties immediately benefited agree to finance their share of the cost of construction.

I would suggest, therefore, for your consideration, the advisability of working out some plan for federal, state and county cooperation in coast road construction, and the adoption of a suitable appeal to congress for the ratification of such plan.

PROBLEM OF FOOD SUPPLY.

Another problem now pressing for solution is the world's food supply and its cost. Happily our favored commonwealth has been free from the pangs of hunger, but the high price of food staples has added much to the burdens of our people. With soil and climate such as ours there should be an abundance within the reach of everyone.

The first simple remedy for the high cost of living is a more thorough and extensive cultivation of the soil. The press of the State is doing excellent work in encouraging cultivation, even to the gardens and vacant city grounds.

Data gathered in state-wide hearings conducted by the Rural Credits Commission, disclosed the fact that agriculture as a whole is in a state of arrested development. I earnestly commend to you such legislative measures as will encourage intense and diversified farming, and place it upon a sound foundation. A comprehensive program for this would include and rest upon three fundamental departments—land occupancy, rural credits and marketing.

Insufficient understanding of our soil, water and climatic conditions has caused many failures among small farmers who have come to us from widely different conditions.

However valuable the federal rural credits system may prove to be, it can scarcely be expected to meet all the needs of those who are farming in isolated sections, where formation of associations required by the act would be impracticable. A simple, direct system of state rural credits, based upon sound banking principles, would meet with much favor and prove a great aid.

This brings us to the problem of distribution. Much good has been accomplished by organization for marketing our horticultural products, but our agriculturists and consumers are in crying need of a system that will put them into closer contact with each other so that the products of the soil may be easily transferred from producer to consumer without needless expense.

Existing world conditions disturb the ordinary laws of supply and demand, but we should find and put into service such regulations as would prevent control of, and juggling with, the prices of the necessaries of life. Food and fuel are the foremost public necessaries and utilities, and no one dealing in these commodities should be permitted to make more than a fair profit from his handling or disposal of them. No one should be allowed to capitalize the hunger or cold of the people and declare dividends thereon.

The high cost of living is due far more to faulty methods of distribution than to shortage of supply. The further regulation of warehouses and cold storage is a matter well worthy your consideration.

The danger that we may be drawn into the world's conflict accentuates our duty to prepare by every method of production and conservation to make our own people

secure against want and to do our part towards the nation's supply. These obvious problems are not easy of solution but we should be equal to the task, in which you may count upon my full cooperation.

ECONOMY OUR WATCHWORD.

In order that we shall be in the best condition to endure the strain of possible war, it is imperative that we should husband our resources to the utmost. Economy must be our watchword, and no appropriation should be considered where the need is not urgent.

I would not of course be understood as urging a policy of retrenchment that would impair the usefulness of our institutions. We must not lay ourselves open, in our desire for economy, to any justifiable charge of being penny wise and pound foolish. What I urge is that there be wise, thoughtful, painstaking study of, and conservative action upon all appropriation measures.

If, in pursuance of this thought, you are able without impairment of the present efficiency or value of any department—by consolidation or administrative simplification—to reduce the cost of government, such course would no doubt meet the approval of our people, particularly so if we are to be called upon for heavy outlays for defensive measures.

If I were permitted to speak directly to the three millions of people within our borders it would be to urge this same suggestion of economy.

The Secretary of Agriculture has estimated that in the United States there is an annual waste of food products amounting to the astounding total of $700,000,000 in value. How much of this is chargeable to California I am not able to say. But in view of the conditions of hunger existing in some of the richest countries of the old world, it behooves us to produce and conserve every article of food staples against the possibility of war conditions that threaten us. This is a simple method by which every citizen can perform a useful and patriotic duty.

THE STATE'S ACHIEVEMENTS.

In assuming the responsibilities of the office of Governor, I do so in full accord with the great governmental and humanitarian doctrines that have been written into our laws during the last six years.

The Initiative, Referendum, Recall and Direct Primary—with equal suffrage in just correlation—constitute the modern Magna Charta under which the rule of the People is made possible.

Through the Railroad Commission, Board of Control, the improved Bank Act and kindred enactments, our commercial interests have been stabilized; and in the Workmen's Compensation, Child Labor, Minimum Wage, safety and sanitation laws, and other similar measures, the welfare of labor has been safeguarded.

All of these beneficent measures having had the overwhelming approval of our people, we are charged with the duty of upholding them, and whenever possible to strengthen and simplify their operations. Space does not permit my attempting to discuss these measures at length. Moreover, my distinguished predecessor gave them much thoughtful attention in his message early in your session.

PRESERVE CIVIL SERVICE.

Efforts to weaken, and ultimately to break down Civil Service should be stoutly resisted. The merit system is the only effective antidote yet discovered for the spoils system in public service. I would strongly urge its extension rather than its restriction.

SOCIAL INSURANCE.

At the last regular session of the Legislature, the appointment of a commission was directed which should investigate and report to you its findings with respect to a system of social insurance now in operation in the United States and foreign countries, the probable cost of the same and such recommendations as should commend themselves to the commission.

This report has been made and is before you with the recommendation that an amendment to the constitution be submitted to a vote of the people that will pave the way to provide that character of state insurance known as Social Insurance.

By this means we may, if the proposal meets with the approval of the people, provide the necessary authority to enable the state to assist, under proper restrictions and conditions, those of its citizens who by their energy have contributed to the development and upbuilding of our state, yet who have not been able to provide against that day when, overtaken by ill health, declining years or broken strength, they are by poverty denied participation in the comforts of life that in part have resulted from their labors.

I do not mean to convey the thought of engaging the state in what might be classed as commercial insurance—such as fire and life insurance—as distinguished from social insurance. The former would involve the state in a departure from reasonable lines of governmental policies—while social insurance might well be deemed as related to the pension system—a field of governmental activity, that has the approval and sanction of all society.

SOUND BUDGET SYSTEM.

I desire to call your attention to the wisdom and necessity of continuing and strengthening the modern methods of business management which have been introduced into the conduct of our state government. The intelligent administration of public finances requires a thorough-going budget system, as proven by the excellent results achieved in this state by the use of an informal budget. It is highly important, in my judgment, that such a system for the handling of the state's financial affairs be permanently established by being written into the constitution itself.

In conclusion I wish to convey to each Senator and Assemblyman an expression of my personal regard, and to thank you one and all for your generous friendships and cordial assurances of cooperation. I wish you to believe that I shall welcome your bringing to me, during this brief session or afterwards any matter affecting the state's welfare.

WM. D. STEPHENS,
Governor.

READING AND APPROVAL OF MINUTES.

Minutes of the Joint Convention were read, and on motion, approved.

ADJOURNMENT.

On motion of Assemblyman Smith, the acting President of the Senate declared the Joint Convention adjourned sine die.

IN SENATE.

RECONVENED.

At eleven o'clock and thirty-five minutes a.m., the Senate reconvened.

The Hon. Frank H. Benson, acting President of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 268—An act to amend section 1469 of the Code of Civil Procedure, relating to administration of estate not exceeding two thousand dollars in value.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 4 of the title, after the word "exceeding" strike out the words "two thousand" and insert in lieu thereof the words "fifteen hundred".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 12, after the word "of" strike out the words "two thousand" and insert in lieu thereof the words "fifteen hundred".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 6, after the word "of" strike out the words "two thousand" and insert in lieu thereof the words "fifteen hundred".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 1079—An act to recognize and declare valid all proceedings in Happy Valley Irrigation District.

Bill read second time, and ordered on file for third reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Senator Johnson:

SENATE CHAMBER, SACRAMENTO, March 22, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2 of Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act making an appropriation for the survey, location and estimate of the cost of a bridge to span San Francisco Bay at or near Dumbarton Point.

Request referred to Committee on Rules.

Also:

By Senator Rush:

SENATE CHAMBER, SACRAMENTO, March 23, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2 of Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act defining henceforth the exterior boundaries of Reclamation District No. 108, situate partly in the counties of Colusa and Yolo, and providing for the liquidation of the affairs of Reclamation District No. 108, as it now exists, its exterior boundaries being described in that certain act of the Legislature approved May 18, 1915, and approving the acts and proceedings of the said district, as defined in the said act of May 18, 1915, and the board of trustees thereof, and providing for the continuation in office of the present trustees of said district, and for the [illegible] qualification of their successors, and providing that in the management and control of the affairs of said Reclamation District No. 108, as defined in this act, that it is subject to the provisions of the Political Code of the State of California, and to all of the laws of the State, except as provided in the said act, in [illegible] with the issuance and payment of warrants and the payment of assessments [illegible] that all moneys of the said district shall be paid and deposited with the county treasurer of Colusa County, and conferring jurisdiction upon the board of supervisors of the county of Colusa as to all matters concerning said district, and providing also for the management and control and administration of the affairs of said district.

Request referred to Committee on Rules.

Also:

By Senator Gates:

SENATE CHAMBER, SACRAMENTO, March 23, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2 of Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend section 472 of the Political Code, relating to the duties of the Attorney General and the appointment of assistants and deputies in such office.

Request referred to Committee on Rules.

THIRD READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 328—An act to amend section 626*l* of the Penal Code, relating to the protection of fish and game.

On motion of Senator Jones, Senate Bill No. 328 was passed on file.

Assembly Bill No. 744—An act to amend section 4149*b* of the Political Code, relating to county fish and game wardens.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 744 passed by the following vote:

AYES—Senators Ballard, Benson, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Kehoe, King, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 287—An act to amend section 3 of an act entitled "An act to regulate and license the hunting of wild birds and animals, and to provide revenue therefrom, for game and fish preservation and restoration," approved March 22, 1909.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 287 passed by the following vote:

AYES—Senators Ballard, Benson, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Inman, Irwin, Kehoe, King, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1375—An act to amend sections 2, 8, 9, 10, 11, 12, 12½, 13, 14, 15, 17, 18 and 20, relating to the practice of midwifery, and adding a new section thereto, to be numbered 24, relating to the penalty for violation of the provisions of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended by an act to amend an act entitled "An act to amend an act entitled 'An act to regulate the examination of applicants, for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled "An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems and modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act,' approved June 2, 1913, by amending sections 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 17 and 18, and adding a new section thereto, to be numbered 12½, relating to the practice of chiropody," approved April 24, 1915.

On motion of Senator Jones, Senate Bill No. 1375 was passed on file.

SENATOR KEHOE IN THE CHAIR.

At twelve o'clock and twenty minutes p.m., Senator Kehoe of the First District was called to the chair.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., the hour of recess was extended until one o'clock and five minutes p.m.

EXCUSE FOR BALANCE OF DAY.

At twelve o'clock and thirty minutes p.m., Senator Jones asked for and was granted excuse for absence for the balance of this day.

Assembly Bill No. 668—An act to amend section 7 of an act entitled "An act to provide for a general system based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a state civil service commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 668 passed by the following vote:

AYES—Senators Ballard, Burnett, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Flaherty, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, Luce, McDonald, Nealon, Purkitt, Rominger, Rush, Scott, Sharkey, Shearer, Slater, and Stuckenbruck—26.

NOES—Senators Benson, Carr, W. J., Evans, Gates, King, Rigdon, Thompson, and Tyrrell—8.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Senator Luce gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 668 was passed.

Assembly Bill No. 826—An act empowering the State Board of Health to examine sources from which shellfish are taken; making it unlawful to take shellfish from contaminated sources if determined by said board to be a menace to health; making violations of this act misdemeanors and providing for the punishment of same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 826 passed by the following vote:

AYES—Senators Ballard, Benson, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, King, McDonald, Purkitt, Rigdon, Rominger, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILL—(RESUMED).

Assembly Bill No. 141—An act providing for the sanitation, healthfulness and cleanliness and safety of swimming pools, public bathhouses, swimming and bathing places; regulating the granting and revocation of permits therefor from the State Board of Health; providing for the inspection of such places; declaring places and things in violation of this act to be nuisances dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors; and providing for the punishment of the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 141 passed by the following vote:

AYES—Senators Ballard, Benson, Canepa, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, King, Luce, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Slater, and Stuckenbruck—26.

NOES—Senators Purkitt and Shearer—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR BENSON IN THE CHAIR.

At twelve o'clock and thirty-five minutes p.m., Senator Benson, of the Twenty-seventh District, was called to the chair.

Assembly Bill No. 125—An act to amend section 2 of an act entitled "An act to protect public health from infection caused by exhumation and removal of the remains of deceased persons," approved April 1, 1878.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 125 passed by the following vote:

AYES—Senators Ballard, Benson, Burnett, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, King, Luce, McDonald, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Shearer, Slater, Stuckenbruck, and Tyrrell—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 510—An act to repeal section 373 of the Penal Code, relating to pesthouses in cities and towns.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 510 passed by the following vote:

AYES—Senators Benson, Burnett, Canepa, Carr, F. M., Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, King, McDonald, Nealon, Rigdon, Rush, Scott, Slater, Stuckenbruck, and Tyrrell—24.

NOES—Senator Chamberlin—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 52—An act to amend section 1861 of the Civil Code, relating to lien of hotelkeepers on property of guests for charges.

On motion of Senator Crowley, Assembly Bill No. 52 was passed on file.

Assembly Bill No. 742—An act to amend section 3074 of the Political Code, relating to the Bureau of Vital Statistics and duties of State Registrar.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 742 passed by the following vote:

AYES—Senators Ballard, Benson, Burnett, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, King, McDonald, Nealon, Purkitt, Rigdon, Reminger, Rush, Shearer, Slater, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER.

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 22, 1917.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 1116—An act granting certain lands and validating certain state patents.

Also: Senate Bill No. 32—An act to amend sections 190, 192, 193, 194, 195, 201 and 246 of the Code of Civil Procedure, relating to jurors;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

KEHOE, Chairman.

Senate Bills Nos. 1116 and 32 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 453—An act to amend the Penal Code by adding a new section thereto, to be numbered 508a, relating to embezzlement by agent or broker—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

KEHOE, Chairman.

Senate Bill No. 453 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 409—An act authorizing the issuance of letters patent to the heirs at law of P. W. Fahey, deceased, for certain swamp and overflowed land in Tuolumne county, California;

Also: Senate Bill No. 143—An act to amend section 164 of the Civil Code, relating to community property;

Also: Assembly Bill No. 65—An act to amend section 137 of the Civil Code, relating to temporary alimony and permanent support and maintenance of wife;

Also: Senate Bill No. 139—An act to amend section 1269 of the Code of Civil Procedure and to add a new section to said code to be numbered 1272a, both relating to escheat and unclaimed estates and property and to proceedings relating thereto;

Also: Senate Bill No. 140—An act to amend section 1405 of the Civil Code, relating to escheat property;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Senate Bills Nos. 409, 143, 139 and 140, and Assembly Bill No. 65 ordered on file for second reading.

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, March 23, 1917.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Senate Bill No. 762—An act appropriating the sum of $40,000 to defray the expenses, during the 69th and 70th fiscal years, of organizing, controlling, equipping, instructing and maintaining high school cadet companies in the State of California, and for promoting rifle practice in said companies and to further carry out the purposes of an act entitled "An act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of $5,000 therefor," approved April 5, 1911—has had the same under consideration, and respectfully reports the same back and recommends that it do pass, and be re-referred to Committee on Finance.

SCOTT, Chairman.

Senate Bill No. 762 re-referred to Committee on Finance.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, March 23, 1917.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 556—An act to provide for the research work in the drying, canning and preservation of fruits, the handling, preparation and manufacturing of fruit products and by-products—has had the same under consideration and respectfully reports the same back with recommendation that it be re-referred to Committee on Finance without recommendation.

KING, Chairman.

Senate Bill No. 556 re-referred to Committee on Finance.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 23, 1917.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 220—An act to amend section 4253 of the Political Code, relating to the compensation of officers and fees of jurors in counties of the twenty-fourth class—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

INMAN, Chairman.

Assembly Bill No. 220 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 43—An act to amend section 4265 of the Political Code of the State of California, relating to the compensation of officers of counties of the thirty-sixth class—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

INMAN, Chairman.

Assembly Bill No. 43 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 230—An act amending section 4250 of the Political Code, relating to salaries and fees of officers of counties of the twenty-first class—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

INMAN, Chairman.

Assembly Bill No. 230 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 93—An act to amend section 4259 of the Political Code, relating to salaries and fees of officers in counties of the thirtieth class;

Also: Assembly Bill No. 187—An act to amend section 4272 of the Political Code, relating to the salaries and fees of officers of counties of the forty-third class; Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

INMAN, Chairman.

Assembly Bills Nos. 93 and 187 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 14—An act to carry into effect the provisions of subdivisions 6 and 7 of section 8½ of Article XI of the Constitution of the State of California as the said section of said article was amended on the third day of November in the year 1914; and also to provide for the alteration of the boundaries of and for the annexation of territory located in the county of San Mateo to the city and county of San Francisco, for the incorporation of such annexed territory in and as a part thereof, and for the government of such annexed territory as an integral part of such city and county of San Francisco—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

INMAN, Chairman.

Senate Bill No. 14 ordered on file for second reading.

ADJOURNMENT.

At one o'clock and five minutes p.m., on motion of Senator Kehoe, the acting President declared the Senate adjourned until Monday, March 26, 1917, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Monday, March 26, 1917.

The Senate met at eleven o'clock a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Caminetti, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stockenbruck, Thompson, and Tyrrell—36.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, March 23, 1917, the further reading was dispensed with, on motion of Senator Slater.

LEAVE OF ABSENCE.

Senator Carr, F. M., was, on motion of Senator Ingram, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator King, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Hon. Percy S. King and Miss Elizabeth King of Napa.

PETITIONS.

The following petitions were received and ordered printed in the Journal:

By Senator Tyrrell:

To the Members of the Legislature of the State of California.

GENTLEMEN: The undersigned would respectfully represent that the town of Emeryville is one of the most active and prosperous industrial centers on the Pacific Coast;

The number of employees in its factories equals its entire resident population;

In addition to its advantageous location and superior transportation facilities, its low tax rate has been the magnet which has attracted scores of industrial plants;

This low tax rate of 50 cents on the hundred dollars of taxable property has been made possible through the revenue received from liquor licenses, which pay practically one-half the expenses of the municipal government;

Emeryville has an economical and efficient administration; it is an orderly, peaceful, and well-conducted community with comparatively few arrests.

In view of these facts and the manifest iniquity and injustice of the measure, we respectfully but urgently protest against the passage of the Rominger bill as destructive of our industrial prosperity.

F. HAHN, and 64 others.

By Senator Duncan:

OROVILLE, BUTTE COUNTY, CALIFORNIA.

Senators, State Legislature of California, Sacramento, California.

HONORABLE BODY: We, the following citizens of California, petition that you vote for Senate Bill No. 414, known as the Rominger bill.

E. C. BINET, and 90 others.

By Senator Luce:

SAN DIEGO, CALIFORNIA.

At a regular meeting of the San Diego County Single Tax Society, held March 12, 1917, the following resolution was unanimously adopted:

Resolved, That the San Diego County Single Tax Society, having endorsed the constitutional amendment proposed by The Equity Tax League of the State of California, respectfully urges the State Senators and Assemblymen representing their respective districts, to vote for and support said amendment, entitled "Senate Constitutional Amendment No. 27," and "Assembly Constitutional Amendment No. 23," in order that said proposed amendment may be submitted to the suffrage of the people of the State at the general election to be held in 1918.

HOWARD C. DUNHAM, President.

C. R. COLBURN, Secretary pro tempore.

By Senator Scott:

SAN FRANCISCO, March 22, 1917.

At the regular monthly meeting of the Civic League of Improvement Clubs and Associations held in the Phelan Building assembly hall, the following resolution was unanimously adopted:

WHEREAS, The Rominger bill, now before the State Legislature, would be a most dangerous and ruinous measure to some of the principal industries of our great State; and

WHEREAS, The people of this State only a few months ago, viz: on the 7th of November, 1916, defeated a measure similar to the Rominger bill, providing for the abolition of wholesale liquor houses and saloons, by a majority of 44,744 votes; and

WHEREAS, The proposed law is unjust and inequitable, seeking to destroy the business of the retailer and the wholesaler in order that the business of the wine maker may continue to exist; and

WHEREAS, The said bill seeks to destroy the personal liberties of the people, the revenues of our cities and to saddle upon them an ever-increasing burden of taxation; therefore, be it

Resolved, That the Civic League of Improvement Clubs and Associations voice its strenuous protest against the said Rominger bill, or any other similar measure, and we heartily ask the cooperation of the California State Legislature.

ALEXANDER RUSSELL, President.

GEO. W. GERHARD, Secretary.

By Senator Rigdon:

SAN LUIS OBISPO, March 13, 1917.

Hon. E. S. Rigdon, Senator from San Luis Obispo and Monterey Counties.

DEAR SIR: We, the organization of the Woman's Christian Temperance Union of San Luis Obispo, and the undersigned citizens, earnestly request you to defend the honor and respectability of the citizens of California by vigorously opposing Amendment No. 26, which if enacted would prohibit the voters of the State to legislate in regard to the controlling, regulating or prohibition of the liquor traffic; and Assembly Bill No. 54, which would license and permit prostitution.

Such legislation is an open insult to the conscience of California citizens.

MRS. GRACE VAN SCOY, and 65 others.

COMMUNICATIONS.

The following communication was presented by Senator Scott, and ordered printed in the Journal:

SAN FRANCISCO, March 12, 1917.

To the Hon. Committee on State Laws and Legislation of the Board of Supervisors.

GENTLEMEN: Your Finance Committee having thoroughly investigated the question of how the passage of the Reminger bill would affect the income of the city and county of San Francisco, herewith reports as follows:

The annual revenue derived from liquor licenses for the year 1915-16 was $1,007,270. If the bill should pass it becomes a law January 1, 1918, which would mean that we would lose the revenue for the period from January to July, 1918, approximately $503,635. It is possible that some of the liquor licenses might not be renewed at all after the passage of the law; in that event our income for the present fiscal year would be materially affected. The loss of $500,000 in our revenues would mean that we would have to add at least 10 cents to our tax rate.

In view of the extraordinary demands on the city income for the coming year, we deem it inadvisable to have such a law become effective, and respectfully recommend that the Committee on State Laws and Legislation concur and instruct to our representatives in the Legislature at Sacramento.

Respectfully submitted.

JAMES E. POWER,
E. L. NOLAN,
ANDREW J. GALLAGHER,
Finance Committee.

AYES—Supervisors Deasy, Gallagher, Hayden, Hocks, Hynes, Lahaney, McLean, Mulvihill, Nelson, Nolan, Power, Suhr, Walsh, Wolfe—14.

The following communication was received, and ordered printed in the Journal:

BRIDGEPORT, CALIFORNIA, March 22, 1917.

State Board of Equalization, Sacramento.

GENTLEMEN: In reply to your communication of March 1, 1917, in regard to amount of foodstuffs stored in warehouses in Mono County, would state that there are no foodstuffs stored in this county except the regular stock of merchandise carried by the different merchants throughout the county, and their supply is about normal; that is, about enough to last them to May 1, 1917, when the roads will be passable for freight teams.

Respectfully,

JAMES BORLAND,
Assessor of Mono County, California.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 26, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Constitutional Amendment No. 44—A resolution to propose to the people of the State of California to amend section 13 of Article VI of the Constitution of the State, relating to inferior courts;

Also: Senate Bill No. 705—An act to amend sections 1663, 1771 and 1775 of the Political Code, relating to the classification of schools, the powers of county boards of education and the granting of teachers' certificates;

Also: Senate Bill No. 1090—An act to amend sections 1, 2, 3, 6, 7, 12, 15 and 16 of an act entitled "An act to provide for the organization, equipment and equipment of high school cadet companies, and for the promotion of rifle practice thereon, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911, as amended.

Also: Senate Concurrent Resolution No. 29—Relating to the publication of an index of the laws of California;

Also: Senate Bill No. 791—An act to repeal sections 1959 and 2027 of the Political Code, and to repeal sections 1918, 1919, 1924, 1925, 1926, 1927, 1928a, 1928b, 1928c, 1929, 1930, 1931, 1932, 1932a, 1933, 1934, 1951, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1980, 1982, 2006, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2026, 2079, 2086, 2107, 2111, and 2112, of the Political Code, all relating to the National Guard of the State of California;

Also: Senate Bill No. 885—An act to amend section 715 of the Civil Code, relating to restraints upon alienation;

Also: Senate Bill No. 174—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishments or offices, or by any express or transportation company, compelling such employer in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any females, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment, and providing a penalty for violation, neglect, or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or any other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended.

Also: Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of the State by adding a new section thereto, to be known as section 7½ of Article XI, relating to the consolidation of city and county government, and to the framing of charters therefor and amendments to such charters;

And reports that the same have been correctly engrossed.

ROMINGER, Acting Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 203—An act to amend section 1 of an act entitled "An act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other acts and parts of acts now in force relating to estrays," approved March 23, 1901, as amended, and to add a new section thereto to be numbered 9a;

Also: Senate Bill No. 751—An act to prevent the importation into or transportation through the State of California of insects injurious to cultivated crops, providing exemption for specific scientific purposes, fixing the authority to grant such exemption and providing a penalty for a violation of the terms of this act.

And reports that the same have been correctly re-engrossed.

ROMINGER, Acting Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined

Senate Bill No. 91—An act to prevent the providing for common use of receptacles for drinking purposes in public places, and prescribing penalties for violations thereof;

Also: Senate Bill No. 654—An act to repeal an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a state civil service commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913;

Also: Senate Bill No. 905—An act to amend section 361 of the Civil Code, relating to changing the number of directors of corporations;

Also: Senate Bill No. 92—An act to prevent the keeping of towels for common use in public places and prescribing penalties for violations of the provisions thereof;

Also: Senate Bill No. 1151—An act to repeal an act entitled "An act providing for the investigation by the state veterinarian, the secretary of the state board of health and the state commissioner of horticulture of injury to animal life and vegetation in California, caused by smelter wastes, and making an appropriation therefor," approved June 16, 1913;

Also: Senate Bill No. 1148—An act to amend section 1054 of the Code of Civil Procedure, relating to the extension of time in which an act is to be done;

Also: Senate Bill No. 594—An act to amend section 8 of an act entitled "An act to provide for the formation of levee districts in the various counties of this State and to provide for the erection of levees, dikes and other works for the purpose of protecting the lands within such districts from overflow and to levy assessments to erect and construct and maintain such levees, dikes and other works and to pay the necessary costs and expenses of maintaining said districts," approved March 20, 1905, and amended by an act approved March 16, 1907;

Also: Senate Bill No. 999—An act to add a new section to an act entitled "An act to create a drainage district to be called Knight's Landing Ridge drainage district; to promote drainage therein by the making of a cut through Knight's Landing ridge, and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds," approved April 30, 1913, to be numbered 74, in reference to the payment of invalid assessments.

Also: Senate Bill No. 1000—An act to amend sections 3 and 7 of an act entitled "An act to create a levee district to be called and designated Sacramento river west side levee district; to prevent the overflow of flood waters from the Sacramento river from flooding on to the lands within said district by the construction of levees along the west bank of the Sacramento river and adjacent thereto and maintain the same; providing for the election and appointment of officers of said levee district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said levee district," approved May 18, 1915;

Also: Senate Bill No. 278—An act to amend section 637 of the Penal Code, relating to fishways;

Also: Senate Bill No. 1019—An act to amend section 854 of the Code of Civil Procedure, relating to demurrers to complaints in justice's court actions;

Also: Senate Bill No. 164—An act to amend section 3440 of the Civil Code, relating to certain transfers which are presumed to be fraudulent;

Also: Senate Bill No. 993—An act to amend section 474 of the Political Code, relating to the powers and duties of the attorney general;

Also: Senate Bill No. 114—An act regulating the traffic in alcohol and alcoholic liquors, and prohibiting, except in certain places and in certain cases and under certain conditions, the keeping, selling, serving, bartering, giving away, shipment, transporting, delivery or receiving of alcohol or alcoholic liquors, or of vinous or malt liquors which contain certain percentages or more of alcohol or which contain distilled spirits; prohibiting, except under certain conditions and in certain cases and in respect of certain vinous or malt liquors, the sale, serving or bartering of alcoholic liquors for beverage purposes for consumption on the premises where sold, served, or bartered, or the keeping, maintaining or conducting of any drinking saloon, bar, barroom or other place where, except under said conditions and in said cases and in respect of said vinous or malt liquors, any alcoholic liquors are sold, served or bartered for beverage purposes for consumption on the premises where sold, served or bartered; prescribing the maximum number of licenses or permits which may be issued by any town, city or city and county for the sale of liquor in sealed packages for consumption elsewhere than on the premises where sold; making unlawful and declaring to be penal offenses various acts in respect of, and various dealings in, alcohol, alcoholic liquors or particular kinds of such liquors, and prescribing penalties for and providing for the punishment of such offenses;

Also: Senate Bill No. 487—An act to amend sections 2, 3, 4, 8, 11, 13 and 15 of an act entitled "An act defining mattresses; regulating the making, remaking and sale thereof; prohibiting the use of insanitary and unhealthy materials therein, requiring that materials used shall be accurately described and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled; and making the violation of any of the provisions of this act a misdemeanor, and repealing legislation inconsistent with this act," approved June 7, 1915;

And reports that the same have been correctly engrossed.

ROMINGER, Acting Chairman.

ON RULES

SENATE CHAMBER, SACRAMENTO, March 23, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Rush to introduce a bill entitled "An act defining henceforth the exterior boundaries of Reclamation District No. 108, situate partly in the counties of Colusa and Yolo, and providing for the liquidation of the affairs of Reclamation District No. 108, as it now exists, its exterior boundaries being described in that certain act of the Legislature, approved May 18, 1915, and approving the acts and proceedings of the said district, as defined in the said act of May 18, 1915, and the board of trustees thereof, and providing for the continuation in office of the present trustees

of said district, and for the election and qualification of their successors, and providing that in the management and control of the affairs of said Reclamation District No. 108, as defined in this act, that it is subject to the provisions of the Political Code of the State of California, and to all of the laws of the State, except as provided in the said act, in connection with the issuance and payment of warrants and the payment of assessments, providing that all moneys of the said district shall be paid and deposited with the county treasurer of Colusa County, and conferring jurisdiction upon the board of supervisors of the county of Colusa as to all matters concerning said district, and providing also for the management and control and administration of the affairs of said district" has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, King, Luce, McDonald, Maddux, Nealon, Rominger, Rush, Scott, Shearer, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Duncan to introduce a bill entitled "An act to amend section 1557 of the Penal Code, relating to the accounts of persons employed to bring back fugitives from the State" has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rush, Scott, Sharkey, Shearer, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

Also;

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Evans to introduce a bill entitled "An act to amend section 2 of an act entitled 'An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places, and sidewalks within municipalities and upon property and rights of way, etc.'" has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rush, Scott, Shearer, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Carr, F. M., to introduce a bill entitled—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, and all amendments thereto, by

amending sections 64, 102, 320, 329, 527, and 623 thereof, and authorizing the legislative body of municipal corporations of the first, second, third and fourth class to borrow money in anticipation of the collection of taxes, and to execute and deliver negotiable promissory notes or other evidences of indebtedness for such money, and limiting the amount of money which may be so borrowed, and prescribing the purposes to which the same may be applied—has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Stuckenbruck, Thompson, and Tyrrell—32.
NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Johnson to introduce a bill entitled—An act making an appropriation for the survey, location and estimate of the cost of a bridge to span San Francisco Bay at or near Dumbarton Point—has had the same under consideration and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—34.
NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Gates to introduce a bill entitled—An act to amend section 472 of the Political Code relating to the duties of the Attorney General and the appointment of assistants and deputies in such office—has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Stuckenbruck, Thompson, and Tyrrell—34.
NOES—None.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills were introduced in accordance with the above reports:

By Senator Rush: Senate Bill No. 1157—An act defining henceforth the exterior boundaries of Reclamation District No. 108, situate partly

in the counties of Colusa and Yolo, and providing for the liquidation of the affairs of Reclamation District No. 108, as it now exists, its exterior boundaries being described in that certain act of the Legislature, approved May 18, 1915, and approving the acts and proceedings of the said district, as defined in the said act of May 18, 1915, and the board of trustees thereof, and providing for the continuation in office of the present trustees of said district, and for the election and qualification of their successors, and providing that in the management and control of the affairs of said Reclamation District No. 108, as defined in this act, that it is subject to the provisions of the Political Code of the State of California, and to all of the laws of the State, except as provided in the said act, in connection with the issuance and payment of warrants and the payment of assessments, providing that all moneys of the said district shall be paid and deposited with the county treasurer of Colusa County, and conferring jurisdiction upon the board of supervisors of the county of Colusa as to all matters concerning said district, and providing also for the management and control and administration of the affairs of said district.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Duncan: Senate Bill No. 1158—An act to amend section 1557 of the Penal Code, relating to the accounts of persons employed to bring back fugitives from the State.

Bill read first time, and referred to Committee on Judiciary.

By Senator Evans: Senate Bill No. 1159—An act to amend section 2 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Carr, F. M.: Senate Bill No. 1160—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, and all amendments thereto, by amending sections 64, 102, 320, 329, 527 and 623 thereof, and authorizing the legislative body of municipal corporations of the first, second, third and fourth class to borrow money in anticipation of the collection of taxes, and to execute and deliver negotiable promissory notes or other evidences of indebtedness for such money, and limiting the amount of money which may be so borrowed, and prescribing the purposes to which the same may be applied.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Johnson: Senate Bill No. 1161—An act making an appropriation for the survey, location and estimate of the cost of a bridge to span San Francisco Bay at or near Dumbarton Point.

Bill read first time, and referred to Committee on Finance.

By Senator Gates: Senate Bill No. 1162—An act to amend section 472 of the Political Code relating to the duties of the Attorney General and the appointment of assistants and deputies in such office.

Bill read first time, and referred to Committee on Judiciary.

By Senator Flaherty: Senate Joint Resolution No. 11—Relative to the presentation and due recognition of Ireland and Poland as accredited belligerents at the next peace conference of world powers.

Resolution read, and referred to Committee on Federal Relations.

REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were presented:

By Senator Stuckenbruck:

SENATE CHAMBER, SACRAMENTO, March 26, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2 of Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act making an appropriation for a portrait of former Governor Hiram W. Johnson and directing the State Board of Control to carry out the provisions of the act.

Request referred to Committee on Rules.

Also:

By Senator Burnett:

MR. PRESIDENT: In accordance with the provisions of section 2 of Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to appropriate money to pay the claim of Associated Oil Company against the State of California.

Request referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 26, 1917.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 21—Approving amendments to the charter of the city of San Rafael, a municipal corporation, in the county of Marin, State of California, voted for and ratified by the qualified electors of said city at a general election held therein on the 12th day of April, 1915—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

TYRRELL, Chairman.

Senate Concurrent Resolution No. 21 ordered on file.

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, March 22, 1917.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 452—An act providing for the establishment of public rating bureaus and defining their powers and methods of conducting business; providing for inquiries into such rating bureaus by the Insurance Commissioner; providing for review of rates by Insurance Commissioner; providing against unfair discrimination in rates; providing for filing with Insurance Commissioner by insurance companies of schedules of rates; providing for inspection of risks rated by rating bureaus; providing for filing with Insurance Commissioner of short rate tables for cancellation of policies; providing against demoralization of business; providing entire act not to be affected by unconstitutionality of part thereof; providing for penalty for violation of act

by insurance companies; providing for penalty for violation of act by agent or other representative; repealing laws in conflict with this act—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

BURNETT, Chairman.

Senate Bill No. 452 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 617—An act to amend section 591 of the Political Code, relating to the maintenance of the office of the Insurance Commissioner;

Also: Senate Bill No. 630—An act to add a new section to the Civil Code, to be numbered section 2767, relating to the disposition, by the beneficiary of his interest under a policy of life insurance;

Also: Senate Bill No. 635—An act to amend section 596½ of the Political Code, relating to legal advice upon certain action by the Insurance Commissioner;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

BURNETT, Chairman.

Senate Bills Nos. 617, 630, and 635 ordered on file for second reading.

MOTION.

Senator Tyrrell moved that a committee of five members of the Senate be appointed to meet United States Senator Hiram W. Johnson, at the depot at Sacramento, on his way to Washington, in order to convey to him the greetings and best wishes of the Senate, and that when the Senate adjourns for this day, it does so in his honor.

Motion carried.

APPOINTMENT OF COMMITTEE.

Pursuant to above motion, the President announced the appointment of Senators Tyrrell, Brown, Scott, Maddux, and Rigdon as a committee to meet United States Senator Johnson.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 90—An act to amend section 290½ of the Civil Code, relating to corporations.

On motion of Senator Jones, Senate Bill No. 90 was passed on file.

Senate Bill No. 101—An act to amend section 16 of an act entitled "An act regulating the employment and hours of labor of children; prohibiting the employment of minors under certain ages; prohibiting the employment of certain illiterate minors; providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics and providing penalties for the violation hereof," approved February 20, 1905, as amended by an act approved April 14, 1911, as further amended by an act approved June 2, 1913; and as further amended by an act approved June 5, 1915.

In the absence of the author, Senate Bill No. 101 was ordered passed, to retain its place on the file.

Senate Bill No. 820—An act to provide for the periodical inspection of steam boilers, with certain exceptions, operated in this State; requiring a permit, to be issued by the Industrial Accident Commission, for the operation of such boilers; making it a misdemeanor to operate such boilers without such permit; and allowing an injunction against

such operation without such permit where dangerous to the life or safety of employees; providing for a hearing before the Industrial Accident Commission prior to refusal of a permit; providing for the determination of competency of inspectors making such inspections and requiring reports of inspections; and prescribing maximum fees for such inspections.

On motion of Senator Luce, Senate Bill No. 820 was passed on file.

Senate Bill No. 49—An act to repeal section 55*a* of the Penal Code, relative to soliciting, demanding, or pledging votes for or against any particular bill or measure.

On motion of Senator Duncan, Senate Bill No. 49 was passed on file.

Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending sections 1 and 14 of Article XIII thereof, both relating to revenue and taxation, so as to permit taxation of certain public utilities owned or operated by counties, cities and counties, or municipal corporations.

On motion of Senator Irwin, Senate Constitutional Amendment No. 11 was passed on file.

Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section 22 of Article XII thereof, relating to the powers and duties of the Railroad Commission of the State of California.

On motion of Senator Irwin, Senate Constitutional Amendment No. 21 was passed on file.

Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section 23 of Article XII thereof, relating to the powers and duties of the Railroad Commission of the State of California.

On motion of Senator Irwin, Senate Constitutional Amendment No. 22 was passed on file.

Senate Bill No. 320—An act to amend section 1858 of the Political Code, relating to the apportionment of the elementary school funds and the counting of attendance in the elementary and secondary schools of the State.

On motion of Senator Jones, Senate Bill No. 320 was passed on file.

Senate Bill No. 1133—An act to amend section 4290 of the Political Code, relating to fees and salaries of county officers.

In the absence of the author, Senate Bill No. 1133 was ordered passed, to retain its place on the file.

Senate Bill No. 890—An act to amend section 2643 of the Political Code, relating to the powers of boards of supervisors over roads.

On motion of Senator Tyrrell, Senate Bill No. 890 was passed on file.

Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending section 1 of Article IV thereof, relating to legislative powers, and reserving to the people of the State of California the power to propose laws, statutes and amendments to the Constitution and to enact the same at the polls, independent of the Legislature, and also reserving to the people of the State of California

the power to approve or reject at the polls any act or section or part of any act of the Legislature.

On motion of Senator Duncan, Senate Constitutional Amendment No. 5 was passed on file.

Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of the State by adding a new section thereto, to be known as section 7½*a* of Article XI, relating to the consolidation of city and county government and to the framing of charters therefor and amendments to such charters.

On motion of Senator Breed, Senate Constitutional Amendment No. 13 was passed on file.

Senate Constitutional Amendment No. 44—A resolution to propose to the people of the State of California to amend section 13 of Article VI of the Constitution of the State, relating to inferior courts.

On motion of Senator Ballard, Senate Constitutional Amendment No. 44 was passed on file.

SENATOR LUCE IN THE CHAIR.

At eleven o'clock and thirty-five minutes a.m., Senator Luce of the Fortieth District was called to the chair.

Senate Bill No. 203—An act to amend an act entitled "An act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other acts and parts of acts now in force relating to estrays," approved March 23, 1901, and to exempt certain counties from provisions thereof.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 203 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Ingram, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Shearer, Slater, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 705—An act to amend sections 1663, 1771 and 1775 of the Political Code, relating to the classification of schools, the powers of county boards of education and the granting of teachers' certificates.

In the absence of the author, Senate Bill No. 705 was ordered passed, to retain its place on the file.

Senate Bill No. 1090—An act to amend sections 1, 2, 3, 6, 7, 12, 15 and 16 of an act entitled "An act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911, as amended.

Bill read third time.

On motion of Senator Scott, Senate Bill No. 1090 was passed on file.

Senate Bill No. 412—An act to amend section 1613 of the Penal Code, relating to the labor of prisoners confined in the county jail.

On motion of Senator Ingram, Senate Bill No. 412 was passed on file.

Senate Bill No. 761—An act to repeal sections 1959 and 2027 of the Political Code, and to amend sections 1918, 1919, 1924, 1925, 1926, 1927, 1928*a*, 1928*b*, 1928*d*, 1929, 1930, 1931, 1932, 1932½, 1933, 1934, 1951, 1953, 1954, 1955, 1956, 1957, 1958, 1960, 1980, 1982, 2006, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2026, 2086, 2107, 2111 and 2112 of the Political Code, all relating to the National Guard of the State of California.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Scott moved to refer Senate Bill No. 761 to Senator Crowley, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 5, line 11, of the printed bill as amended March 21, strike out the word "accounting" and insert in lieu thereof the word "chief".

AMENDMENT NUMBER TWO.

On page 5, line 12, of the printed bill as amended March 21, strike out the word "three" and insert in lieu thereof the word "four".

AMENDMENT NUMBER THREE.

On page 19, line 37, of the printed bill as amended March 21, strike out the word "ten" and insert in lieu thereof the word "fifteen".

AMENDMENT NUMBER FOUR.

On page 20, line 37, of the printed bill as amended March 21, after the semicolon insert the following: "one stenographer, one thousand five hundred dollars per annum;".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 23, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 761, with instructions to amend, respectfully reports the same back amended as per instructions.

CROWLEY, Special Committee.

Report read, and on motion of Senator Scott, adopted.

Senate Bill No. 761 ordered to print and re-engrossment.

Senate Bill No. 884—An act to repeal section 847 of the Civil Code, relating to uses and trusts, to amend section 857 of the Civil Code, relating to express trusts, and to amend section 2220 of the Civil Code, relating to purposes for which a trust may be created.

On motion of Senator Tyrrell, Senate Bill No. 884 was passed on file.

Senate Bill No. 885—An act to amend section 715 of the Civil Code, relating to restraints upon alienation.

On motion of Senator Tyrrell, Senate Bill No. 885 was passed on file.

Senate Bill No. 872—An act defining the meaning of the term "appointive officer," and to prohibit any appointive officer of the State of California, or of any of its departments or commissions, from participating in political conventions, discussions or campaigns for or against any political party, or measure, or candidate, making public political speeches to influence the action of any voter or voters for or against any party, person, or measure, or using any official stationery for such purpose, and providing penalties for the violation thereof.

On motion of Senator Duncan, Senate Bill No. 872 was passed on file.

Senate Bill No. 174—An act limiting the hours of female employees, requiring employers to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment, providing penalties for violations of the provisions thereof, and repealing an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman or other agent of any such employer to violate the provisions of this act," approved March 22, 1911.

In the absence of the author, Senate Bill No. 174 was ordered passed, to retain its place on the file.

Senate Bill No. 751—An act to prevent the importation into or transportation through the State of California of insects injurious to cultivated crops, providing exemption for specific scientific purposes, fixing the authority to grant such exemption and providing a penalty for a violation of the terms of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 751 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chandler, Crowley, Flaherty, Gates, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 487—An act to amend sections 3, 8, 11, and 15 of an act entitled "An act defining mattresses; regulating the making, remaking and sale thereof; prohibiting the use of insanitary and unhealthy materials therein; requiring that materials used shall be accurately described and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled; and making the violation of any of the provisions of this act a misdemeanor, and repealing legislation inconsistent with this act," approved June 7, 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 487 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chandler, Crowley, Duncan, Flaherty, Gates, Ingram, Johnson, Jones, King, Luce, Maddux, Nealon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 20—Resolution to propose to the people of the State of California an amendment to section 9 of Article IX of the Constitution of the State of California in relation to the powers of the Board of Regents of the University of California.

Resolution read.

COMMITTEE AMENDMENTS.

During the reading of the resolution, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out the word "seven" in line 16, on page 1, and insert the word "eight".

Amendment adopted.

AMENDMENT NUMBER TWO.

Insert after the comma following the word "San Francisco" in line 3, on page 2, the words "the president of the alumni association of the university".

Amendment adopted.

AMENDMENT NUMBER THREE.

Strike out the period following the word "years" in line 7, on page 2, and substitute therefor a comma, followed by the words: "the terms of two appointive members to expire as heretofore on March first of every even numbered calendar year, and in case of any vacancy the term of office of the appointee to fill such vacancy, who shall be appointed by the governor, to be for the balance of the term as to which such vacancy exists."

Amendment adopted.

Senate Constitutional Amendment No. 20 ordered to print, and re-engrossment.

Senate Bill No. 91—An act to prevent the providing for common use of receptacles for drinking purposes in public places, and prescribing penalties for violations thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 91 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Canepa, Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Nealon, Scott, Sharkey, Shearer, Thompson, and Tyrrell—24.

NOES—Senators Chamberlin, Irwin, McDonald, Maddux, Slater, and Stuckenbruck—6.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 651—An act to repeal an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913.

On motion of Senator Stuckenbruck, Senate Bill No. 651 was passed on file.

Senate Bill No. 605—An act to amend section 361 of the Civil Code, relating to changing the number of directors of corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 605 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 92—An act to prevent the keeping of towels for common use in public places and prescribing penalties for violations of the provisions thereof.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Irwin moved to refer Senate Bill No. 92 to Senator Stuckenbruck as a Special Committee of One, to amend as follows:

On page 1, lines 4 and 5, of the printed bill, strike out the words "place of employment".

Motion carried.

REFORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 26, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 92, with instructions to amend, respectfully reports the same back, amended as per instructions.

STUCKENBRUCK, Special Committee.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., the hour of recess was extended until twelve o'clock and forty-five minutes p.m.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Irwin, Duncan and McDonald upon the adoption of the report of the Special Committee of One.

Thereupon the Secretary was directed to call the roll.

The roll was called, and the report and amendment were rejected by the following vote:

AYES—Senators Burnett, Chamberlin, Inman, Irwin, King, Maddux, Rigdon, Rush, Shearer, Slater, and Stuckenbruck—11.

NOES—Senators Ballard, Brown, Canepa, Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Johnson, Jones, Kehoe, Luce, McDonald, Nealon, Sharkey, Thompson, and Tyrrell—19.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Jones moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Ballard, Brown, Burnett, Canepa, Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Lace, McDonald, Maddux, Nealon, Rigdon, Rush, Sharkey, Shearer, Slater, Thompson, and Tyrrell—28.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At twelve o'clock and forty-two minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Jones.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Senate Bill No. 92 finally passed by the following vote:

AYES—Senators Ballard, Brown, Burnett, Canepa, Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, Lace, McDonald, Nealon, Sharkey, Thompson, and Tyrrell—21.

NOES—Senators Chamberlin, Irwin, King, Maddux, Rigdon, Rush, Shearer, Slater, and Stuckenbruck—9.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

At twelve o'clock and forty-five minutes p.m., on motion of Senator Kehoe, the Acting President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

MESSAGES FROM THE ASSEMBLY (OUT OF ORDER).

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 23 passed Assembly Bill No. 1154—An act to provide for the adoption of textbooks for use in the public high schools of the State, and for furnishing textbooks for the use of pupils of such schools.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1154 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1388—An act to amend section 1593 of the Political Code, relating to the election of school trustees;

Also: Assembly Bill No. 545—An act to amend section 473 of the Code of Civil Procedure, relating to the time within which pleadings may be filed or amended, before or after judgment;

Also: Assembly Bill No. 89—An act to amend sections 3, 4, 5, 6, 7 and 12 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of said assessments, the sale of the property affected thereby and for the payment of the bonds so issued," approved June 11, 1915;

Also: Assembly Bill No. 327—An act to amend section 636½ of the Penal Code, relating to the protection of fish and game;

Also: Assembly Bill No. 1368—An act making bonds of municipal water districts legal investments for certain purposes;

Also: Assembly Bill No. 1400—An act declaring certain drainage work already done within Drainage District No. 1, Butte County, to have been legally done, validating the same, and making such work a proper subject for the levy of an assessment to pay therefor; authorizing the levy and collection of such assessment in said district to provide for such payment, and interest; the original assessment levied and collected being insufficient to provide for such payment.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1388 read first time, and referred to Committee on Education.

Assembly Bill No. 545 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 89 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 327 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1368 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1400 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 62—An act to amend section 4 of an act entitled "An act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvements within municipalities, and also for the payment of such bonds," approved February 27, 1893;

Also: Assembly Bill No. 1336—An act to authorize certain improvements upon the grounds of the California School for the Deaf and the Blind at Berkeley, California;

Also: Assembly Bill No. 1417—An act to amend section 1 of an act entitled "An act granting to the city of Los Angeles the tidelands and submerged lands of the State within the boundaries of the said city," approved May 1, 1911;

Also: Assembly Bill No. 847—An act to repeal section 4099 of the Political Code, relating to the duties of the auditor and treasurer.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 62 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1336 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1417 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 847 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed

Assembly Bill No. 765—An act to define commercial feeding stuffs and to establish a standard therefor, providing for the branding and labeling of same, empowering the State Board of Health to enforce the provisions of the act and providing penalties for the violation of the same;

Also: Assembly Bill No. 629—An act to amend section 1614 of the Penal Code, relating to rules and regulations for the performance of labor, credits for good behavior of prisoner confined in county jail or in city jail or in city and county jail;

Also Assembly Bill No. 1205—An act providing for the leasing of certain state lands and making an appropriation for the purposes of this act;

Also: Assembly Bill No. 958—An act to amend sections 1, 5, 6 and 7 of chapter 653, approved June 8, 1915, the same being "An act defining public weighmaster; describing his duties; providing for rules and regulations governing the performance of his duties; prescribing a bond and fixing the amount thereof; and providing penalties for any violations of the provisions of this act."

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 765 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 629 read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bill No. 1205 read first time, and referred to Committee on Finance.

Assembly Bill No. 958 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 819—An act to amend sections 3 and 5 of an act entitled "An act requiring employers who provide hospital service for their employees and who make a charge therefor, to keep books, records and accounts of all such charges, and to make an annual report thereof; requiring each such charge to be just and reasonable and to be devoted for no other purpose than such hospital service; and prescribing penalties for violations of the provisions thereof," approved June 8, 1915, by altering the respective jurisdictions of the Railroad Commission and the Industrial Accident Commission with respect to hospital facilities of public utilities—and respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 819 ordered to unfinished business.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 361—An act to amend section 626*a* of the Penal Code, relating to the protection of fish and game.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Constitutional Amendment No. 12—A resolution to propose to the people of the State of California to amend section 10½ of Article XIII of the Constitution of said State, relating to exemption of property from taxation.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Constitutional Amendment No. 12 referred to Committee on Constitutional Amendments.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 635—An act to provide for the payment into the county treasury of any moneys now held by county tax collectors which represent duplicate or excess payments of taxes on property in their respective counties, and to provide for the distribution and repayment of such moneys when so paid, and to provide for the payment, repayment and distribution of any duplicate or excess collections which may be made hereafter;

Also: To Assembly Bill No. 183—An act granting to the city of Venice the tidelands and submerged lands of the State of California within the boundaries of the said city;

Also: To Assembly Bill No. 86—An act granting certain tidelands and submerged lands of the State of California to the city of Santa Monica upon certain trusts and conditions.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 143—An act to amend section 164 of the Civil Code, relating to community property.

Bill read second time, and ordered to engrossment, and third reading.

Senate Bill No. 140—An act to amend section 1405 of the Civil Code, relating to escheat property.

Bill read second time, and ordered to engrossment, and third reading.

Senate Bill No. 139—An act to amend section 1269 of the Code of Civil Procedure and to add a new section to said code to be numbered 1272*a*, both relating to escheat and unclaimed estates and property and to proceedings relating thereto.

Bill read second time, and ordered to engrossment, and third reading.

Senate Bill No. 1116—An act granting certain lands and validating certain state patents.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 2, strike out the words "within ten years from the passage of this act" and insert in lieu thereof the words "by the State of California".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 3, strike out the words "sixteen or thirty-six" and insert in lieu thereof the words "sixteenth or thirty-sixth".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 4, strike out the words "besides these" and insert in lieu thereof the word "the".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 6, strike out the words "sixteen and thirty-six" and insert in lieu thereof the words "sixteenth and thirty-sixth".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 7, strike out the word "convey" and insert in lieu thereof the words "have conveyed".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 1, line 9, strike out the word "purchaser" and insert in lieu thereof the words "patentee or patentees".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 1, line 10, strike out the word "purchaser" and insert in lieu thereof the words "patentee or patentees".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 453—An act to amend the Penal Code by adding a new section thereto, to be numbered 508*a*, relating to embezzlement by agent or broker.

Bill read second time, and ordered to engrossment, and third reading.

Senate Bill No. 409—An act authorizing the issuance of letters patent to the heirs at law of P. W. Fahey, deceased, for certain swamp and overflowed land in Tuolumne County, California.

Bill read second time, and ordered to engrossment, and third reading.

Senate Bill No. 32—An act to amend sections 190, 192, 193, 194, 195, 201 and 246 of the Code of Civil Procedure, relating to jurors.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 4 of the title, after the word "one", insert a comma and the following: "two hundred four, two hundred twenty-six".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, after line 21, insert the following:

SEC. 7. Section two hundred four of the Code of Civil Procedure is hereby amended to read as follows:

204. In the month of January in each year it shall be the duty of the superior court in each of the counties of this state to make an order designating the estimated number of grand jurors and also the number of trial jurors, that will, in the opinion of said court, be required for the transaction of the business of the court, and the trial of causes therein, during the ensuing year; and immediately after said order designating the estimated number of grand jurors shall be made, the court shall select and list the grand jurors required by said order to serve as grand jurors in said superior court during the ensuing year, or until new lists of jurors shall be provided, and said selections and listings shall be made of men and women suitable and competent to serve as jurors, as set forth and required in sections two hundred five and two hundred six of this code, which list of persons so selected shall at once be placed in the possession of the county clerk; and immediately after said order designating the estimated number of trial jurors shall be made, the board of supervisors shall select, as provided in sections two hundred five and two hundred six of this code, a list of men and women to serve as trial jurors in the superior court of said county during the ensuing year, or until a new list of jurors shall be provided.

In counties and cities and counties having a population of one hundred thousand inhabitants or over, such selection shall be made by a majority of the judges of the superior court.

SEC. 8. Section two hundred twenty-six of the Code of Civil Procedure is hereby amended to read as follows:

226. Whenever jurors are not drawn or summoned to attend any court of record or session thereof, or a sufficient number of jurors fail to appear, such court may order a sufficient number to be forthwith drawn and summoned to attend the court, or it may, by an order entered in its minutes, direct the sheriff, or an elisor chosen by the court forthwith to summon so many good and lawful persons of the county, or city and county, to serve as jurors, as may be required, and in either case such jurors must be summoned in the manner provided in the preceding section.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 22, after the letters "Sec." strike out the figure "7" and insert in lieu thereof the figure "9".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 14—An act to carry into effect the provisions of subdivisions 6 and 7 of section 8½ of Article XI of the Constitution of the State of California as the said section of said article was amended on the third day of November in the year 1914; and also to provide for the alteration of the boundaries of and for the annexation of territory located in the county of San Mateo to the city and county of San Francisco, for the incorporation of such annexed territory in and as a part thereof, and for the government of such annexed territory as an integral part of such city and county of San Francisco.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 8, strike out the word "five" and insert in lieu thereof "fifteen".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 20, strike out the word "five" and insert in lieu thereof "fifteen".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 7, strike out the words "in this section".

Amendment adopted.

AMENDMENT NUMBER FOUR.

At page 6, line 2, strike out the word "thirty" and insert in lieu thereof the word "ninety" and strike out the period and insert in lieu thereof a comma and the following: "and that not more than three such elections shall be held in any one incorporated city or town, upon any one initiation of an annexation proposal by the city and county of San Francisco; and provided, further, that no annexation proposal shall be so initiated by the city and county of San Francisco, more than once in a period of two years."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 20, line 25, strike out the comma and all following the comma.

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 20, strike out all of line 26 and all before the semicolon in line 27.

Amendment adopted.

AMENDMENT NUMBER SEVEN.

At page 21, line 4, strike out all after the period following the figures 26, and all of lines 5 to 13, inclusive, and insert in lieu thereof the following: "All proper expenses of proceedings for annexation of territory to the city and county of San Francisco under this act shall, in the first instance be paid by such city and county; provided that if such annexation be not finally completed, then the expenses for such election incurred in any city or town or district which shall have voted in favor of said annexation, or in the county of San Mateo if said county shall have so voted, shall be returned to the said city and county of San Francisco by such city, town, or county holding such election."

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On pages 21 and 22, strike out all of section 30 following the period after the figures 30, at line 35 of page 21, and insert in lieu thereof the following: "If any section of this act other than section thirty-one thereof, or if any subsection, sentence, clause or phrase other than in said section thirty-one contained, is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. If, however, said section thirty-one, or any subsection, sentence, clause or phrase in said section thirty-one contained, is for any reason held to be unconstitutional or inoperative, then in that event the validity of all of the remaining portions of this act shall be deemed affected and invalidated thereby. The legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections other than said section thirty-one or any one or more subsections, sentences, clauses, or phrases other than in said section thirty-one contained, are declared unconstitutional. Furthermore, this legislature declares that it would not have passed this act, either in whole or in part, unless said section thirty-one was included and incorporated therein and made a part thereof, and it hereby further declares said section thirty-one, and every subsection, sentence, clause and phrase in said section thirty-one contained, to be a substantial and integral part of said act."

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 22, insert after line 5, a new section to be known as section thirty-one as follows:

Sec. 31. This act shall take effect upon, and only in event of, the ratification and approval by the people of the state of assembly constitutional amendment No. 2, being a resolution to propose to the people of the State of California to amend section 8½ of article eleven of the constitution of the state, relating to city charters and to provisions therein for municipal courts, submitted by the forty-second session of the legislature; and not otherwise.

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 22, line 6, strike out the figures "31" and insert in lieu thereof the figures "32".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 328—An act to amend section 626*l* of the Penal Code, relating to the protection of fish and game.

On motion of Senator Kehoe, Assembly Bill No. 328 was passed on file.

Assembly Bill No. 52—An act to amend section 1861 of the Civil Code, relating to lien of hotel keepers on property of guests for charges.

On motion of Senator Kehoe, Assembly Bill No. 52 was passed on file.

Assembly Bill No. 268—An act to amend section 1469 of the Code of Civil Procedure, relating to administration of estates not exceeding two thousand dollars in value.

On motion of Senator Maddux, Assembly Bill No. 268 was passed on file.

Assembly Bill No. 1079—An act to recognize and declare valid all proceedings in Happy Valley Irrigation District.

On motion of Senator Shearer, Assembly Bill No. 1079 was re-referred to Committee on Irrigation.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 368—An act to amend the Penal Code by adding a new section to be known as section 563*b*, thereto, relating to offenses against or concerning banking institutions and prescribing penalties for violation of the provisions of the act.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 937—An act to amend section 570 of the Code of Civil Procedure, relating to the disposition of unclaimed funds in the hands of a receiver.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 65—An act to amend section 137 of the Civil Code, relating to temporary alimony and permanent support and maintenance of wife.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 93—An act to amend section 4259 of the Political Code, relating to salaries and fees of officers in counties of the thirtieth class.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, in line 9, strike out the word "sixty" and insert in lieu thereof the word "seventy".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 5 of the printed bill, in line 6, after the semicolon following the word "annum" insert: "*provided*, that if the county surveyor shall be appointed superintendent of the permanent highways in the county constructed under bond issue, under any statute of this State providing for the appointment of such superintendent, then and in that event said county surveyor shall receive a salary of four thousand dollars per annum;".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 43—An act to amend section 4265 of the Political Code of the State of California, relating to the compensation of officers of counties of the thirty-sixth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 230—An act amending section 4250 of the Political Code, relating to salaries and fees of officers of counties of the twenty-first class.

Bill read second time, ordered on file for third reading.

Assembly Bill No. 220—An act to amend section 4253 of the Political Code, relating to the compensation of officers and fees of jurors in counties of the twenty-fourth class.

Bill read second time, ordered on file for third reading.

Assembly Bill No. 187—An act to amend section 4272 of the Political Code, relating to the salaries and fees of officers of counties of the forty-third class.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, in line 21, strike out the words "in townships" and lines 22 to 28, both inclusive, and the word "month" at the beginning of line 29 and insert in lieu thereof the following: "in townships having a population of more than four thousand, ninety dollars per month; in townships having a population of less than four thousand and more than twenty-three hundred, seventy-five dollars per month; in townships having a population of less than twenty-three hundred and more than fifteen hundred, thirty dollars per month; in townships having a population of less than fifteen hundred and more than six hundred, twenty dollars per month; in townships having a population of less than six hundred, fifteen dollars per month".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 4 of the printed bill, in line 2, strike out the words "two thousand five hun-" and "dred" at the beginning of line 3 and insert in lieu thereof the words "four thousand".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4 of the printed bill, in line 4, strike out the words "two thousand five hundred" and insert in lieu thereof the words "four thousand".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4 of the printed bill, in line 5, strike out the words "fifteen hundred" and insert in lieu thereof the words "two thousand".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 4 of the printed bill, in line 6, strike out the words "fifteen hundred" and insert in lieu thereof the words "two thousand".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 1151—An act to repeal an act entitled "An act providing for the investigation by the State Veterinarian, the Secretary of the State Board of Health and the State Commissioner of Horticulture of injury to animal life and vegetation in California, caused by smelter wastes, and making an appropriation therefor," approved June 16, 1913.

In the absence of the author, Senate Bill No. 1151 was ordered passed, to retain its place on the file.

Senate Bill No. 1148—An act to amend section 1054 of the Code of Civil Procedure, relating to the extension of time in which an act is to be done.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1148 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Gates, Hans, Ingram, Kehoe, Luce, McDonald, Nealon, Rominger, Rush, Scott, Shearer, Slater, Stockenbruck, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 594—An act to amend section 8 of an act entitled "An act to provide for the formation of levee districts in the various counties of this State and to provide for the erection of levees, dikes and other works for the purpose of protecting the lands within such districts from overflow and to levy assessments to erect and construct and maintain such levees, dikes and other works and to pay the necessary costs and expenses of maintaining said districts," approved March 20, 1905, and amended by an act approved March 16, 1907.

On motion of Senator Carr, W. J., Senate Bill No. 594 was passed on file.

Senate Bill No. 999—An act to add a new section to an act entitled "An act to create a drainage district to be called Knight's Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knight's Landing ridge, and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds," approved April 30, 1913, to be numbered 7½, in reference to the payment of invalid assessments.

On motion of Senator Rush, Senate Bill No. 999 was passed on file.

Senate Bill No. 1000—An act to amend sections 3 and 7 of an act entitled "An act to create a levee district to be called and designated Sacramento River West Side Levee District; to prevent the overflow of flood waters from the Sacramento River from flooding on to the lands within said district by the construction of levees along the west bank of the Sacramento River and adjacent thereto and maintain the same; providing for the election and appointment of officers of said levee district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said levee district," approved May 18, 1915.

On motion of Senator Rush, Senate Bill No. 1000 was passed on file.

Senate Bill No. 278—An act to amend section 637 of the Penal Code, relating to fishways.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 278 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Kehoe, Luce, McDonald, Maddux, Nealon, Rominger, Rush, Scott, Shearer, Slater, Stuckenbruck, and Tyrrell—28.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1019—An act to amend section 854 of the Code of Civil Procedure, relating to demurrers to complaints in justice's court actions.

In the absence of the author, Senate Bill No. 1019 was ordered passed, to retain its place on the file.

Senate Bill No. 164—An act to amend section 3440 of the Civil Code, relating to certain transfers which are presumed to be fraudulent.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 164 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Jones, Kehoe, Luce, McDonald, Maddux, Nealon, Rominger, Rush, Scott, Shearer, Stuckenbruck, and Tyrrell—27.
NOES—Senator Irwin—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 993—An act to amend section 474 of the Political Code, relating to the powers and duties of the Attorney General.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 993 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Jones, Kehoe, Luce, Maddux, Nealon, Rominger, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.
NOES—Senator McDonald—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 1375—An act to amend sections 2, 8, 9, 10, 11, 12, 12½, 13, 14, 15, 17, 18 and 20, relating to the practice of midwifery, and adding a new section thereto to be numbered 24 relating to the penalty for violation of the provisions of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and

for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended by an act to amend an act entitled "An act to amend an act entitled 'An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled "An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems and modes of treating the sick or afflicted in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act,' approved June 2, 1913, by amending sections 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 17 and 18, and adding a new section thereto to be numbered 12½, relating to the practice of chiropody," approved April 24, 1915.

Bill read third time, previously.

CONSIDERATION OF REPORT OF COMMITTEE OF ONE.

The question being upon the report of the Special Committee of One, made March 22, amending Assembly Bill No. 1375 as follows:

On page 21 of the printed bill, between lines 34 and 35, insert the following: "*provided*, that the said board must also issue a certificate to practice a system or mode of treating the sick or afflicted, and without an examination to any applicant holding and producing a license or certificate entitling him to practice a system or mode of treating the sick or afflicted, as provided for in said certificate issued prior to March 4, 1907, either by the medical board or by any board or officer authorized by law to issue a license or certificate entitling such applicant to practice a system or mode of treating the sick or afflicted, either in the District of Columbia, or in any state or territory of the United States; *provided, however*, that the applicant shall have practiced said system or mode of treating the sick or afflicted under such license or certificate in another state or territory or the District of Columbia for at least one year; *and provided further*, that the applicant's preliminary and medical educational qualifications to practice said system or mode or treating the sick or afflicted, shall not have been, or shall not be, at the time of the issuing of said license or certificate in any degree or particular less than those required by the laws of this state at the same time."

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Stuckenbruck, Maddux, and Shearer.

The roll was called, and the report and amendment rejected by the following vote:

AYES—Senators Ballard, Brown, Irwin, Kehoe, Rush, Scott, Shearer, and Stuckenbruck—8.

NOES—Senators Benson, Breed, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Jones, Luce, McDonald, Maddux, Nealon, Rigdon, Thompson, and Tyrrell—23.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1375 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chamberlin, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Thompson, and Tyrrell—30.

NOES—Senators Duncan, Irwin, Shearer, and Stuckenbruck—4.

TITLE AMENDED.

Senator Jones moved to amend the title of Assembly Bill No. 1375 as follows:

Strike out all of the title from the beginning of line 2, and insert in lieu thereof the following:

To amend sections two, eight, nine, ten, eleven, twelve, twelve and one-half, thirteen, fourteen, fifteen, seventeen, eighteen and twenty of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended by an act to amend an act entitled "An act to amend an act entitled 'An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled "An act for the regulation of the practice of medicine and surgery, osteopathy and other systems and modes of treating the sick or afflicted in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, by amending sections two, three, four, five, eight, nine, ten, eleven, twelve, thirteen, fourteen, seventeen and eighteen, and adding a new section thereto to be numbered twelve and one-half, relating to the practice of chiropody," approved April 24, 1915, and to add a new section thereto to be numbered twenty-four, relating to the practice of midwifery, providing the method of citing said act, and providing penalties for the violation thereof.

Amendment adopted.

Bill ordered to print, and transmitted to Assembly.

RESOLUTION.

The following resolution was offered:

By Senator Luce:

Resolved, That Frank Rouse be transferred from the position of Assistant History Clerk, at $5 per diem, to the position of Assistant Secretary, at a per diem of $7.

Resolution read.

Senator Luce moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. L. Chamberlin, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, Luce, McDonald, Maddux, Nealon, Purkitt, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committee were received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 26, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Burnett to introduce a bill entitled "An act to appropriate money to pay the claim of Associated Oil Company against the State of California"—has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Beban, Breed, Brown, Burnett, Chrisman, Carr, W. J. Carter, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Stuckenbruck in accordance with Senate Rule 37, relating to making an appropriation for a portrait of former Governor Hiram W. Johnson and directing the State Board of Control to carry out the provisions thereof, has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Beban, Breed, Brown, Burnett, Carter, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(OUT OF ORDER).

In accordance with the above reports, the following bills were introduced:

By Senator Burnett: Senate Bill No. 1163—An act to appropriate money to pay the claim of Associated Oil Company against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Stuckenbruck: Senate Bill No. 1164—An act making an appropriation for a portrait of former Governor Hiram W. Johnson, and directing the State Board of Control to carry out the provisions hereof.

Bill read first time, and referred to Committee on Finance.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, March 26, 1917.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 381—An act to amend section 632 of the Penal Code, relating to the protection of fish—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

SLATER, Chairman.

Senate Bill No. 381 ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, March 24, 1917.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 859—An act to authorize the Board of State Harbor Commissioners of San Francisco harbor to pay the claim of the Fidelity and Deposit

Company of Maryland—has had the same under consideration, and respectfully reports the same back and recommends that it do pass, and be referred to Committee on Finance.

McDONALD, Chairman.

Senate Bill No. 859 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 152—An act to provide for the establishment of passenger transportation facilities upon The Embarcadero, in the city and county of San Francisco—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

McDONALD, Chairman.

Senate Bill No. 152 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 654—An act to amend section 2552 of the Political Code, relating to the salaries of the Board of State Harbor Commissioners and assistants, said amendment relating to the salary of the president of the board and his duties and the fund out of which the said salaries and the compensation of employees of the board shall be payable—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

McDONALD, Chairman.

Senate Bill No. 654 ordered on file for second reading.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 21 OUT OF ORDER.

Senator Sharkey asked for and was granted, unanimous consent to take up Senate Concurrent Resolution No. 21 for consideration at this time.

SENATE CONCURRENT RESOLUTION NUMBER TWENTY-ONE.

Approving amendments to the charter of the city of San Rafael, a municipal corporation, in the county of Marin, State of California, voted for and ratified by the qualified electors of said city at a general election held therein on the twelfth day of April, 1915.

WHEREAS, The City of San Rafael in the County of Marin, State of California, has been at all times mentioned herein, and is now a Municipal Corporation of the State of California, containing a population of more than Three Thousand Five Hundred inhabitants, as ascertained and established by the last preceding census taken under the direction of the Congress of the United States, and is now and ever since the thirty-first day of March, 1913, has been organized and existing and acting under a Freeholders' Charter adopted under and by virtue of Section eight Article XI of the Constitution of the State of California, which said Charter was duly ratified by the qualified electors of said City of San Rafael at an election held for that purpose on the thirtieth day of November, 1912, and approved by the Legislature of the State of California by Assembly Concurrent Resolution No. 12, which was filed with the Secretary of State of the State of California, on March 31, 1913;

And WHEREAS, A petition signed by more than fifteen per centum of the qualified electors of said City of San Rafael, computed on the total number of votes cast therein for all candidates for governor at the last preceding General Election at which a governor was elected, was on the 4th day of March, 1915, filed in the office of the City Clerk of said City of San Rafael, petitioning the Council thereof to submit certain proposed amendments to the Charter of said City, which amendments were therein set forth in full, to the qualified electors of said City of San Rafael at the General Municipal Election to be held in the City of San Rafael on April 12, 1915, and said petition having been duly examined by the City Clerk of said City and found by him to be signed by the requisite number of qualified electors of said City, and being by him duly certified, was presented to said Council in the manner required by law; and

WHEREAS, Upon the presentation of said petition to said Council, said Council did on the 4th day of March, 1915, duly enact and adopt Resolution No. 34 of said City of San Rafael, which Resolution was on said date approved by Richard Kinsella, the Mayor and Chief Executive of said City, and which Resolution was thereafter published for the time and in the manner required by law; and

copy of said Charter amendments to said Charter of said City of San Rafael, so ratified as aforesaid.

And we further hereby certify that the facts set forth in the preamble of this certificate preceding said amendments to said Charter, are, and each of them is, true.

And, for and on behalf of said City, we, being hereinbefore duly authorized, do hereby request the Legislature of the State of California, to adopt and approve each of said amendments to said Charter, as a whole, and to take such other and further steps and proceedings as may be necessary to perfect such approval.

IN WITNESS WHEREOF, we have hereunto set our hands and caused our signatures, authenticated by the official seal of said City, to be hereunto attached, this thirteenth day of March, 1917.

S. K. HERZOG,
Mayor and Chief Executive of the City of San Rafael.

ATTEST:

EUGENE W. SMITH,
City Clerk of the City of San Rafael and ex officio Clerk of the Council of the City of San Rafael.

And, WHEREAS, The said proposed amendments so ratified as hereinabove set forth have been duly presented and submitted to the Legislature of the State of California for approval or rejection, without power of alteration or amendment, in accordance with section eight of article XI of the constitution of the State of California; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring (a majority of all the members elected to each house voting therefor and concurring therein), That said amendments to the charter of the city of San Rafael as proposed to and adopted and ratified by the electors of said city, and as hereinbefore fully set forth, be and the same are, and each of them is, hereby approved as a whole without amendment or alteration, for and as amendments to, and as part of the charter of the city of San Rafael.

Resolution read.

The question being on the adoption of the resolution

The roll was called, and Senate Concurrent Resolution No. 21 adopted by the following vote:

AYES—Senators Benson, Breed, Brown, Burnett, Canepa, Carr, W. J. Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Shirkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Resolution ordered transmitted to the Assembly.

ADJOURNMENT.

At three o'clock and thirty minutes p.m., on motion of Senator Benson, the President pro tempore declared the Senate adjourned in honor of United States Senator Hiram W. Johnson.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Tuesday, March 27, 1917.

The Senate met at ten o'clock a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators [illegible]

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, March [illegible], 1917, the further reading was dispensed with, on motion of Senator [illegible].

PRIVILEGE OF FLOOR OF SENATE CHAMBER.

On request of Senator Breed, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. Thomas [illegible], Chief Deputy Assessor of Alameda County.

On request of Senator [illegible], the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Hon. [illegible] of [illegible] Assemblyman.

On request of Senator Breed, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. Fred E. [illegible] of Oakland.

On request of Senator [illegible], the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to the following [illegible] Mrs. [illegible] Mrs. A. T. [illegible] [illegible] These ladies are visiting Sacramento in the interest of [illegible] juries, and of getting further provision made for the [illegible]

PETITIONS.

The following petitions were received and ordered printed in the Journal:

By Senator Rigdon:

[illegible]

[illegible] Basham, W. Davidson, W. W. Istell, M. W. Hoffman, C. H. Ernst, Nina [illegible] [illegible]

Douglass, J. A. Searle, Leslie W. Fritz, Chas. F. Brown, G. M. Douglass, Cal Buffurn, Layal G. Smith, W. J. Gould, E. M. Norton, C. E. Wentworth, Chester B Toomb, R. R. Frazier, C. J. Moyes, Mamie C. Jochmus, Mrs. J. H. King, W. E Spoon, F. K. Gilbert, W. H. Steinmetz, A. Grant, H. A. Grant, W. B. Smith, F. H. Baker, Mrs. Emma E. Getz, Mina M. Smith, W. H. Varien, Florence A Fritz, S. L. Fritz, M. C. Roth, Cornelius A. Culp, A. M. Fitzsimmons, J. R. Welch, A. R. Bautovich, J. M. Ross, E. C. Shaw, P. H. Noonan, G. T. Belknap, W. A Oyer, F. B. Catlin, J. D. Veal Barber, G. W. Thornton, Geo. Moser, Frank C. Derby, Maude Techner, Fred Cope, R. M. Fitzsimmons, J. O. Bulle, T. H. Kennedy, J. Hanley Bulle, Mrs. J. H. Bulle, Ed. Simpson, C. L. Trine, H. C. Steinmetz, F. Schuler, Robert Colvin, Roy W. [illegible] C. G. Tumbleson, J. A. Greiner, [illegible] A. R. Telforth, M. L. Mixter, A. J. Spoon, Chas. A. Ulsh, J. H. Neighbor, Miller Ulsh, Geo. A. Hovey, Geo. G. Cushman, Ben F. Catlett, H. N. Yatts, I. K. Miller, Mrs. C. E. Brown, Miss Nellie Curtis, [illegible] A. L. Laird, James F. Duckworth, Joseph W. Duckworth, Jr., C. B. Clark, R. S Tice, M. J. Murphy, Mrs. Edna O. Murphy, O. H. Hendrickson, J. W. Hedrick, Mrs. S. Birks, H. M. Bowman, A. Warren, Mrs. E. T. Warren, Mrs. F. R. Meagher, Thos. Griffin, P. S. Young, P. C. Malmry, Minnie J. Johnston, E. S. Johnston, C. R. Johnston, W. H. Bickell, Lillian A. Bickell, H. E. Gilfert, Mrs. Annie Gilfert, Mabel Gruver, V. Patrick, Wm. Johnson, Margaret A. Irvine, Mrs. P. C Malmy, E. O. Crandall, Mrs. E. A. Crandall, Mrs. Lucy Weston, G. H. Tarbox, D. R. Beardsley, J. T. Elliott, E. E. Stewart, S. B. Hall, F. M. Laird, W. M Noyes, Thos. P. Bralee, K. M. Henneken, W. H. Dodge, W. P. Reindesson, A. Abregt, H. H. McLeroth, E. O. Neumann, R. B. Nuder, W. H. McConnell, John W. Tytler, J. P. Hernandez, D. E. [illegible] Harrington, H. M. Laughery, J. H. King, C. E. Steinmetz, Otis Nutt, Walter F. Hoehn, A. Wool Dayer, One Charles, Chas. A. Zimmerman, Franklin Grant, Le Roy Charles, O. C. Wiley, C. A. Norton, Henry Machado, E. R. Slatter.

By Senator Rominger:

Be it hereby Resolved, That we, newsboys of Long Beach, [illegible] of newsboys, in meeting assembled, voice emphatic protest against the adoption of Senate Bill No. 101 as amended, [illegible]

The proposed law tends to interfere with parental authority and is wholly unnecessary; it undertakes to cure a situation that requires no treatment.

The proposed law would result in added hardships to the poor, for the reason that it would deprive boys of opportunities to [illegible] self-supporting.

It would place a legal barrier against a boy's pursuit of honest toil and would encourage him to form habits of idleness which would lead to [illegible]

It would remove from the grasp of boys [illegible] opportunities for training and development, [illegible] character.

The proposed law discriminates against cities having a population in excess of 23,000 and in favor of cities whose population is less than that number.

Furthermore, we urge upon the members of the Senate and Assembly the consideration of the following facts:

The selling of newspapers does not interfere with a boy's schooling or elementary education.

Under the laws now in force the attendance of children under certain ages in public schools is compulsory, and boys under the ages prescribed by the statutes are not permitted to sell newspapers except after or before school hours.

The selling of newspapers on the streets is an occupation that is obviously beneficial to health and not injurious to morals. The newsboy sells papers not as a matter of choice, but duty. He must give his work prompt attention and does not have time to associate with persons of bad character or stay out late at night.

The newsboy is on the highway where he is open to observation by everyone and is not susceptible to contaminating influences. He is under constant and [illegible] supervision at all times. He is engaged in a worthy, commendable occupation which tends to develop habits of thrift, enterprise and reliability, traits of character essential to success in later years.

NEWSBOYS' MASS MEETING.
EUGENE BROWN, Chairman.
JIMMIE COCHRAN, Secretary.

Dated: March 24, 1917.

By Senator Brown:

WHEREAS, The operation and construction of municipally owned utilities within the city of Los Angeles, and municipalities generally throughout the State, are in their first stages of development; and

WHEREAS, The success thus far obtained in Los Angeles and other municipalities of the State in government ownership of these utilities has been had in the face of many years of consistent opposition from certain opponents of municipal ownership; and

WHEREAS, This success continues to invite increased opposition from these same interests; and

WHEREAS, It has been proposed at the present session of the Legislature to submit a constitutional amendment to the people of the State which, if adopted, would tax these municipally owned utilities that are now free from taxation; and

WHEREAS, In the judgment of the Board of Public Service Commissioners of the City of Los Angeles, it is to the greatest interest of the people of the State that all possible State support and encouragement be given to municipally operated utilities during the early years in the life of these utilities; and

WHEREAS, The imposition of such a tax would be the placing by the State of an obstacle in the way of the ultimate success of municipal ownership at a time when State encouragement is most needed in the early stages of this modern development of governmental activity; therefore, be it

Resolved, By the Board of Public Service Commissioners of the City of Los Angeles that the representatives of this city, and the county of Los Angeles in the State Senate and the State Assembly, be respectfully urged and requested to take every honorable means to defeat the adoption by the Legislature of such a constitutional amendment as above described; and that they further be requested to enlist the cooperation of all members of the Legislature who are interested in the final success of municipal ownership of utilities throughout the State of California.

I hereby certify that the foregoing is a full, true and correct copy of a resolution adopted by the Board of Public Service Commissioners of the City of Los Angeles on March 16, 1917.

[SEAL] JAS. P. VROMAN, Secretary.

COMMUNICATIONS.

The following communication was received and ordered printed in the Journal:

YREKA, SISKIYOU COUNTY, CALIFORNIA, March 24, 1917.

To the State Board of Equalization,
Sacramento, California.

GENTLEMEN: The following is a list of foodstuffs on hand in storage held by what I would call commission merchants: wheat, 637 tons; flour, 245 tons; barley, 85 tons. Potatoes and other foodstuffs are being shipped into the county from other counties and states every day. The above in reply to your letter of March 1st. Very truly yours,

STUART TAYLOR, County Assessor.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 351—An act to amend section 626c of the Penal Code of the State of California, relating to the protection of fish and game;

Also: Senate Bill No. 578—An act to amend section 626j of the Penal Code;

Also: Senate Bill No. 701—An act empowering and authorizing the Board of Fish and Game Commissioners to insure against loss or damage by fire the property of the State of California.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 351, 578 and 701 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1244—An act to amend section 61 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," relating to the definition and regulation of the business of banking;

Also: Assembly Bill No. 483—An act to amend section 4257 of the Political Code, relating to the compensation of county and township officers of counties of the twenty-eighth class;

Also: Assembly Bill No. 755—An act to amend section 601 of the Code of Civil Procedure of the State of California, relating to challenge of jurors;

Also: Assembly Bill No. 767—An act to amend section 628c of the Penal Code, relating to fish and game.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1244 read first time, and referred to Committee on Banking.

Assembly Bill No. 483 read first time, and referred to Committee on County Government.

Assembly Bill No. 755 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 767 read first time, and referred to Committee on Fish and Game.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 90—An act to amend section 290½ of the Civil Code, relating to corporations.

On motion of Senator Jones, Senate Bill No. 90 was passed on file.

Senate Bill No. 101—An act to amend section 16 of an act entitled "An act regulating the employment and hours of labor of children; prohibiting the employment of minors under certain ages; prohibiting the employment of certain illiterate minors; providing for the enforcement hereof by the commissioner of the Bureau of Labor Statistics and providing penalties for the violation hereof," approved February 20, 1905, as amended by an act approved April 14, 1911, as further amended by an act approved June 2, 1913; and as further amended by an act approved June 5, 1915.

In the absence of the author, Senate Bill No. 101 was ordered passed, to retain its place on the file.

Senate Bill No. 820—An act to provide for the periodical inspection of steam boilers, with certain exceptions, operated in this State; requiring a permit, to be issued by the Industrial Accident Commission, for the operation of such boilers; making it a misdemeanor to operate such boilers without such permit; and allowing an injunction against such operation without such permit where dangerous to the life or safety of employees; providing for a hearing before the Industrial Accident Commission prior to refusal of a permit; providing for the determination of competency of inspectors making such inspections and requiring reports of inspections; and prescribing maximum fees for such inspections.

On motion of Senator Luce, Senate Bill No. 820 was passed on file.

Senate Bill No. 49—An act to repeal section 55a of the Penal Code, relative to soliciting, demanding, or pledging votes for or against any particular bill or measure.

On motion of Senator Duncan, Senate Bill No. 49 was passed on file.

Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending sections 1 and 14 of Article XIII thereof, both relating to revenue and taxation, so as to permit taxation

of certain public utilities owned or operated by counties, cities and counties, or municipal corporations.

On motion of Senator Irwin, Senate Constitutional Amendment No. 11 was passed on file.

Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section 22 of Article XII thereof, relating to the powers and duties of the Railroad Commission of the State of California.

On motion of Senator Irwin, Senate Constitutional Amendment No. 21 was passed on file.

Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section 23 of Article XII thereof, relating to the powers and duties of the Railroad Commission of the State of California.

On motion of Senator Irwin, Senate Constitutional Amendment No. 22 was passed on file.

Senate Bill No. 320—An act to amend section 1858 of the Political Code, relating to the apportionment of the elementary school funds and the counting of attendance in the elementary and secondary schools of the State.

On motion of Senator Jones, Senate Bill No. 320 was passed on file.

Senate Bill No. 1133—An act to amend section 4290 of the Political Code, relating to fees and salaries of county officers.

In the absence of the author, Senate Bill No. 1133 was ordered passed, to retain its place on the file.

Senate Bill No. 896—An act to amend section 2643 of the Political Code, relating to the powers of boards of supervisors over roads.

On motion of Senator Tyrrell, Senate Bill No. 896 was passed on file.

Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending section 1 of Article IV thereof, relating to legislative powers, and reserving to the people of the State of California the power to propose laws, statutes and amendments to the Constitution and to enact the same at the polls, independent of the Legislature, and also reserving to the people of the State of California the power to approve or reject at the polls any act or section or part of any act of the Legislature.

On motion of Senator Duncan, Senate Constitutional Amendment No. 5 was passed on file.

Senate Constitutional Amendment No. 44—A resolution to propose to the people of the State of California to amend section 13 of Article VI of the Constitution of the State, relating to inferior courts.

On motion of Senator Ballard, Senate Constitutional Amendment No. 44 was passed on file.

Senate Bill No. 1090—An act to amend sections 1, 2, 3, 6, 7, 12, 15 and 16 of an act entitled "An act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911, as amended.

In the absence of the author, Senate Bill No. 1090 was ordered passed, to retain its place on the file.

Senate Bill No. 412—An act to amend section 1613 of the Penal Code, relating to the labor of prisoners confined in the county jail.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 412 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Jones, King, Law, Meadows, Nealon, Rigdon, Rominger, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 884—An act to repeal section 847 of the Civil Code, relating to uses and trusts, to amend section 857 of the Civil Code, relating to express trusts, and to amend section 2220 of the Civil Code, relating to purposes for which a trust may be created.

On motion of Senator Tyrrell, Senate Bill No. 884 was passed on file.

Senate Bill No. 885—An act to amend section 715 of the Civil Code, relating to restraints upon alienation.

On motion of Senator Tyrrell, Senate Bill No. 885 was passed on file.

Senate Bill No. 872—An act defining the meaning of the term "appointive officer," and to prohibit any appointive officer of the State of California, or of any of its departments or commissions, from participating in political conventions, discussions or campaigns for or against any political party, or measure, or candidate, making public political speeches to influence the action of any voter or voters for or against any party, person, or measure, or using any official stationery for such purpose, and providing penalties for the violation thereof.

On motion of Senator Duncan, Senate Bill No. 872 was passed on file.

Senate Bill No. 651—An act to repeal an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913.

On motion of Senator Stuckenbruck, Senate Bill No. 651 was passed on file.

Senate Bill No. 1151—An act to repeal an act entitled "An act providing for the investigation by the State Veterinarian, the Secretary of the State Board of Health and the State Commissioner of Horticulture of injury to animal life and vegetation in California, caused by smelter wastes, and making an appropriation therefor," approved June 16, 1913.

In the absence of the author, Senate Bill No. 1151 was ordered passed, to retain its place on the file.

Senate Bill No. 594—An act to amend section 8 of an act entitled "An act to provide for the formation of levee districts in the various counties of this State and to provide for the erection of levees, dikes

and other works for the purpose of protecting the lands within such districts from overflow and to levy assessments to erect and construct and maintain such levees, dikes and other works and to pay the necessary costs and expenses of maintaining said districts," approved March 20, 1905, and amended by an act approved March 16, 1907.

On motion of Senator Carr, W. J., Senate Bill No. 594 was passed on file.

SENATOR HANS IN THE CHAIR.

At ten o'clock and twenty-five minutes a.m., Senator Hans of the Fourteenth District was called to the chair.

Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of the State by adding a new section thereto, to be known as section 7½*a* of Article XI, relating to the consolidation of city and county government and to the framing of charters therefor and amendments to such charters.

AMENDMENTS FROM FLOOR.

During the reading of the resolution, the following amendments were offered and their adoption moved by Senator Breed:

AMENDMENT NUMBER ONE.

On page 4, line 23, of the printed bill, after the word "as" insert the words "necessary and".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 5, line 4, strike out the word "contiguous" and insert the word "compact"; also, on said line 4, after the comma after the word "area" insert the following: "no part of which shall be disconnected from the remainder thereof,"; also, on page 5, line 25, strike out the comma after the word "newspaper".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 7, line 4, after the word "be" insert the word "no"; also, on said page 7, strike out all of lines 22, 23 and 24, and down to and including the comma after the word "thereof", on line 25. Also, on said line 25, strike out the lowercase letter "t" in the word "the" before the word "proposal" and insert uppercase letter "T".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 8, between lines 1 and 2, insert the following: "If the board of freeholders have proposed an alternative proposition, the ballot shall, in addition to the above proposal, state substantially: that if said principal proposal does not receive a majority vote of the electors, voting thereon, in all of the incorporated cities and towns within the county, but receives a majority vote of the electors, voting thereon, in certain contiguous cities and towns within the county, (naming them) which have been designated and named as the cities and towns necessary and essential in which a favorable vote must be had to effect consolidation of an area less than the whole of the county, that the proposition of the formation and establishment of a district into a consolidated city and county, which district shall include said named incorporated cities and towns, also other contiguous incorporated cities and towns in which a favorable vote was had upon the proposition, and certain unincorporated territory (which district shall be the area described in the proposed amended charter) shall be thereafter submitted to the qualified electors of such district for their approval."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 8, line 9, strike out the word "charter" and insert the word "proposal".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 9, line 25, after the word "as" insert the words "necessary and"; also, on same page, line 29, strike out the words "in whole or in part"; also, on same page, line 34, strike out the word "and" and insert the word "or".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 10, line 2, after the word "as" insert the words "necessary and"; also, on same page, line 5, strike out the word "contignous" and insert the word "compact"; also, on same page, line 6, before the period after the word "area" insert a comma, followed by the words "no part of which shall be disconnected from the remainder thereof".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 13, line 16, before the comma after the word "county" insert the following: "and the approval and ratification of such charter"; also, on said page, line 37, before the comma after the word "section" insert the following: "for the submission of the charter to the legislature when the whole of the county is to be formed into a consolidated city and county,".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 20, line 15, insert a comma after the word "county".

Amendment adopted.

Senate Constitutional Amendment No. 13 ordered to print and engrossment.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 27, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 143—An act to amend section 164 of the Civil Code, relating to community property;

Also: Senate Bill No. 140—An act to amend section 1405 of the Civil Code, relating to escheat property;

Also: Senate Bill No. 139—An act to amend section 1269 of the Code of Civil Procedure and to add a new section to said code to be numbered 1272*a*, both relating to escheat and unclaimed estates and property and to proceedings relating thereto;

Also: Senate Bill No. 453—An act to amend the Penal Code by adding a new section thereto, to be numbered 508*a*, relating to embezzlement by agent or broker;

Also: Senate Bill No. 409—An act authorizing the issuance of letters patent to the heirs at law of P. W. Fahey, deceased, for certain swamp and overflowed land in Tuolumne County, California;

Also: Senate Concurrent Resolution No. 21—Approving amendments to the charter of the city of San Rafael, a municipal corporation, in the county of Marin, State of California, voted for and ratified by the qualified electors of said city at a general election held therein on the twelfth day of April, 1915;

And reports that the same have been correctly engrossed.

CANEPA, Chairman.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 617—An act to amend section 591 of the Political Code, relating to the maintenance of the office of the Insurance Commissioner.

On motion of Senator Crowley, Senate Bill No. 617 was passed on file.

Senate Bill No. 630—An act to add a new section to the Civil Code, to be numbered section 2767, relating to the disposition by the beneficiary of his interest under a policy of life insurance.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 635—An act to amend section 596*a* of the Political Code, relating to legal advice upon certain action by the Insurance Commissioner.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 452—An act providing for the establishing of public rating bureaus and defining their powers and methods of conducting business; providing for inquiries into such rating bureaus by the Insurance Commissioner; providing for review of rates by Insurance Commissioner; providing against unfair discrimination in rates; providing for chief examiners for rating bureaus and prescribing their duties; providing for filing with Insurance Commissioner by insurance companies of schedules of rates, providing for inspection of risks rated by rating bureaus; providing for filing with Insurance Commissioner of short rate tables for cancellation of policies; providing against demoralization of business; providing entire act not to be affected by unconstitutionality of part thereof; providing for penalty for violation of act by insurance companies; providing for penalty for violation of act by agent or other representative; repealing laws in conflict with this act.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On line 11 of the title beginning with the word "of" strike out all down to and including the word "policies" on line 12, and insert in lieu thereof "of schedule of commissions to be paid agents, solicitors and brokers".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 4, beginning with the word "windstorm" strike out all down to and including the word "vehicle".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 9, beginning with the word "is" strike out all down to and including the word "and" on line 10.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 22, after the word "until" insert the words "thirty days after".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 26, after the word "companies" insert the following: "which have given notice to the insurance commissioner of its acceptance of the schedule of rates filed by the rating bureau of which it is a member".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 36, after the word "been" insert the words "or may be hereafter".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, line 2, beginning with the word "or" after the word "operation", strike out all down to and including the comma following the word "transactions" on line 3.

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 8, strike out the word "review" and insert in lieu thereof the word "examine".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, line 11, beginning with the word "or" strike out all down to and including the word "applied" on line 12.

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3, line 13, beginning with the comma following the word "removed" strike out all down to and including the word "thereto" on line 23 and insert in lieu thereof:

"Any interested person, bureau, or insurance company may commence an action in the superior court in and for the county in which the office of the insurance commissioner is located, against the insurance commissioner for the purpose of reviewing any order he makes in said matters. A copy of the complaint must be served upon the commissioner within ten days after it has been filed, and the commissioner has thirty days within which to plead thereto. The superior court shall summarily hear and determine such actions and may set aside, vacate, or annul such orders, or any part thereof. In the trial thereof all the provisions of the Code of Civil Procedure relating to pleadings, proof, trials and appeals shall be applicable".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3, line 26, beginning with the word "windstorm" strike out all down to and including the comma following the word "vehicles" on line 27.

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 3, line 29, strike out the word "unfairly".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 3, line 30, strike out the word "unfairly".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 4, line 1, beginning with the comma following the word "bureau" strike out all down to and including the word "act" on line 5.

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 4, line 11, beginning with the word "upon" strike out the balance of line and all of lines 12 and 13.

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 4, line 17, beginning with the word "windstorm" strike out all down to and including the comma following the word "vehicles".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 4, line 30, after the period following the word "commissioner" insert a new paragraph as follows:

"Upon the failure of such person to promptly report any violations of this law, he shall be liable to a penalty of ten dollars for each violation; *provided, however*, that this section shall not apply to individuals, firms, and corporations providing insurance among themselves, on reciprocal or mutuinsurance plan, against the hazard of loss or damage specified under this act."

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 4, line 33, beginning with the word "windstorm" strike out all down to and including the comma following the word "vehicles" on line 35.

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 4, line 36, beginning with the article "a" strike out all down to and including the word "rates" and insert in lieu thereof: "its rating schedules which must embrace the formulas for ascertaining the rate charged for fire insurance written on property located in this state, and shall contain the basis rate of the class of risk to be rated, and, in detail the exposure and deficiency charges, with modification for location, climatic conditions, construction, use, occupancy, improvements, betterments, protection and policy conditions."

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 5, line 6, after the word "until" insert the words "thirty days after".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 5, line 24, beginning with the word "Every" strike out all down to and including line 31 and insert in lieu thereof the following: "Every insurer shall be permitted to make uniform deviations from the schedule of rates filed by the rating bureau of which it is a member, by filing a copy of such deviations with the bureau, and also with the notice it gives to the insurance commissioner of its acceptance of the schedule of rates of said bureau and it shall not change such deviations until thirty days after filing an amended deviation schedule with the bureau and insurance commissioner or, having previously given notice to the insurance commissioner of its acceptance of the schedule of rates of said bureau in full, it shall not deviate therefrom until thirty days after filing with the bureau and insurance commissioner a copy of such deviation as it shall make. Such deviations must be uniformly applied by the said insurer to all the rating schedules, special or tariff rates promulgated by the said bureau of which it is a member."

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 6, line 5, after the comma following the word "fire" insert the word "or".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 6, line 5, beginning with the "comma" following the word "lightning" strike out all down to and including the word "commissioner" on line 10 and insert in lieu thereof: "Must file in the office of the insurance commissioner a schedule of its commission to be paid to local agents, solicitors, or brokers. Every such company and its agents, solicitors, or brokers shall observe its commission schedules and shall not deviate therefrom until thirty days after amended or corrected commission schedules shall have been filed in the office of the insurance commissioner".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 6, line 11, beginning with the word "Any" strike out all down to and including the period after "10" on line 31.

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 7, line 1, strike out "11" and insert in lieu thereof "10"

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 7, line 12, strike out "12" and insert in lieu thereof "11".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 381—An act to amend section 632 of the Penal Code, relating to the protection of fish.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, in line 5, strike out the word "February" and insert in lieu thereof the word "March".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, in line 7, strike out the word "three" and insert in lieu thereof the word "five".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 152—An act to provide for the establishment of passenger transportation facilities upon The Embarcadero, in the city and county of San Francisco.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 2, strike out the following: "establish and maintain passenger service upon" and insert in lieu thereof the following: "when in its judgment the wants of commerce of the Port of San Francisco requires, maintain passenger service upon".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 9, commencing with the word "at" strike out down to and including the word "California" in line 11, and insert in lieu thereof the following: "; *provided, however*, that such charges shall not be greater than shall be necessary for the obtaining of sufficient revenue which, in connection with the other revenues of the Port of San Francisco, shall be necessary for the maintenance of the commerce of the port including the maintenance of said passenger service."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 654—An act to amend section 2552 of the Political Code, relating to the salaries of the Board of State Harbor Commissioners and assistants, said amendment relating to the salary of the president of the board and his duties, and the fund out of which the said salaries and the compensation of employees of the board shall be payable.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 12 and 13, and line 1 on page 2, and insert in lieu thereof the following: "*provided*, that every employee of said board who at the time this act takes effect is receiving a monthly compensation of one hundred and thirty-five dollars a month, or less, shall, beginning on September first, nineteen hundred seventeen, receive a compensation equal to that received at the time of the taking effect of this act plus ten per cent thereof; and every employee who at the time of the taking effect of this act is receiving as monthly compensation a sum greater than one hundred thirty-five dollars but less than one hundred fifty dollars shall, beginning on September first, nineteen hundred seventeen, receive a compensation of one hundred and fifty dollars per month."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At ten o'clock and thirty-five minutes a.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

THIRD READING OF SENATE BILLS (OUT OF ORDER).

Senate Bill No. 140—An act to amend section 1405 of the Civil Code, relating to escheat property.

On motion of Senator Luce, Senate Bill No. 140 was passed on file.

Senate Bill No. 139—An act to amend section 1269 of the Code of Civil Procedure and to add a new section to said code to be numbered 1272*a*, both relating to escheat and unclaimed estates and property and to proceedings relating thereto.

On motion of Senator Luce, Senate Bill No. 139 was passed on file.

Senate Bill No. 453—An act to amend the Penal Code by adding a new section thereto, to be numbered 508*a*, relating to embezzlement by agent or broker.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 453 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Canepa, Carr, F. M., Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, McDonald, Maddux, Nealon, Rush, Sharkey, Shearer, Stuckenbruck, and Tyrrell—24.

NOES—Senator Rigdon—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 409—An act authorizing the issuance of letters patent to the heirs at law of P. W. Fahey, deceased, for certain swamp and overflowed land in Tuolumne County, California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 409 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Caneva, Carr, F. M., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Kehoe, Luce, Lyon, McDonald, Maddux, Nealon, Rominger, Rush, Scott, Shearer, Slater, Stuckenbruck, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Senate Bill No. 818, heretofore set as a special order for eleven o'clock a.m., the same was taken up for consideration.

Senate Bill No. 818. An act to promote the comfort, health, safety and general welfare of the people of this State as affected by injury causing the disability or death of employees in the course of their employment, providing for a complete plan of workmen's compensation by creating a liability on the part of immediate employers, principal employers, contracting employers and their insurance carriers to compensate employees and their dependents for such disability or death, irrespective of the fault of any party, providing the means and methods of enforcing such liability and providing for certain liens upon compensation; and regulating compensation insurance coverage against such liability, securing the payment of compensation and confirming the establishment and transactions of the State Compensation Insurance Fund; and requiring safety in all employments and places of employment in this State and providing the means and methods of enforcing such safety; and requiring reports of industrial injuries; and providing penalties for offenses, as defined herein, by employers, their officers and agents, and by employees and other persons and corporations; and defining the powers and duties of the Industrial Accident Commission under this act, and providing for a review of its orders, decisions and awards; and repealing sections 2, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 75*a*, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86 and 87 of Chapter 176, Statutes of 1913, and all other acts and parts of acts inconsistent herewith, except sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 88 and 90 of said Chapter 176, Statutes of 1913.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Slater moved to refer Senate Bill No. 818 to Senator Maddux, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 6, line 24, of the printed bill as amended March 19, after the word "engaged" insert the following: "in farm, dairy, agricultural, viticultural or horticultural labor, in stock or poultry raising or".

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Slater, Purkitt, and Luce.

The roll was called, and the motion to refer lost by the following vote:

AYES—Senators Chamberlin, Maddux, Purkitt, Rigdon, Rush, Shearer, Slater, Stuckenbruck, and Thompson—9.

NOES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, Luce, Lyon, McDonald, Nealon, Rominger, Scott, Sharkey, and Tyrrell—28.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Inman moved to refer Senate Bill No. 818 to Senator Shearer, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 68, add a new section to be numbered "74" and to read as follows:

"74. An employee shall be entitled, if he desires, to have nonmedical treatment instead of medical treatment, and reasonable compensation therefor shall be paid or provided by the employer. The exercise of this right by an employee shall not be construed as an unreasonable refusal to submit to medical or surgical treatment, within the meaning of subdivision E of section 11 of this act, nor shall it in any other way prejudice his rights under said act."

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Inman, Crowley, and Shearer.

The roll was called, and the motion to refer lost by the following vote:

AYES—Senators Brown, Chamberlin, Duncan, Inman, Purkitt, Rominger, Shearer, and Stuckenbruck—8.

NOES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, Luce, McDonald, Maddux, Nealon, Scott, Sharkey, Slater, Thompson, and Tyrrell—26.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 818 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, Luce, Lyon, McDonald, Nealon, Rominger, Rush, Scott, Sharkey, Slater, Thompson, and Tyrrell—31.

NOES—Senators Chamberlin, Maddux, Rigdon, Shearer, and Stuckenbruck—5.

Title read and approved.

Bill ordered transmitted to the Assembly.

EXPLANATION OF VOTE.

Senator Duncan asked for, and was granted, unanimous consent to have the following explanation of his vote on Senate Bill No. 818 printed in the Journal:

In casting my vote against the amendment to Senate Bill No. 818, exempting farmers from the operation of the bill, I am giving consideration to the following.

Some time ago I addressed a communication to the Oroville Register, the Chico Enterprise, the Gridley Herald, the Sutter Independent, the Sutter County Farmer, the Marysville Appeal, the Marysville Democrat, the Woodland Mail, the Woodland Democrat, the Davis Expositor, and the Winters Express, stating in substance that a large number of farmers had already voluntarily come under the compensation act, that several farmers' organizations had placed themselves on record favoring coming under the act, and that my personal inclination was to vote to include farmers but I was conscious that I was acting in a representative capacity and

desired to correctly represent the wishes of my constituents, and to that end would be pleased to hear from any interested persons upon the subject, and be guided by their wishes.

I think this gave fair notice to all interested parties, and afforded ample opportunity for the expression of any objection which they might have.

So far I have heard from but two farmers. Both desired to come under the bill. A third made verbal inquiries and seemed somewhat uncertain as to his final wishes in the matter.

Under these conditions it seems to me that I am warranted in assuming that the farmers are either indifferent or that they desire to come under the provisions of the act.

In any case I have given ample opportunity for an expression of their opinion and if I fail to vote in accordance with their wishes no complaint can be made by them.

If the farmers are not sufficiently interested to communicate their views, I will have to use my own best judgment.

THIRD READING OF SENATE BILLS—[RESUMED].

Senate Bill No. 174—An act limiting the hours of female employees, requiring employers to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment, providing penalties for violations of the provisions thereof, and repealing an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman or other agent of any such employer to violate the provisions of this act," approved March 22, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 174 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—28.

NOES—Senators Canepa, Kehoe, and McDonald—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1019—An act to amend section 854 of the Code of Civil Procedure, relating to demurrers to complaints in justice's court actions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1019 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones,

Kehoe, King, Luce, Lyon, Nealon, Purkitt, Rominger, Scott, Sharkey, Shearer, Slater, and Stuckenbruck—29.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

UNFINISHED BUSINESS.

Senator Luce asked for, and was granted, unanimous consent to take up Senate Bill No. 819 at this time.

Senate Bill No. 819—An act to amend sections 3 and 5 of an act entitled "An act requiring employers who provide hospital service for their employees and who make a charge therefor, to keep books, records and accounts of all such charges, and to make an annual report thereof; requiring each such charge to be just and reasonable and to be devoted for no other purpose than such hospital service; and prescribing penalties for violations of the provisions thereof," approved June 8, 1915, by altering the respective jurisdictions of the Railroad Commission and the Industrial Accident Commission with respect to hospital facilities of public utilities.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 819.

ASSEMBLY AMENDMENT TO SENATE BILL EIGHT HUNDRED NINETEEN.

AMENDMENT NUMBER ONE.

On page 2, line 34, strike out the words "public utility" and insert in lieu thereof the words "common carrier by rail".

The question being, "Shall the Senate concur in the Assembly amendment to Senate Bill No. 819?"

The roll was called, and the amendment concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rigdon, Scott, Sharkey, Shearer, Slater, and Stuckenbruck—29.
NOES—None.

Senate Bill No. 819 ordered to enrollment.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 143—An act to amend section 164 of the Civil Code, relating to community property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 143 passed by the following vote:

AYES—Senators Ballard, Breed, Canepa, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Purkitt, Rominger, Rush, Scott, Sharkey, Shearer, Slater, and Stuckenbruck—27.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

Senate Bill No. 705—An act to amend sections 1663, 1771 and 1775 of the Political Code, relating to the classification of schools, the powers of county boards of education and the granting of teachers' certificates.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 705 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, King, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, and Stuckenbruck—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER)

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 27, 1917.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 373—An act amending section 499a of the Penal Code relating to stealing of electric current and the injuring of electric wires or appliances, and providing a punishment therefor;

Also: Senate Bill No. 112—An act to amend the Penal Code by adding thereto two new sections to be numbered 1168 and 1169, relating to indeterminate sentences of persons convicted of criminal offenses for the first time, and to provide for the release of such persons within the time for which they are sentenced to imprisonment;

Also: Assembly Bill No. 262—An act to amend section 1 and to repeal section 2 of an act entitled "An act granting to the city of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Berkeley, and regulating the management, use and control thereof," approved June 11, 1913, also approved May 27, 1915;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended.

KEHOE, Chairman.

Assembly Bills Nos. 373 and 262 and Senate Bill No. 112 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Concurrent Resolution No. 15—Relative to the inscription on the monument erected to the memory of James W. Marshall at Coloma, El Dorado County, California—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

KEHOE, Chairman.

Assembly Concurrent Resolution No. 15 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 38—An act to amend section 86 of the Code of Civil Procedure, relating to justices' clerk and appointees;

Also: Assembly Bill No. 278—An act to amend section 1714 of the Code of Civil Procedure, relating to new trials and appeals in proceedings in probate courts;

Also: Senate Bill No. 756—An act to amend section 199 of the Code of Civil Procedure, relating to the competency of jurors;

Also: Senate Bill No. 113—An act to amend section 674 of the Penal Code relating to civil death of person sentenced to state prison for life;

Also: Senate Bill No. 114—An act to amend section 673 of the Penal Code, relating to civil rights of convict suspended;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Assembly Bills Nos. 38 and 278 and Senate Bills Nos. 756, 113 and 114 ordered on file for second reading.

Also: Senate Bill No. 277—An act to add a new section to the Penal Code, to be numbered 636c, relating to the protection of fish and game, and providing for the construction of fishways on dams and other artificial obstructions in the waters of this State, and providing for furnishing of plans and specifications therefor and providing penalties for a violation thereof;

Also: Senate Bill No. 1149—An act to amend section 628 of the Penal Code, relating to the protection of fish;

Also: Senate Bill No. 51—An act to add a new section to the Code of Civil Procedure, to be numbered 337a, relating to the time when an action upon an open book account accrues;

Also: Senate Bill No. 1101—An act to amend section 224 of the Civil Code, relating to persons whose consent is necessary to the adoption of a minor child;

Also: Senate Bill No. 1099—An act to amend section 226 of the Civil Code, relating to proceedings on adoption;

Also: Senate Bill No. 121—An act providing for the organization of water districts by the board of supervisors of any county of the State upon petition therefor by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of said county in which the lands contained in said district are located; providing for the acquisition and construction by said district of water works, for the irrigation of the lands embraced therein and for the distribution of water for irrigation purposes and domestic use; providing for the payment of the debts thereof by a tax levied on the property embraced therein; providing for the issuance and sale of bonds thereby;

Also: Senate Bill No. 630—An act to add a new section to the Civil Code, to be numbered section 2767, relating to the disposition by the beneficiary of his interest under a policy of life insurance;

Also: Senate Bill No. 635—An act to amend section 596a of the Political Code, relating to legal advice upon certain action by the Insurance Commissioner;

And reports that the same have been correctly engrossed.

CANEPA, Chairman.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., the hour of recess was extended until twelve o'clock and thirty-five minutes p.m.

REQUESTS FOR INTRODUCTION OF BILLS—(OUT OF ORDER).

The following requests for permission to introduce bills were presented:

By Senator Slater:

SENATE CHAMBER, SACRAMENTO, March 27, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2 of Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act appropriating money for the purchase of kitchen equipment for the Sonoma State Home.

Request referred to Committee on Rules.

Also:

By Senator Rush:

SENATE CHAMBER, SACRAMENTO, March 27, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2 of Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act appropriating money for the construction and equipment of two cottages at the Napa State Hospital.

Request referred to Committee on Rules.

Also:

By Senator Stuckenbruck:

SENATE CHAMBER, SACRAMENTO, March 27, 1917

MR. PRESIDENT: In accordance with the provisions of section 2 of Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act appropriating money to pay the claim of Albert Lindley.

Request referred to Committee on Rules.

Also:

By Senator Inman:

SENATE CHAMBER, SACRAMENTO, March 27, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2 of Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act appropriating money for the construction of sewage disposal system at the Folsom State Prison.

Request referred to Committee on Rules.

RECESS.

At twelve o'clock and thirty-five minutes p.m., on motion of Senator Benson, the President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 12—Relative to adjourning *sine die* of the forty-second session of the Legislature of the State of California, to fix a day for said adjournment.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Concurrent Resolution No. 12 referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committee were received and read:

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 27, 1917.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 712—An act to add a new section to the Political Code, to be numbered 1528, providing for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds;

Also: Senate Bill No. 1084—An act to amend sections 1745 and 1746 and to repeal section 1749 of the Political Code, all relating to the issuance of bonds by high school districts;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

GATES, Chairman.

Senate Bills Nos. 712 and 1084 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 319—An act to add a new section to be numbered 1582 and to amend section 1543 of the Political Code, relating to the lapsing, suspending and reestablishing of school districts and the powers and duties of superintendents of schools;

Also: Senate Bill No. 516—An act to amend section 1521 of the Political Code, relating to the compensation and expenses of members of the State Board of Education and assistant superintendents of public instruction;

Also: Senate Bill No. 1007—An act to amend section 1750 of the Political Code, relating to high school courses of study;
Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

GATES, Chairman.

Senate Bills Nos. 319, 516 and 1007 ordered on file for second reading.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 328—An act to amend section 626*l* of the Penal Code, relating to the protection of fish and game.

On motion of Senator Gates, Assembly Bill No. 328 was passed on file.

Assembly Bill No. 268—An act to amend section 1469 of the Code of Civil Procedure, relating to administration of estates not exceeding two thousand dollars in value.

On motion of Senator Maddux, Assembly Bill No. 268 was passed on file.

Assembly Bill No. 368—An act to amend the Penal Code by adding a new section, to be known as section 563*b*, thereto, relating to offenses against or concerning banking institutions and prescribing penalties for violation of the provisions of the act.

On motion of Senator Benson, Assembly Bill No. 368 was passed on file.

Assembly Bill No. 937—An act to amend section 570 of the Code of Civil Procedure, relating to the disposition of unclaimed funds in the hands of a receiver.

On motion of Senator Benson, Assembly Bill No. 937 was passed on file.

Assembly Bill No. 43—An act to amend section 4265 of the Political Code of the State of California, relating to the compensation of officers of counties of the thirty-sixth class.

On motion of Senator Benson, Assembly Bill No. 43 was passed on file.

Assembly Bill No. 230—An act amending section 4250 of the Political Code, relating to salaries and fees of officers of counties of the twenty-first class.

On motion of Senator Benson, Assembly Bill No. 230 was passed on file.

Assembly Bill No. 220—An act to amend section 4253 of the Political Code, relating to the compensation of officers and fees of jurors in counties of the twenty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 220 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Irwin, Johnson, Jones, King, Luce, McDonald, Nealon, Purkitt, Rominger, Rush, Shearer, and Slater—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 65—An act to amend section 137 of the Civil Code, relating to temporary alimony and permanent support and maintenance of wife.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 65 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Jones, King, Luce, Lyon, McDonald, Nealon, Rominger, and Slater—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 1110—An act to promote the development of the California fruit industry and to protect the State's reputation in the fruit markets by establishing a standard for the packing of certain fresh fruits specified herein, prescribing penalties for violations of the provisions hereof, and repealing all acts inconsistent herewith.

On motion of Senator Benson, Senate Bill No. 1110 was passed on file.

Senate Bill No. 458—An act to amend sections 2322, 2322*a*, 2322*c* and 2322*d* of the Political Code and to add new sections 2322*f*, 2322*g*, 2322*h*, 2322*i* and 2322*j* to the Political Code, said sections relating to orchards, trees, vines or plants of any variety, infected or infested with diseases, scale or other insects of any kind injurious to fruit, fruit trees, vines or other plants or vegetables, or noxious weeds and to the extermination or the control of insects, ground squirrels, gopher or other animal pests and plant diseases or noxious weeds, and to the appointment and removal of a county horticultural commissioner in the several counties of the State; prescribing his duties and powers and fixing his compensation and term of office, also providing for a State Board of Horticultural Examiners, prescribing the duties of said board, and providing for examination to be taken by persons desiring to qualify for position as county horticultural commissioner; providing for the dividing of the several counties of the State into districts by the respective county horticultural commissioners, and providing for the appointment of deputy commissioners, local inspectors, and quarantine guardians, prescribing their duties and powers and fixing their compensation.

On motion of Senator Benson, Senate Bill No. 458 was passed on file.

Senate Bill No. 715—An act to regulate and control the business of making personal loans and to regulate the assignment of wages when given as security for any such loan.

On motion of Senator Gates, Senate Bill No. 715 was passed on file.

Senate Bill No. 612—An act to amend section 537 of the Penal Code, relating to fraudulent practices upon keepers of hotels, inns, restaurants, boarding houses, lodging houses or furnished apartment houses.

On motion of Senator Canepa, Senate Bill No. 612 was passed on file.

Senate Bill No. 471—An act to amend sections 1, 2, 3, 5, 7, 8, 9 and 10 of an act entitled "An act authorizing levee districts of the State to

incur a bonded indebtedness for the purpose of building, constructing or repairing levees of the district; or for excavating and constructing ditches or canals of such district, or for the purpose of acquiring rights of way for any such levees, ditches, or canals, or for any and all of said purposes," approved March 8, 1911, and adding thereto four new sections designated as sections 8*a*, 8*b*, 8*c*, and 11.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Carr, W. J., moved to refer Senate Bill No. 471 to Senator Ballard, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 6, line 20, of the printed bill, strike out the word "thirty" and insert in lieu thereof the word "forty". Also, on page 7, line 4, strike out the word "thirty" and insert in lieu thereof the word "forty".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 27, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 471, with instructions to amend, respectfully reports the same back, amended as per instructions.

BALLARD, Special Committee.

Report read, and on motion of Senator Carr, W. J., adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 999.—An act to add a new section to an act entitled "An act to create a drainage district to be called Knight's Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knight's Landing ridge, and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds," approved April 30, 1913, to be numbered 7½, in reference to the payment of invalid assessments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 999 passed by the following vote:

AYES.—Senators Ballard, Benson, Breed, Brown, Burnett, Campa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Irwin, Johnson, Jones, Kehoe, King, Lace, Lyon, McDonald, Nealon, Purkitt, Rominger, Rush, Shearer, and Slater—28.

NOES.—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1000.—An act to amend sections 3 and 7 of an act entitled "An act to create a levee district to be called and designated Sacramento River West Side Levee District; to prevent the overflow of flood waters from the Sacramento River from flooding on to the lands

within said district by the construction of levees along the west bank of the Sacramento River and adjacent thereto and maintain the same; providing for the election and appointment of officers of said levee district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said levee district," approved May 18, 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1000 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Rush, Shearer, and Slater—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MINUTE CLERK JOSEPH A. BEEK AT THE DESK.

Senate Bill No. 591—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, by amending sections 47 and 70 thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 591 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Rominger, Rush, Shearer, and Slater—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 592—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, by amending section 43 thereof.

Senate Bill No. 592 re-referred to Committee on Public Utilities.

Senate Bill No. 843—An act making bonds of municipal improvement districts legal investments for certain purposes.

On motion of Senator Chamberlin, Senate Bill No. 843 was passed on file.

Senate Bill No. 87—An act to empower the State Market Director of California to regulate and control the business of buying and selling fresh fish; to regulate the destruction of food fish; to create a state fish exchange; to license those engaged in marketing fish; to create a state fish exchange fund and a revolving fund; to provide penalties for violations of this act; to investigate and report on the fish industry; and to promote the sale of fish.

On motion of Senator Luce, Senate Bill No. 87 was passed on file.

Senate Bill No. 277—An act to add a new section to the Penal Code, to be numbered 636*c*, relating to the protection of fish and game, and providing for the construction of fishways on dams and other artificial obstructions in the waters of this State, and providing for furnishing of plans and specifications therefor and providing penalties for a violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 277 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, Kehoe, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Rush, Shearer, and Slater—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1149—An act to amend section 628 of the Penal Code, relating to the protection of fish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1149 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Canepa, Carr, F. M., Chamberlin, Chandler, Duncan, Flaherty, Gates, Ingram, Inman, Irwin, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Rush, Shearer, Slater, and Stuckenbruck—25.

NOES—Senators Ballard, Carr, W. J., Evans, and Kehoe—4.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 51—An act to add a new section to the Code of Civil Procedure, to be numbered 337*a*, relating to the time when an action upon an open book account accrues.

In the absence of the author, Senate Bill No. 51 was ordered passed, to retain its place on the file.

Senate Bill No. 1101—An act to amend section 224 of the Civil Code, relating to persons whose consent is necessary to the adoption of a minor child.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1101 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, King, Luce, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Shearer, Slater, and Stuckenbruck—31.
NOES—Senator McDonald—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1099—An act to amend section 226 of the Civil Code, relating to proceedings on adoption.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1099 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Flaherty, Ingram, Inman, Irwin, Johnson, Kehoe, King, Luce, Maddux, Rigdon, Rominger, Rush, Scott, Shearer, Slater, and Stuckenbruck—26.
NOES—Senator McDonald—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 121—An act providing for the organization of water districts by the board of supervisors of any county of the State upon petition therefor by the landowners, providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of said county in which the lands contained in said district are located; providing for the acquisition and construction by said district of water works, for the irrigation of the lands embraced therein and for the distribution of water for irrigation purposes and domestic use; providing for the payment of the debts thereof by a tax levied on the property embraced therein; providing for the issuance and sale of bonds thereby.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Carr moved to refer Senate Bill No. 121 to Senator Ballard as a Special Committee of One, to amend as follows:

On page 19, line 8, of the printed bill, after the word "all" insert the word "private".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 27, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 121, with instructions to amend, respectfully reports the same back, amended as per instructions.

BALLARD, Special Committee.

Report read, and, on motion of Senator Carr, W. J., adopted.

Bill ordered to print, and re-engrossment.

THIRD READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 52—An act to amend section 1861 of the Civil Code, relating to lien of hotelkeepers on property of guests for charges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 52 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rush, Scott, Shearer, Slater, and Stuckenbruck—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 27, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred Senate Concurrent Resolution No. 22—Relative to adoption of joint rules—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

BREED, Chairman.

CONSIDERATION OF RESOLUTION—(OUT OF ORDER).

Senator Benson asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 22 out of order.

SENATE CONCURRENT RESOLUTION No. 22.

Resolved by the Senate, the Assembly concurring. That the following be adopted as the joint rules of the two houses of the legislature for its forty-second session:

Committees and Committee Meetings.

STANDING COMMITTEES.

1. Subject to the right of either House to appoint additional committees, the following standing committees shall be appointed in the Senate and Assembly, the number of members and the manner of selection to be determined by the rules of each House:

(1) Agriculture.
(2) Banking.
(3) Commerce and Navigation.
(4) Corporations.
(5) County Government.
(6) Drainage, Swamp and Overflowed Lands.
(7) Education.
(8) Elections.
(9) Federal Relations.
(10) Finance in the Senate, and Ways and Means in the Assembly.
(11) Fish and Game.
(12) Hospitals and Asylums.
(13) Insurance.
(14) Irrigation.
(15) Judiciary.
(16) Labor and Capital.
(17) Military Affairs.
(18) Mines and Mining.
(19) Municipal Corporations.
(20) Oil Industries.
(21) Prisons and Reformatories.

(22) Public Health and Quarantine.
(23) Public Morals.
(24) Public Utilities.
(25) Revenue and Taxation.
(26) Roads and Highways.
(27) Rules.

JOINT COMMITTEES.

2. Joint standing committees of Senate and Assembly shall be appointed as follows:

(1) Committee on Revision and Printing, to consist of three (3) members from the Senate and five (5) from the Assembly.

(2) Committee on Joint Rules, to consist of the members of the rules committee of each House.

JOINT MEETING OF COMMITTEES.

3. Whenever any bill has been referred by the Senate to one of its committees, and the same or a like bill has been referred by the Assembly to one of its committees, the chairmen of the respective committees, when in their judgment the interests of legislation or the expedition of business will be better served thereby, shall arrange for a joint meeting of their committees for the consideration of such bill.

Bills and Resolutions.

SCOPE OF WORD "BILL."

4. Whenever the word "bill" is used in these rules it shall include constitutional amendments, joint and concurrent resolutions.

JOINT AND CONCURRENT RESOLUTIONS.

5. Joint resolutions are those which relate to matters connected with the federal government. All other resolutions relating to matters to be treated by both Houses of the Legislature are concurrent resolutions.

RESOLUTIONS TREATED AS BILLS.

6. Joint resolutions, concurrent resolutions and constitutional amendments shall be treated in all respects as bills; except that they shall be read but one time in each House, and that they shall not be deemed bills within the meaning of section 2 of Article IV of the Constitution and shall not be referred to the Committee on Introduction of Bills, and shall not require a vote to authorize their introduction. As in the case of bills, they shall be engrossed in the House in which they originate before being voted upon.

Preparation and Introduction of Bills.

TITLE OF BILL.

7. The title of every bill introduced shall convey an accurate idea of the contents of the bill and shall be indicative of the scope of the act and the object to be accomplished. In amending a code section, the mere reference to the section by number shall not be deemed sufficient.

DIVISION OF BILL INTO SECTIONS.

8. Bills amending more than one section of existing laws shall contain a separate section for each section amended.

Bills which are not amendatory of existing laws shall be divided into short sections, where this can be done without destroying the sense of any particular section, to the end that future amendments may be made without the necessity of setting forth and repeating sections of unnecessary length.

CHANGES FROM CODE TO BE MARKED BY AUTHOR.

9. In case of a bill amending a code section, all omissions must be shown by the insertion of heavy parentheses without including the omitted matter; all additions must be shown by underlining the new matter. When printed, the new matter so underlined shall be enclosed in heavy brackets in the printed bill.

COMMITTEE ON REVISION AND PRINTING TO EXAMINE BILLS WHEN INTRODUCED.

10. Unless otherwise ordered by the House in which the bill was introduced, all bills before being printed shall be immediately sent to the Committee on Revision and Printing, which shall examine the bill, with the aid of the Legislative Counsel Bureau. The committee, by and with the written assent of the author filed with it, shall have authority to correct any clerical error such as in orthography, adding or correcting the enacting clause, mistakes in numbering sections and references thereto, errors in grammar, phraseology, or in the form of the bill; provided, that no bill which bears the stamp of the Legislative Counsel Bureau showing that before introduction it has been examined as to form, shall be sent to the Committee on Revision and Printing.

BILLS INTRODUCED TO INDICATE CHANGES IN CODE SECTIONS.

11. The Committee on Revision and Printing and the Legislative Counsel Bureau shall see to it that Rule 9 of these Joint Rules is observed by the author, and that the bill shall not be sent to the printer until the provisions of this rule have been carried out.

REPORTS OF COMMITTEE ON REVISION AND PRINTING.

12. The Committee on Revision and Printing shall return to the Secretary of the Senate or Chief Clerk of the Assembly all bills in the order in which they were sent to it, but shall not retain any bill for longer than three legislative days, unless otherwise ordered.

ENDORSEMENT OF DATE OF INTRODUCTION.

13. Bills introduced in either House shall be endorsed with the date of introduction.

Printing and Distribution of Bills.

MANNER OF PRINTING BILLS, ETC.

14. The State Printer shall observe the following directions in printing all bills, constitutional amendments, joint and concurrent resolutions:

(a) The body of such bills and resolutions shall be printed in solid unspaced form so that the same type shall be used both before and after enrollment.

(b) All titles of bills, resolutions, etc., shall be set in italics, statute form, and the length of the lines used in the bills shall not exceed that of the body of the bill.

(c) The lines of all printed bills shall be numbered by page and not by sections, and amendments shall be identified by reference to title, page and line only.

(d) Enrolled bills may be enclosed in stock cover.

PRINTING OF AMENDMENTS.

15. All bills amended by either House shall be immediately reprinted; in the case new matter is added by the amendments, such new matter shall be enclosed in heavy brackets in the printed bill, and in the case of matter being omitted, the omission shall be indicated by heavy parentheses. Within the brackets or parentheses shall be printed a small index figure or symbol corresponding to a similar index figure or symbol preceding the date of the amendment appearing at the top of the first page of the bill. When a bill amendatory of a code section is engrossed, all figures or symbols shall be retained, and all parentheses or brackets shall be removed except those necessary to be retained to show the difference between the engrossed bill and the existing code section.

DISTRIBUTION OF BILLS DURING CONSTITUTIONAL RECESS.

16. All requests for mailing or distribution by the members shall be filed with the Secretary of the Senate or Chief Clerk of the Assembly not later than the end of the second week of the first part of the session, the same to be immediately referred to the Committee on Revision and Printing. This list shall be compiled, with the elimination of duplication, as a general public mailing list. The distribution of bills, constitutional amendments, joint and concurrent resolutions shall be systematized as follows: Members' desks and legislative officers' files, 150 full sets; members' individual selection, 5 full sets each; to authors, 50 copies of their own bills; accredited newspaper representatives, 25; to public and law libraries, newspapers, county officials, and other civic, commercial, fraternal or industrial organizations as the joint printing committees may compile from the recommendations of the members of both Houses, 1500 copies; to state officers, State Library and Secretary of State, 200 copies; to legislative committees, all room files and public requests confined to single copies of bills designated, 1000 copies. The State Printer shall cause to be printed in the standard form adopted by the Senate and the Assembly as many copies of all bills, constitutional amendments and joint or concurrent resolutions as may be necessary to conform to the provisions of this rule.

A similar number and distribution shall be made of the Semi-Final History and Final Calendar.

DISTRIBUTION OF BILLS AFTER CONSTITUTIONAL RECESS.

17. Following the recess, new bills introduced shall be forwarded to the public libraries and law libraries only, and one copy each of amended bills as may be requested. Weekly Histories and Journals shall be distributed generally, following the recess, upon such schedule as the joint printing committees may designate.

Other Legislative Printing.

PRINTING OF THE DAILY JOURNAL.

18. The State Printer shall print one thousand copies of the Journal of each day's proceedings of each House; at the end of the session he shall also print a sufficient

number of copies, properly paged after being corrected and indexed by the Secretary of the Senate and Chief Clerk of the Assembly, to bind in book form as the Journal of the respective Houses of the Legislature as required by law.

WHAT SHALL BE PRINTED IN THE JOURNAL.

19. The following shall always be printed in the Journal of each House:

(a) Messages from the Governor and messages from the other House, and the titles of all bills, and the titles and text of joint and concurrent resolutions and constitutional amendments when introduced in, or offered to, or acted upon by the House; provided, that in the case of a concurrent resolution approving the adoption of a charter or charter amendments of any kind, the text of such charter or charter amendments need not be printed in the Journal.

(b) Every vote taken in the House, and a statement of the contents of each petition, memorial, or paper presented to the House.

(c) A true and accurate account of the proceedings of the House, when not acting as a committee of the whole.

PRINTING OF THE DAILY FILE.

20. A daily file of bills ready for consideration shall be printed each day for each House, and copies of the file of each House shall be distributed each day to all the members of both Houses.

PRINTING OF HISTORY.

21. Each House shall cause to be printed on Monday of each week, during the session, a complete history of all bills, joint or concurrent resolutions and constitutional amendments originating in, or acted upon by the respective Houses.

Such history shall show the action taken upon each measure up to and including the legislative day preceding its issuance. For each legislative day intervening there shall be printed a supplementary history showing the action taken upon any measure since the issuance of the complete History. A regular form shall be prescribed and no other form shall be used.

Immediately following the adjournment for the constitutional recess the History shall be compiled and printed to date of recess.

AUTHORITY FOR PRINTING ORDERS.

22. The Superintendent of State Printing shall not print for use of either House any matter other than provided by law or by these rules, except upon a written order signed by the Secretary of the Senate or the Chief Clerk of the Assembly. The Secretary of the Senate and the Chief Clerk of the Assembly may also, when necessity requires it, order certain matter printed in advance of the regular order, by the issuance of a rush order.

Record of Bills

SECRETARY AND CLERK TO KEEP REGISTER.

23. The Secretary of the Senate and Clerk of the Assembly shall keep a register in which shall be recorded every action taken by the Senate and Assembly on every bill, concurrent or joint resolution, or constitutional amendment.

SECRETARY AND CLERK SHALL ENDORSE BILLS.

24. The Secretary of the Senate and Clerk of the Assembly shall endorse on every original bill a statement of any action taken by the Senate and Assembly.

Action in One House on Bill Transmitted From the Other.

BILLS READ AND REFERRED TO COMMITTEE.

25. When a Senate bill has been received by the Assembly or an Assembly bill by the Senate, with a message announcing that the same has passed the Senate or Assembly, such bill shall be read the first time by the Secretary or Clerk and referred to a standing committee by the presiding officer, unless otherwise ordered by the House.

AFTER A BILL HAS BEEN PASSED BY THE SENATE OR ASSEMBLY.

26. When a bill (if it be a Senate bill) has been received from the Senate by the Assembly, after its passage, or (if it be an Assembly bill) has been received from the Assembly by the Senate after its passage, it shall be taken up by the Senate or Assembly, as the case may be, under the regular order of business ("Senate Messages" or "Assembly Messages"), read the first time, unless otherwise ordered by the House, and shall then be assigned to the proper committee, unless otherwise ordered, who shall act upon the same as soon as practicable, and report the same back to the Senate or Assembly forthwith, and the chairman of each committee is charged with observance of this rule; provided, that the Senate or Assembly may, at any time, order such bill reported back from any committee by a majority vote of all the members of the House in which the action is taken.

SPECIAL FILE.

27. On the second day after the close of the recess provided for in section 2, Article IV, of the Constitution, the Senate and Assembly shall each adopt and provide a special file upon which shall be placed: In the Senate, only Assembly bills that have passed the Assembly; and in the Assembly, only Senate bills that have passed the Senate. Such special file shall be taken up at two o'clock p.m. of each day, and be considered at least one hour and a half after being so taken up unless its consideration shall be completed in a lesser period of time. This rule shall not be suspended in either House except by a three-fourths vote of such House.

Reports From One House to the Other as to Action on Bill.

BILL OR RESOLUTION IN ONE HOUSE, REJECTED IN THE OTHER, REQUIRES NOTICE.

28. When a bill or resolution which shall have passed one House is rejected by the other, notice thereof shall be given immediately to the House in which the same shall have passed.

EACH HOUSE TO TRANSMIT PAPERS.

29. Each House shall transmit to the other papers on which any bill or resolution shall be founded.

NOTICES TO BE IN WRITING UNDER PROPER SIGNATURES.

30. Notice of the action of either House to the other shall be in writing, and under the signature of the Secretary or Clerk of the House from which such notice is to be conveyed.

SECRETARY, CLERK, ETC., TO DISPATCH MESSAGES.

31. Messages shall be sent to the other House by an officer or attache to be designated by the Secretary, if it be a Senate message, or by the Chief Clerk, if it is an Assembly message.

MESSAGES MUST BE ANNOUNCED BY THE SERGEANT-AT-ARMS.

32. When a message shall be sent from either House it shall be announced at the door by the Sergeant-at-Arms, and shall be respectfully communicated to the presiding officer by the person by whom it may be sent.

Passage and Enrolling of Bills.

PASSAGE OF BILLS TAKING EFFECT IMMEDIATELY.

33. Each House shall act in the usual course upon all bills that may be made to take effect immediately, under the provisions of section 1, Article IV, of the Constitution.

PASSAGE OF URGENCY PROVISIONS IN BILLS.

34. Upon the third reading of an act which is an urgency measure within the meaning of section 1 of Article IV of the State Constitution, the presiding officer shall direct that the section of said act setting forth the facts constituting the necessity for such urgency (which shall be known as the urgency section) be then read and put to vote. The question shall be thus stated: "Shall this section setting forth the urgency features of this bill be passed?" If upon such final vote two-thirds of all the members elected to the House in which the vote is being taken shall not vote in the affirmative, no further action shall be taken on the bill, but, in case an identical bill without such an emergency clause be again introduced into such House, such bill shall be placed on file without reference to any committee.

PASSAGE OF BILLS PRECEDING FINAL ADJOURNMENT.

35. No Senate bill shall be passed by the Senate and no Assembly bill shall be passed by the Assembly within seven days of the time set for adjournment (sine die) of the two houses of the Legislature, unless permission to vote on such bill shall be granted by a three-fourths vote of the House of its origin after being recommended by the presiding officer thereof.

ENROLLMENT OF BILL AFTER PASSAGE.

36. After a bill shall have passed both Houses, it shall be duly enrolled after being carefully compared, by the Engrossing and Enrolling Clerk and Committee of the House in which it originated, with the engrossed bill as passed in the two Houses. It shall then receive the signatures provided for in Joint Rule 37, and be presented to the Governor of the State.

ENROLLING COMMITTEE TO PRESENT BILLS TO GOVERNOR.

37. After a bill shall have been thus passed in each House, it shall be presented by the Engrossing and Enrolling Committee of the House in which it originated to the Governor of the State for his approval (it being first endorsed on the bill by the

presiding officers of the two Houses, and by the Secretary of the Senate and Chief Clerk of the Assembly). The said committee shall report the day of presentation to the Governor, which time shall be carefully entered on the Journal of the House in which the bill originated.

Amendments and Conferences.

AMENDMENTS TO AMENDED BILLS MUST BE ATTACHED.

38. Whenever a bill or resolution which shall have been passed in one House shall be amended in the other it shall immediately be reprinted as amended by the House making such amendment or amendments. Such amendment or amendments shall be attached to the bill or resolution so amended, and indorsed "adopted," and such amendment or amendments, if concurred in by the House in which such bill or resolution originated, shall be indorsed "concurred in," and such indorsement shall be signed by the Secretary or Assistant Secretary of the Senate or the Clerk or Assistant Clerk of the Assembly, as the case may be, provided however that an amendment to the title of a bill adopted after the passage of such bill shall not necessitate reprinting, but such amendment must be concurred in by the House in which such bill originated.

TO CONCUR OR REFUSE TO CONCUR IN AMENDMENTS.

39. In case the Senate amend and pass an Assembly bill, or the Assembly amend and pass a Senate bill, the Senate (if it be a Senate bill), or the Assembly (if it be an Assembly bill), must either "concur" or "refuse to concur" in the amendments. If the Senate concur (if it be a Senate bill), or the Assembly concur (if it be an Assembly bill), the Secretary or Clerk shall notify the House making the amendments, and the bill shall be ordered to enrollment.

WHEN SENATE OR ASSEMBLY REFUSE TO CONCUR.

40. If the Senate refuse to concur (if it be a Senate bill), or the Assembly refuse to concur (if it be an Assembly bill), the Secretary or Clerk shall notify the House making the amendments of such refusal, and ask that they recede from their amendments. If they refuse to recede, the presiding officer shall appoint a committee of three (3) on conference and the Secretary or Clerk shall immediately notify the other House of the action taken and request the appointment of a like committee. Two of the members comprising such committee from each House shall be selected from those voting with the majority on the point about which the difference has arisen, and the other member from each House of such committee shall be selected from the minority, in the event there is a minority vote. The first Senator named on the Conference Committee shall act as chairman of the committee from the Senate and the first Assemblyman named on such committee shall act as chairman of the committee from the House, and the chairmen thus selected shall arrange the time and place of all meetings and prepare or direct the preparation of reports. The Committee on Conference shall report to both the Senate and Assembly.

COMMITTEE ON CONFERENCE.

41. In every case of an amendment of a bill agreed to in one House and dissented from in the other, if either House shall request a conference and appoint a committee to confer, the other House shall appoint a like committee, and such committee shall meet at a convenient hour, to be agreed upon by the respective chairmen of the committees.

COMMITTEE ON FREE CONFERENCE.

42. If the conference fail to agree or either House refuse to adopt the report of the committee, a Committee on Free Conference shall then be appointed which shall consist of three members from each House to be constituted and appointed in the same manner as a Committee on Conference. The Committee on Free Conference is hereby directed to include in its report any amendments which it may adopt as a committee, and such amendments shall be attached to the bill.

The report of the Committee on Free Conference shall not be subject to amendment, and if either House refuse to adopt such report the conferees may be discharged and other conferees appointed.

It shall require the affirmative vote of not less than four of the members constituting the committee to agree upon a report. No member who has served on a Committee on Conference shall be appointed a member of a Committee on Free Conference on the same bill.

WHEN CONFERENCE COMMITTEE REPORT IS IN ORDER.

43. The presentation of the report of a Committee on Conference or Free Conference shall always be in order, except when the Journal is being read or a question of order or a motion to adjourn is pending, or during roll call, and, when received, the question of proceeding to the consideration of the report, if raised, shall be immediately passed upon, and shall be determined without debate.

MISCELLANEOUS PROVISIONS.

44. The Committee on Joint Rules shall be empowered to compile a list of suggestions as to the form of bills and resolutions prepared for introduction into the Legislature.

PRESS RULES.

45. A person desiring recognition by the Senate or Assembly as a newspaper correspondent shall make application in writing to the President of the Senate or Speaker of the Assembly.

(a) The applicant shall state in writing the name of the newspaper or newspapers he represents and that he is not engaged, and will not become engaged as a lobbyist for any person, copartnership, corporation or interest and that he is not and will not become the agent or representative of any person, copartnership, organization or corporation in advocating or attempting to defeat any measure pending in either branch of the Legislature, that he is not employed in any executive, administrative or legislative department of the State government and will not become so employed while accepting the privileges of a press representative.

(b) It shall be the duty of the President of the Senate and the Speaker of the Assembly to assign one or more rooms for the exclusive use of correspondents during the legislative session, which room shall be known as the press room. The press room shall be under the control of the Superintendent of Capitol Building and Grounds; provided, that all rules and regulations shall be approved by the President of the Senate and Speaker of the Assembly.

ADJOURNMENT.

46. Adjournment for the constitutional recess and adjournment *sine die* shall be made only by concurrent resolution, and the resolution for adjournment *sine die* shall be passed by both Houses at least 30 days before the date of such adjournment.

JOINT ADDRESS TO GOVERNOR.

47. When the Senate and Assembly shall judge it proper to make a joint address to the Governor, it shall be presented to him in his audience chamber by the President of the Senate in the presence of the Speaker of the Assembly and a select committee of six members from each House appointed by the respective presiding officers.

DISPENSING WITH JOINT RULES.

48. No joint rule shall be dispensed with except by vote of two-thirds of each House; and joint rules 27 and 35 can be dispensed with only in the manner provided for in said joint rules. If either House shall violate a joint rule a question of order may be raised in the other House and decided in the same manner as in the case of the violation of the rules of such House; and if it shall be decided that the joint rules have been violated, the bill involving such violation shall be returned to the House in which it originated, without further action. Or, at the option of such House, the President or Speaker may direct the Secretary or Clerk to mark the section or sections in conflict with the rules as nonconcurred in or negatived.

Resolution read.

The question being on the adoption of the resolution.

The roll was called and Senate Concurrent Resolution No. 22 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Shearer, Slater, and Stuckenbruck—31.

NOES—None.

SECRETARY CLIFTON E. BROOKS AT THE DESK.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Stuckenbruck to introduce a bill entitled "An act appropriating money to pay the claim of Mr. Albert Lindley" has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Shearer, Slater, and Stuckenbruck—32.
NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Rush to introduce a bill entitled "An act appropriating money for the construction of two cottages at the Napa State Hospital"—has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Shearer, Slater, and Stuckenbruck—31.
NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Inman to introduce a bill entitled "An act appropriating money for the construction of sewage disposal system at the Folsom State Prison"—has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Shearer, and Slater—30.
NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Slater to introduce a bill entitled "An act appropriating money for the purchase of kitchen equipment for the Sonoma State Home"—has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Shearer, Slater, and Stuckenbruck—31.
NOES—None.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(OUT OF ORDER).

The following bills were introduced in accordance with the above reports:

By Senator Stuckenbruck: Senate Bill No. 1165—An act appropriating money to pay the claim of Mr. Albert Lindley.

Bill read first time, and referred to Committee on Finance.

By Senator Rush: Senate Bill No. 1166—An act appropriating money for the construction of two cottages at the Napa State Hospital.

Bill read first time, and referred to Committee on Finance.

By Senator Inman: Senate Bill No. 1167—An act appropriating money for the construction of sewage disposal system at the Folsom State Prison.

Bill read first time, and referred to Committee on Finance.

By Senator Slater: Senate Bill No. 1168—An act appropriating money for the purchase of kitchen equipment for the Sonoma State Home.

Bill read first time, and referred to Committee on Finance.

THIRD READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 93—An act to amend section 4259 of the Political Code, relating to salaries and fees of officers in counties of the thirtieth class.

On motion of Senator Benson, Assembly Bill No. 93 was passed on file.

Assembly Bill No. 187—An act to amend section 4272 of the Political Code, relating to the salaries and fees of officers of counties of the forty-third class.

On motion of Senator Johnson, Assembly Bill No. 187 was passed on file.

RECESS.

At three o'clock and thirty minutes p.m., on motion of Senator Benson, the President pro tempore declared the Senate at recess until the hour of four o'clock p.m.

RECONVENED.

At four o'clock p.m. the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California to amend section 8½ of Article XI of the Constitution of the State, relating to city charters and to provisions therein for municipal courts.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Constitutional Amendment No. 2 referred to Committee on Constitutional Amendments.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage of Senate Bill No. 354—An act to regulate the vocation of mounting or preparing the skins for mounting of any animal, or part of animal, for profit, and to provide therefrom revenue for the protection of game.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 1105—An act to amend section 3513 of the Political Code, relating to the payment of the purchase price of lands sold by the State on and after the first day of May, A. D. 1911;

Also: Senate Bill No. 473—An act to amend the Code of Civil Procedure by adding thereto a new section to be numbered 2055, relating to the examination of an adverse party;

Also: Senate Bill No. 690—An act to amend section 1238 of the Code of Civil Procedure, relating to the public uses in behalf of which the right of eminent domain may be exercised.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 1105, 473 and 690 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 580—An act to amend section 2643 of the Political Code, relating to the powers of boards of supervisors respecting roads;

Also: Assembly Bill No. 242—An act to add a new section to the Penal Code, to be numbered 628*j*, relating to the protection of abalones in fish and game districts numbers, ten, sixteen, seventeen and eighteen;

Also: Assembly Bill No. 717—An act to amend section 4256 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-seventh class;

Also: Assembly Bill No. 118—An act to amend sections 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36 of the Water Commission Act, approved June 16, 1913, and to add thereto six new sections, to be numbered 36*a*, 36*b*, 36*c*, 36*d*, 36*e*, and 36*f*, relating to the ascertaining and adjudication of water rights;

Also: Assembly Bill No. 158—An act to add a new section to the "Water Commission Act," approved June 16, 1913, to be numbered section 15*a*, relating to the right to use the waters of an interstate stream;

Also: Assembly Bill No. 643—An act to provide for and regulate the issuance of stock without nominal or par value by public utility corporations now existing or hereafter organized.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 580 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 242 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 717 read first time, and referred to Committee on County Government.

Assembly Bill No. 118 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 158 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 643 read first time, and referred to Committee on Public Utilities.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 289—An act to amend section 8 of an act entitled "An act to regulate and license the taking and catching of game fishes and to define game fish and to provide revenue therefrom, for fish preservation and restoration," approved June 16, 1913;

Also: Assembly Bill No. 477—An act to add a new section to the Political Code, to be numbered 1734a, providing for the annexation of elementary school districts to high school districts;

Also: Assembly Bill No. 116—An act to amend section 15 of the Water Commission Act, approved June 16, 1913, relating to the appropriation of water;

Also: Assembly Bill No. 117—An act to amend section 23 of the Water Commission Act, approved June 16, 1913, relating to fees to be collected by the State Water Commission;

Also: Assembly Bill No. 156—An act to repeal an act entitled "An act to preserve and maintain the lakes, ponds, brooks, creeks, rivers, and streams of this State and to prevent the waters thereof from being carried by pipes, conduits, ditches, tunnels, or canals into other states, for use therein," approved March 3, 1911;

Also: Assembly Bill No. 189—An act to amend section 928 of the Penal Code, relating to the duty of grand juries relative to examination of books.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 289 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 477 read first time, and referred to Committee on Education.

Assembly Bill No. 116 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 117 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 156 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 189 read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 27, 1917.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 666—An act to amend section 4236 of the Political Code, relating to the salaries, fees and expenses of officers and of grand and trial jurors in counties of the seventh class—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

INMAN, Chairman.

Senate Bill No. 666 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 782—An act to amend section 4275 of the Political Code, relating to the salaries of county officers in counties of the forty-sixth class, and fixing the mileage and per diem of jurors in counties of the forty-sixth class;

Also: Senate Bill No. 657—An act to amend section 4254 of the Political Code, relating to compensation of officers in counties of the twenty-fifth class, and creating the office of county librarian and providing for the appointment and salary thereof; Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

INMAN, Chairman.

Senate Bills Nos. 782 and 657 ordered on file for second reading.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Benson:

SENATE CHAMBER, SACRAMENTO, March 27, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2 of Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to create a State Council of Defense to make investigations into the effect of the occurrence of war upon the civil and economic life of the people of the State of California; to recommend to the Governor measures to provide for the public security, the better protection of public health, a fuller development of the economic resources of the State and the encouragement of military training; to impose upon public officers certain duties in connection herewith; and to make appropriation for the purposes of this act.

Request referred to Committee on Rules.

ADJOURNMENT.

At four o'clock and ten minutes p.m., on motion of Senator Benson, the President pro tempore declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Wednesday, March 28, 1917.

The Senate met at ten o'clock a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—39.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal, of Tuesday, March 27, 1917, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Breed the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. Harlow P. Bancroft and Mr. C. E. Gilman of Oakland.

On request of Senator King the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. A. S. Maloney of San Bernardino.

On request of Senator Lyon the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. Roscoe F. Going and Mr. Frank Carroll of Los Angeles.

On request of Senator Rigdon the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Hon. Henry W. Lynch of Lynch, former member of the Senate.

COMMUNICATIONS.

The following telegram was read and ordered printed in the Journal:

Hon. E. J. Tyrrell, Sacramento, California:

Last night at Sacramento I had no opportunity to express to you and the Senate committee my very great appreciation of their courtesy to me. Please thank the committee and the Senate for the honor they did me. My best wishes and fondest regards to the members of the Legislature.

HIRAM W. JOHNSON.

Also:

SAN JOSE, March 20, 1917.

State Board of Equalization, Sacramento, California.

DEAR SIRS: The following is a statement of the foodstuffs in this county, listed under the name of the party, firm or corporation to whom the same is assessed:

A. G. Col—Potatoes, 500 sacks; onions, 12 sacks.
Dominion Commercial Company—Canned fruits, 1,750 cases.
J. C. Hayes & Co.—Potatoes, 200 sacks; beans, 50 sacks.
A. H. Marten & Son—Flour, 200 barrels.
Pratt Lowe Company—Canned fruits, 20,791 cases.
Raley & Co.—Potatoes, 2,000 sacks.
Sperry Flour Company—Flour, 2,027 barrels; cereals, 71,733 pounds.
Salinas Valley Grain and Produce Company—Wheat products, 10 tons; beans, 1 ton; potatoes, 6 tons; corn and miscellaneous, 8 tons.
L. I. Sussman—Canned fruits, 4,890 cases.
California Packing Corporation—Dried fruits, 762 tons; canned goods, 5,060 cases.
(NOTE.—This company is a combination of the California Fruit Canners Association, the Central California Canneries, the J. K. Armsby Company and Griffin-Skelly & Co.)
Rosenberg Bros. & Co.—Dried fruits, 477 tons.
Libby, McNeil & Libby—Canned goods, 25,618 cases.

The above is not intended to include a considerable amount of foodstuffs used and stored in small stores, butcher shops, etc., for the reason that the goods held or stored in these establishments varies to a large extent, and particularly on account of the fact that your request for this report did not specify as of any date.

A comparatively small amount of certain kinds of foodstuffs is stored in this county on account of the proximity of the large distributing centers and the short time required to move these supplies to the local dealers.

Respectfully submitted.

C. Y. PITMAN, Assessor.
HAROLD E. FORD, Deputy.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 26th adopted Assembly Constitutional Amendment No. 23—A resolution to propose to the people of the State of California to amend Article XIII of the Constitution by adding a new section thereto to be numbered 5, relating to reimbursement to cities for taxes lost on account of exemptions.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Constitutional Amendment No. 23 re-referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 27, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Benson to introduce a bill entitled: "An act to create a state council of defense to make investigations into the effect of the occurrence of war upon the civil and economic life of the people of the State of California; to recommend to the Governor measures to provide for the public security, the better protection of public health, a fuller development of the economic resources of the State and the encouragement of military training; to impose upon public officers certain duties in connection herewith; and to make an appropriation for the purposes of this act," has had the same under consideration, and respectfully reports the same back and recommends that request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Luce, Lyon, Maddux, Nealon, Rigdon, Roninger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS.

The following bill was introduced in accordance with the above report:

By Senator Benson: Senate Bill No. 1169—An act to create of state council of defense to make investigations into the effect of the occurrence of war upon the civil and economic life of the people of the State of California; to recommend to the Governor measures to provide for the public security, the better protection of public health, a fuller development of the economic resources of the State and the encouragement of military training; to impose upon public officers certain duties in connection herewith; and to make an appropriation for the purposes of this act.

Bill read first time, and referred to Committee on Military Affairs.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 28, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred Assembly Concurrent Resolution No. 12—"Relative to adjourning sine die of the forty-second session of the Legislature of the State of California, to fix a day for said adjournment"—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

BREED, Chairman.

Assembly Concurrent Resolution No. 12 ordered on file.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 28, 1917.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 488—An act to amend section 24 of an act entitled "An act to provide for the acquisition by municipalities of land for public park or playground purposes by condemnation, and for the establishment of assessment districts

and the assessment of property therein to pay the expenses of acquiring such land," approved April 22, 1909, as amended, has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

TYRRELL, Chairman.

Assembly Bill No. 488 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 342—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

TYRRELL, Chairman.

Senate Bill No. 342 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 62—An act to amend section 4 of an act entitled "An act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvements within municipalities, and also for the payment of such bonds," approved February 27, 1893:

Also: Assembly Bill No. 186—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipality voting upon the question of incurring such indebtedness:

Also: Assembly Bill No. 585—An act to amend section 765 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended:

Also: Assembly Bill No. 697—An act to amend section 863 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883:

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

TYRRELL, Chairman.

Assembly Bills Nos. 62, 186, 585, and 697 ordered on file for second reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 90—An act to amend section 290½ of the Civil Code, relating to corporations.

On motion of Senator Jones, Senate Bill No. 90 was passed on file.

Senate Bill No. 101—An act to amend section 16 of an act entitled "An act regulating the employment and hours of labor of children; prohibiting the employment of minors under certain ages; prohibiting the employment of certain illiterate minors; providing for the enforcement hereof by the commissioner of the Bureau of Labor Statistics and providing penalties for the violation hereof," approved February 20, 1905, as amended by an act approved April 14, 1911, as further amended by an act approved June 2, 1913; and as further amended by an act approved June 5, 1915.

Bill read third time previously.

SPECIAL ORDER.

Senator Inman moved that Senate Bill No. 101 be made a special order for Friday, March 30, 1917, at eleven o'clock a.m.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Inman, Stuckenbruck, and Shearer.

The roll was called on the motion to make Senate Bill No. 101 a special order.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Lyon moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At ten o'clock and thirty-five minutes a.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Lyon.

The Secretary was directed to call the roll on the motion to make Senate Bill No. 101 a special order for Friday, March 30, of the Senators who had not answered to their names.

The roll was called, and the motion carried by the following vote:

AYES—Senators Ballard, Brown, Burnett, Canepa, Carr, F. M., Chamberlin, Chandler, Gates, Ingram, Inman, Irwin, McDonald, Maddux, Nealon, Rigdon, Rominger, Sharkey, Shearer, Slater, and Thompson—20.

NOES—Senators Benson, Breed, Carr, W. J., Crowley, Duncan, Evans, Flaherty, Jones, Kehoe, King, Luce, Lyon, Stuckenbruck, and Tyrrell—14.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 28, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 22—Relative to adoption of joint rules—and reports that the same has been correctly engrossed.

ROMINGER, Acting Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 761—An act to repeal sections 1959 and 2027 of the Political Code, and to amend sections 1918, 1919, 1924, 1925, 1926, 1927, 1928*a*, 1928*b*, 1928*d*, 1929, 1930, 1931, 1932, 1932½, 1933, 1934, 1951, 1953, 1954, 1955, 1956, 1957, 1958, 1960, 1980, 1982, 2006, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2026, 2079, 2083, 2107, 2111, and 2112, of the Political Code, all relating to the National Guard of the State of California—and reports that the same has been correctly re-engrossed.

ROMINGER, Acting Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Constitutional Amendment No. 20—Resolution to propose to the people of the State of California an amendment to section 9 of Article IX of the Constitution of the State of California in relation to the powers of the Board of Regents of the University of California;

Also: Senate Bill No. 1146—An act granting certain lands and validating certain State patents;

Also: Senate Bill No. 32—An act to amend sections 190, 192, 193, 194, 195, 201, 204, 226 and 246 of the Code of Civil Procedure, relating to jurors.

And reports that the same have been correctly engrossed.

ROMINGER, Acting Chairman.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committee were received and read:

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, March 21, 1917.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 1154—An act to add a new section to an act entitled "An act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams and watercourses, for the prevention of the overflow thereof, by widening, deepening, straightening and otherwise improving the same, and to authorize the boards of supervisors to levy and collect assessments from the property benefited to pay the expenses of the same," approved March 27, 1895, as amended, to be numbered 20¼, relating to refund of assessments;

Also: Senate Bill No. 1157—An act defining henceforth the exterior boundaries of Reclamation District No. 108, situate partly in the counties of Colusa and Yolo, and providing for the liquidation of the affairs of Reclamation District No. 108, as it now exists, its exterior boundaries being described in that certain act of the legislature, approved May 18, 1915, and approving the acts and proceedings of the said district, as defined in the said act of May 18, 1915, and the board of trustees thereof, and providing for the continuation in office of the present trustees of said district, and for the election and qualification of their successors, and providing that in the management and control of the affairs of said Reclamation District No. 108, as defined in this act, that it is subject to the provisions of the Political Code of the State of California, and to all other laws of the State, except as provided in the said act, in connection with the issuance and payment of warrants and the payment of assessments, providing that all moneys of the said district shall be paid and deposited with the county treasurer of Colusa county, and conferring jurisdiction upon the board of supervisors of the county of Colusa as to all matters concerning said district, and providing also for the management and control and administration of the affairs of said district;

Has had the same under consideration, and respectfully reports the same back and recommends that same do pass.

JONES, Chairman.

Senate Bills Nos. 1154 and 1157 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 907—An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, as recommended in the special report of the California Debris Commission, dated June 30, 1907, and made jointly by Brigadier General A. Mackenzie, chief of engineers, C. H. McKinstry, major, corps of engineers, and Thomas H. Jackson, captain, corps of engineers, of the United States army, and printed with the annual report of the chief of engineers of the United States army, for the fiscal year ending June 30, 1907, and making an appropriation for such work—has had the same under consideration, and respectfully reports the same back without recommendation, except that the amendments be adopted, and ask that the bill be re-referred to the Committee on Finance.

JONES, Chairman.

Senate Bill No. 907 re-referred to Committee on Finance.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 820—An act to provide for the periodical inspection of steam boilers, with certain exceptions, operated in this State; requiring a permit, to be issued by the Industrial Accident Commission, for the operation of such boilers; making it a misdemeanor to operate such boilers without such permit; and allowing an injunction against such

operation without such permit where dangerous to the life or safety of employees; providing for a hearing before the Industrial Accident Commission prior to refusal of a permit; providing for the determination of competency of inspectors making such inspections and requiring reports of inspections; and prescribing maximum fees for such inspections.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 820 passed by the following vote:

AYES—Senators Benson, Breed, Canepa, Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, Lane, Lyon, McDonald, Nealon, Scott, Sharkey, Slater, Thompson, and Tyrrell—23.

NOES—Senators Ballard, Brown, Burnett, Carr, F. M., Chamberlin, Duncan, Irwin, Maddux, Rigdon, Rominger, Shearer, and Stackenbruck—12.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER

Senator Inman gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 820 was passed.

Senate Bill No. 49—An act to repeal section 55a of the Penal Code, relative to soliciting, demanding, or pledging votes for or against any particular bill or measure.

On motion of Senator Duncan, Senate Bill No. 49 was passed on file.

Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending sections 1 and 14 of Article XIII thereof, both relating to revenue and taxation, so as to permit taxation of certain public utilities owned or operated by counties, cities and counties, or municipal corporations.

On motion of Senator Irwin, Senate Constitutional Amendment No. 11 was passed on file.

Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section 22 of Article XII thereof, relating to the powers and duties of the Railroad Commission of the State of California.

On motion of Senator Irwin, Senate Constitutional Amendment No. 21 was passed on file.

Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section 23 of Article XII thereof, relating to the powers and duties of the Railroad Commission of the State of California.

On motion of Senator Irwin, Senate Constitutional Amendment No. 22 was passed on file.

Senate Bill No. 320—An act to amend section 1858 of the Political Code, relating to the apportionment of the elementary school funds and the counting of attendance in the elementary and secondary schools of the State.

On motion of Senator Jones, Senate Bill No. 320 was passed on file.

Senate Bill No. 890—An act to amend section 2643 of the Political Code, relating to the powers of boards of supervisors over roads.

On motion of Senator Tyrrell, Senate Bill No. 890 was passed on file.

Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending section 1 of Article IV thereof, relating to legislative powers, and reserving to the people of the State of California the power to propose laws, statutes and amendments to the Constitution and to enact the same at the polls, independent of the Legislature, and also reserving to the people of the State of California the power to approve or reject at the polls any act or section or part of any act of the Legislature.

On motion of Senator Duncan, Senate Constitutional Amendment No. 5 was passed on file.

Senate Constitutional Amendment No. 44—A resolution to propose to the people of the State of California to amend section 13 of Article VI of the Constitution of the State, relating to inferior courts.

On motion of Senator Ballard, Senate Constitutional Amendment No. 44 was passed on file.

Senate Bill No. 1090—An act to amend sections 1, 2, 3, 6, 7, 12, 15 and 16 of an act entitled "An act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911, as amended.

In the absence of the author, Senate Bill No. 1090 was ordered passed, to retain its place on the file.

Senate Bill No. 761—An act to repeal sections 1959 and 2027 of the Political Code, and to amend sections 1918, 1919, 1924, 1925, 1926, 1927, 1928*a*, 1928*b*, 1928*d*, 1929, 1930, 1931, 1932, 1932½, 1933, 1934, 1951, 1953, 1954, 1955, 1956, 1957, 1958, 1960, 1980, 1982, 2006, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2026, 2086, 2107, 2111 and 2112 of the Political Code, all relating to the National Guard of the State of California.

In the absence of the author, Senate Bill No. 761 was ordered passed, to retain its place on the file.

Senate Bill No. 884—An act to repeal section 847 of the Civil Code, relating to uses and trusts, to amend section 857 of the Civil Code, relating to express trusts, and to amend section 2220 of the Civil Code, relating to purposes for which a trust may be created.

On motion of Senator Tyrrell, Senate Bill No. 884 was passed on file.

Senate Bill No. 885—An act to amend section 715 of the Civil Code, relating to restraints upon alienation.

On motion of Senator Tyrrell, Senate Bill No. 885 was passed on file.

Senate Bill No. 872—An act defining the meaning of the term "appointive officer," and to prohibit any appointive officer of the State of California, or of any of its departments or commissions, from participating in political conventions, discussions or campaigns for or against any political party, or measure, or candidate, making public political speeches to influence the action of any voter or voters for or

against any party, person, or measure, or using any official stationery for such purpose, and providing penalties for the violation thereof.

On motion of Senator Duncan, Senate Bill No. 872 was passed on file.

Senate Bill No. 651—An act to repeal an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913.

On motion of Senator Stuckenbruck, Senate Bill No. 651 was passed on file.

Senate Bill No. 1110—An act to promote the development of the California fruit industry and to protect the State's reputation in the fruit markets by establishing a standard for the packing of certain fresh fruits specified herein, prescribing penalties for violations of the provisions hereof, and repealing all acts inconsistent herewith.

On motion of Senator Benson, Senate Bill No. 1110 was passed on file.

Senate Bill No. 1151—An act to repeal an act entitled "An act providing for the investigation by the State Veterinarian, the Secretary of the State Board of Health and the State Commissioner of Horticulture of injury to animal life and vegetation in California, caused by smelter wastes, and making an appropriation therefor," approved June 16, 1913.

In the absence of the author, Senate Bill No. 1151 was ordered passed, to retain its place on the file.

Senate Bill No. 458—An act to amend sections 2322, 2322*a*, 2322*b* and 2322*d* of the Political Code and to add new sections 2322*f*, 2322*g*, 2322*h*, 2322*i*, and 2322*j* to the Political Code, said sections relating to orchards, trees, vines or plants of any variety, infected or infested with diseases, scale or other insects of any kind injurious to fruit, fruit trees, vines or other plants or vegetables, or noxious weeds and to the extermination or the control of insects, ground squirrels, gopher or other animal pests and plant diseases or noxious weeds, and to the appointment and removal of a county horticultural commissioner in the several counties of the State; prescribing his duties and powers and fixing his compensation and term of office, also providing for a State Board of Horticultural Examiners, prescribing the duties of said board, and providing for examination to be taken by persons desiring to qualify for position as county horticultural commissioner; providing for the dividing of the several counties of the State into districts by the respective county horticultural commissioners, and providing for the appointment of deputy commissioners, local inspectors, and quarantine guardians, prescribing their duties and powers and fixing their compensation.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Benson moved to refer Senate Bill No. 458 to Senator Jones, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 7, line 37, of the printed bill, strike out the words "or to destroy".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 28, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 458, with instructions to amend, respectfully reports the same back, amended as per instructions.

JONES, Special Committee.

Report read, and, on motion of Senator Benson, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 715—An act to regulate and control the business of making personal loans and to regulate the assignment of wages when given as security for any such loan.

On motion of Senator Gates, Senate Bill No. 715 was passed on file.

Senate Bill No. 612—An act to amend section 537 of the Penal Code, relating to fraudulent practices upon keepers of hotels, inns, restaurants, boarding houses, lodging houses or furnished apartment houses.

On motion of Senator Canepa, Senate Bill No. 612 was passed on file.

Senate Bill No. 594—An act to amend section 8 of an act entitled "An act to provide for the formation of levee districts in the various counties of this State and to provide for the erection of levees, dikes and other works for the purpose of protecting the lands within such districts from overflow and to levy assessments to erect and construct and maintain such levees, dikes and other works and to pay the necessary costs and expenses of maintaining said districts," approved March 20, 1905, and amended by an act approved March 16, 1907.

On motion of Senator Carr, W. J., Senate Bill No. 594 was passed on file.

Senate Bill No. 843—An act making bonds of municipal improvement districts legal investments for certain purposes.

In the absence of the author, Senate Bill No. 843 was ordered passed, to retain its place on the file.

Senate Bill No. 87—An act to empower the State Market Director of California to regulate and control the business of buying and selling fresh fish; to regulate the destruction of food fish; to create a state fish exchange, to license those engaged in marketing fish; to create a state fish exchange fund and a revolving fund; to provide penalties for violations of this act; to investigate and report on the fish industry; and to promote the sale of fish.

On motion of Senator Luce, Senate Bill No. 87 was passed on file.

Senate Bill No. 51—An act to add a new section to the Code of Civil Procedure, to be numbered 337*a*, relating to the time when an action upon an open book account accrues.

In the absence of the author, Senate Bill No. 51 was ordered passed, to retain its place on the file.

Senate Bill No. 140—An act to amend section 1405 of the Civil Code, relating to escheat property.

On motion of Senator Luce, Senate Bill No. 140 was passed on file.

Senate Bill No. 139—An act to amend section 1269 of the Code of Civil Procedure and to add a new section to said code to be numbered 1272*a*, both relating to escheat and unclaimed estates and property and to proceedings relating thereto.

On motion of Senator Luce, Senate Bill No. 139 was passed on file.

Senate Bill No. 32—An act to amend sections 190, 192, 193, 194, 195, 201 and 246 of the Code of Civil Procedure, relating to jurors.

On motion of Senator Benson, Senate Bill No. 32 was passed on file.

Senate Bill No. 630—An act to add a new section to the Civil Code, to be numbered section 2767, relating to the disposition by the beneficiary of his interest under a policy of life insurance.

In the absence of the author, Senate Bill No. 630 was ordered passed, to retain its place on the file.

Senate Bill No. 635—An act to amend section 596*a* of the Political Code, relating to legal advice upon certain action by the Insurance Commissioner.

In the absence of the author, Senate Bill No. 635 was ordered passed, to retain its place on the file.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 617—An act to amend section 591 of the Political Code, relating to the maintenance of the office of the Insurance Commissioner.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 112—An act to amend the Penal Code by adding thereto two new sections to be numbered 1168 and 1169, relating to indeterminate sentences of persons convicted of criminal offenses for the first time, and to provide for the release of such persons within the time for which they are sentenced to imprisonment.

On motion of Senator Inman, Senate Bill No. 112 was passed on file.

Senate Bill No. 756—An act to amend section 199 of the Code of Civil Procedure, relating to the competency of jurors.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 113—An act to amend section 674 of the Penal Code, relating to civil death of person sentenced to state prison for life.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 114—An act to amend section 673 of the Penal Code, relating to civil rights of convict suspended.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 755—An act to amend sections 2239, 2283, 2287 and 2289 of the Civil Code, relating to trusts.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, strike out all of lines 8 and 9.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, strike out all of line 10, and insert in lieu thereof the following: "(8) Adjudicated to be bankrupt;".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 11, strike out the figures "(10)" and insert in lieu thereof the figure "(9)".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 15, after the word "situated" strike out the word "may" and insert in lieu thereof the word "must".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 35, strike out the words "the next succeeding section" and insert in lieu thereof the words, "section two thousand two hundred eighty-nine of the Civil Code."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 34, after the word "trustees" insert the following: "and in appointing a trustee or trustees to fill a vacancy in the office of trustees".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, lines 8 and 9, strike out the words "or any less number".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, after the word "and" strike out the letters "notwithstand-" in line 9; also all of lines 10 and 11, down to and including the comma after the word "successors" in line 12, and insert in lieu thereof the word "that".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, line 13, after the word "person" insert the words "or persons in being, if any,".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 386—An act to amend the Penal Code of the State of California by adding a new section thereto to be numbered 496*a* and relating to the purchase of certain materials by junk dealers.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 7, after the word "brass" strike out the rest of the line; also all of line 8 and down to and including the word "company" in line 9.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, lines 9 and 10, strike out the words "ascertaining by" and insert in lieu thereof the word "making".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 815--An act to provide for the protection of beneficiaries of workmen's compensation insurance policies and self-employing policies against the default or insolvency of insurance carriers issuing such policies; to provide for the examination from time to time of such insurance carriers to determine their financial condition; to provide for the establishment and maintenance of a compensation insurance beneficiaries' guaranty fund, for the making and enforcement of contributions thereto, and for the payment therefrom of compensation awards against insolvent or defaulting insurance carriers contributing thereto; to provide for the reimbursement of said fund from the assets of any insurance carrier becoming insolvent or otherwise defaulting in its payment to such beneficiaries; to provide for the expense of administration of said fund; and vesting power in the Insurance Commissioner to take possession of the assets and administer the affairs of any such insurance carrier upon its default or insolvency or threatened insolvency; and for other purposes.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 3 of the title, strike out the words "and self-employing policies", and in line 5 strike out the semicolon and strike out the balance of the title and insert in lieu thereof the following "by requiring such carriers to provide security for the payment of such compensation".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, after "Section 1," strike out the balance of line 1 and all of lines 2 and 3 and all of pages 2 to 13, inclusive, and insert in lieu thereof the following:

Every insurance carrier, except the state compensation insurance fund, transacting the business of workmen's compensation insurance in this state, shall on the first day of October, A. D. 1917, file in the office of the insurance commissioner of this state a bond in favor of said insurance commissioner as trustee for the beneficiaries of awards of compensation rendered by the industrial accident commission, executed by said carrier and some surety company or companies approved by said insurance commissioner and authorized to transact the business of suretyship in this state. Said bond shall be in an amount not less than the reserve for losses of said insurance carrier on compensation insurance outstanding in this state on December 31, A. D. 1916, calculated as prescribed by the laws of this state, nor for more than double the amount of said reserve, but in no case for less than the sum of one hundred thousand dollars.

SEC. 2. It shall be provided in said bond that, in the event said insurance carrier shall fail to pay any award or awards which shall be rendered against it by said industrial accident commission, within thirty days after the same become final, the said surety will forthwith pay, to the extent of its liability under said bond, said award or awards to said insurance commissioner as trustee for said beneficiaries. Said bond shall further provide that, if said insurance carrier shall suspend payment or become insolvent or a receiver shall be appointed therefor, the said surety will pay said awards, to the extent of its liability under said bond, upon the expiration of thirty days after the same become final, without regard to any proceedings for the liquidation or reinstatement of said insurance carrier. It shall be further provided in said bond, but as a cumulative remedy only, that, in the event said insurance carrier shall fail to pay any award which shall be rendered against it by said industrial accident commission within thirty days after the same becomes final, an award may be rendered by said commission against said surety and in favor of said insurance commissioner as trustee for the beneficiary of said award without notice to said surety for the amount of the unpaid portion of said award against said carrier. Said industrial accident commission is hereby vested with the same full power, authority and jurisdiction as to such awards against said sureties in such cases as it has over said insurance carrier, and it shall issue a certified copy thereof upon the application of any party affected thereby. Said party may file a certified copy of any such award in the office of the clerk of the superior court of any county or city and county of the State of California, and, upon the filing of the same, said clerk shall immediately enter a judgment thereon against said surety. Said certified copy of said award and said judgment shall constitute the judgment roll and shall conclusively establish the liability of said surety without any additional evidence in any and all proceedings to renew said judgment or to enforce the payment thereof. Said bond shall provide for the payment of all legal costs, including reasonable attorneys' fees, incurred in all actions or proceedings taken to enforce payment of said bonds or payment of said awards or said judgments against said surety. No stay of execution of any such judgment shall be granted except upon the order of said industrial accident commission. Nothing herein contained shall operate to enlarge the liability of said surety beyond the penal sum of its bond. Payment of awards by said surety aggregating the amount of its bond shall constitute a full discharge of all liability under said bond.

SEC. 3. Every such insurance carrier shall on or prior to the first day of July of the year A. D. 1918, and of each succeeding year, file in the office of the insurance commissioner of this state a new bond conditioned as aforesaid in an amount not less than the amount of the reserve for losses of said insurance carrier on compensation insurance in force in this state on the 31st day of the month of December of the preceding year, as shown by its last report of said business filed in the office of said insurance commissioner, nor for more than double the amount of said reserve, but in no case for less than the sum of one hundred thousand dollars, except where said insurance carrier has ceased to do such business in this state, in which case said bond shall be fixed by said insurance commissioner at such amount as he may deem sufficient for the protection of the beneficiaries of the policies of such insurance carrier. Upon the filing of said new bond, approved as herein required, and not until such filing and approval, all liability under the previous bond shall thereby terminate. Said new bond shall embrace the entire liability of said previous bond except in so far as the same may have been paid or discharged.

SEC. 4. Said insurance commissioner shall, before approving any such bond, satisfy himself of the financial ability of the surety to assume the obligations imposed thereby, and no company shall be accepted by him as surety which shall have assumed obligations in excess of the limits prescribed by standards of suretyship recognized as reasonable and proper and which it shall be the duty of said commissioner to promulgate for uniform application in such cases.

SEC. 5. No authorization shall be issued or renewed to any insurance carrier to transact the business of workmen's compensation insurance in this state, until it has filed said bond with the insurance commissioner and the same has been approved by him. It shall be the duty of the insurance commissioner to notify the industrial accident commission of the approval and filing of every bond given pursuant to the provisions of this act.

SEC. 6. The insurance commissioner shall have the right, and it shall be his duty, to require any such insurance carrier at any time to file an additional bond conditioned as aforesaid, if the amount of the bond then on file is in his judgment insufficient to cover the liability of said insurance carrier for said compensation, or if the surety on said bond has become insufficient in the judgment of the said commissioner.

SEC. 7. Two or more surety companies may be accepted as sureties on said bond, or separate bonds may be executed by different sureties for amounts aggregating the sum specified by the said commissioner. In such cases each of said sureties shall be jointly and severally liable to the extent of the amount of the liability assumed by it.

SEC. 8. The liability of the sureties under the bonds hereby required to be given shall be the entire liability of the principals named therein, not exceeding the amount

of said bonds or the limit of the liability assumed by any such surety, for the payment of awards of compensation rendered or to be rendered against said principals by said industrial accident commission under the terms of the workmen's compensation insurance and safety act and acts amendatory thereof and supplementary thereto, without regard to the time when the injury upon which an award was based may have occurred, but said bond shall not include any other liability of said carrier nor shall any payment made under any such bond by said surety be applied otherwise than in satisfaction of awards of compensation rendered by said industrial accident commission.

SEC. 9. Full power and authority is hereby conferred upon said insurance commissioner to act as trustee for all beneficiaries under awards rendered by said industrial accident commission, and he may take assignments in his own name as trustee and as such he shall have the authority to institute and maintain actions against said sureties, and, upon the collection by him by suit or otherwise of the amount of said awards, he shall pay the same to the parties entitled thereto. The payment of any such award or part thereof by said insurance commissioner shall constitute a satisfaction thereof to the extent of the payment made and, in the event any judgment shall have been entered on any such award, the said commissioner shall file a satisfaction thereof, to the extent of said payment, in the office of the clerk of the court wherein such judgment has been entered.

SEC. 10. Any such surety shall have the right to require the principal on its bond, on thirty days' notice, to furnish a new bond, to be approved by the insurance commissioner as in other cases, and, in the event of a failure to do so, said principal shall forfeit the right to continue to issue compensation policies in this state.

SEC. 11. Any compensation insurance carrier may, in lieu of said bond and subject to the same conditions, deposit with the state treasurer, through the insurance commissioner, from time to time as may be demanded by said commissioner, cash or approved interest-bearing securities readily convertible into cash, equal to the reserves for losses required by section six hundred two *a* of the Political Code at the time of said deposit, on the compensation business of said carrier outstanding in the State of California, calculated as hereinbefore provided, as security for the payment of its obligations on said business done in this state, and said deposit shall not be withdrawn except upon the order of the insurance commissioner in payment of compensation claims, provided that any such deposit, or any remainder thereof, may be repaid to such carrier upon satisfactory evidence that every liability to pay compensation shall have been reinsured with a solvent carrier or fully paid and discharged.

SEC. 12. The insurance commissioner shall have power to revoke the certificate of authority to transact compensation insurance business in this state of any insurance carrier failing to comply with the requirements of this act.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

REPORT OF STANDING COMMITTEE (OUT OF ORDER).

The following report of standing committee was received and read:

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, March 28, 1917.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Senate Bill No. 1169—An act to create a state council of defense to make investigations into the effect of the occurrence of war upon the civil and economic life of the people of the State of California; to recommend to the Governor measures to provide for the public security, the better protection of public health, a fuller development of the economic resources of the State and the encouragement of military training; to impose upon public officers certain duties in connection herewith; and to make appropriation for the purposes of this act—has had the same under consideration, and respectfully reports the same back and recommends that it do pass, and be re-referred to Committee on Finance.

SCOTT, Chairman.

Senate Bill No. 1169 re-referred to Committee on Finance.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Senate Bill No. 414, heretofore set as a special order for eleven o'clock a.m., the same was taken up for consideration.

Senate Bill No. 414. An act regulating the traffic in alcohol and alcoholic liquors, and prohibiting, except in certain places and in certain cases and under certain conditions, the keeping, selling, serving, bartering, giving away, shipment, transporting, delivery or receiving of alcohol or alcoholic liquors, or of vinous or malt liquors which contain certain percentages or more of alcohol or which contain distilled spirits; prohibiting (except under certain conditions and in certain cases and in respect of certain vinous or malt liquors) the sale, serving or bartering of alcoholic liquors for beverage purposes for consumption on the premises where sold, served or bartered, or the keeping, maintaining or conducting of any drinking saloon, bar, barroom or other place where (except under said conditions and in said cases and in respect of said vinous or malt liquors) any alcoholic liquors are sold, served or bartered for beverage purposes for consumption on the premises where sold, served or bartered; prescribing the maximum number of licenses or permits which may be issued by any town, city or city and county for the sale of liquor in sealed packages for consumption elsewhere than on the premises where sold; making unlawful and declaring to be penal offenses various acts in respect of, and various dealings in, alcohol, alcoholic liquors or particular kinds of such liquors, and prescribing penalties for and providing for the punishment of such offenses.

Bill read third time.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., the hour of recess was extended until one o'clock p.m.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 414 was refused passage by the following vote:

AYES—Senators Benson, Breed, Brown, Carr, W. J., Chandler, Duncan, Evans, Gates, Ingram, Irwin, Jones, Kehoe, King, Luce, Maddux, Purkitt, Rigdon, Slater, and Thompson—19.

NOES—Senators Ballard, Burnett, Canepa, Carr, F. M., Chamberlin, Crowley, Flaherty, Hans, Inman, Johnson, Lyon, McDonald, Nealon, Rominger, Rush, Scott, Sharkey, Shearer, Stuckenbruck, and Tyrrell—20.

NOTICE OF MOTION TO RECONSIDER.

Senator Rominger gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 414 was refused passage.

RECESS.

At one o'clock p.m., on motion of Senator Benson, the President pro tempore declared the Senate at recess until the hour of two o'clock and thirty minutes p.m.

RECONVENED.

At two o'clock and thirty minutes p.m. the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

SECOND READING OF SENATE BILLS (OUT OF ORDER).

Senate Bill No. 712—An act to add a new section to the Political Code, to be numbered 1528, providing for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1084—An act to amend sections 1745 and 1746 and to repeal section 1749 of the Political Code, all relating to the issuance of bonds by high school districts.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 319—An act to add a new section, to be numbered 1582, and to amend section 1543 of the Political Code, relating to the lapsing, suspending and reestablishing of school districts and the powers and duties of superintendents of schools.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 6, line 17, strike out the semicolon after the word "California" and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 6, line 21, strike out the words "or other state normal school as authorized" and insert in lieu thereof the following: "state normal school or other state normal school accredited".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 6, line 22, after the word "education" insert a period and strike out all of the remainder of that paragraph.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 6, line 33, strike out the semicolon after the word "credential" and insert in lieu thereof a period; also strike out all of the remainder of that paragraph to and including the word "experience" and period on line 3, page 7.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 7, line 33, immediately following the word "any" insert the following words: "subject in any".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 8, line 7, immediately following the word "education" and comma insert the following words: "under regulations prescribed by said board".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 8, strike out all of lines 10, 11 and 12 and insert in lieu thereof the following: "to do cadet-teaching without salary in the special subjects listed in the recommendation upon which the preliminary certificate has been granted, in any school of like grade in the county."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 516—An act to amend section 1521 of the Political Code, relating to the compensation and expenses of members of the State Board of Education and Assistant Superintendents of Public Instruction.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 6, beginning with the word "under" strike out all down to and including the word "Los Angeles" in line 8 and insert in lieu thereof the following: "at the Sacramento or Los Angeles offices of the board or elsewhere under the direction of the state board of education".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 10, strike out the words "two thousand" and insert in lieu thereof the following: "two thousand five hundred".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1007—An act to amend section 1750 of the Political Code, relating to high school courses of study.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 7, strike out the words "two years" and insert in lieu thereof the following: "four years; *provided*, that any high school district maintaining a full four year course of study in its main high school may establish branch high schools within the district in which less than a four year course of study may be maintained."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 666—An act to amend section 4236 of the Political Code, relating to the salaries, fees and expenses of officers and of grand and trial jurors in counties of the seventh class.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On line 7 of the printed bill add the following:

1. The county clerk, three thousand six hundred dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the county clerk one chief deputy who shall receive a salary of one thousand eight hundred

dollars per annum; one registration clerk who shall receive a salary of one thousand six hundred eighty dollars per annum; four court clerks who shall receive salaries of one thousand five hundred dollars each per annum, one deputy who shall receive a salary of one thousand three hundred and fifty dollars per annum, one index clerk who shall receive a salary of one thousand two hundred dollars per annum; one stenographer who shall receive a salary of one thousand and twenty dollars per annum; two copyists who shall receive salaries of one thousand and twenty dollars each per annum; and a deputy or deputies, not to exceed ten, for the purpose of registering electors, to be paid not to exceed three dollars per diem each *provided*, that said deputies so employed for registering electors shall not be employed except during a year when a general election is to be held throughout the state, and then only between the first day of May and the fifteenth day of November of said year, and not more than one deputy for each precinct for the purpose of registering electors in precincts outside of the corporate limits of municipalities containing twenty-five thousand or more inhabitants during said year of the general election, who shall be paid ten cents per name for each person legally registered by them, the salaries and compensations of each of said deputies and clerks to be paid out of the county treasury in equal monthly installments in the same manner and at the same time as the other county officials are paid.

2. The sheriff, three thousand six hundred dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the sheriff one undersheriff, whose salary is hereby fixed at the sum of one thousand eight hundred dollars per annum, and the following deputies and employees: One deputy who shall be head jailer, and who shall receive the salary of one thousand six hundred dollars per annum; one deputy who shall receive a salary of one thousand two hundred dollars per annum; one deputy who shall receive a salary of nine hundred dollars per annum; two service deputies who shall receive a salary of one thousand five hundred dollars each per annum; five deputies who shall receive salaries of one thousand two hundred dollars each, per annum; one stenographer who shall receive a salary of nine hundred dollars per annum; one bookkeeper who shall receive a salary of one thousand two hundred dollars per annum; six deputies who shall be turnkeys at the jail, whose salaries shall be one thousand and twenty dollars each, per annum, but no more turnkeys are to be employed than are absolutely necessary to handle the requirements of the jail; and three deputies who shall be known as country deputies, who shall receive salaries of one thousand two hundred dollars each per annum. In counties of this class there shall be a matron of the county jail, to be appointed by the sheriff, and who, under the direction of the sheriff, shall have charge of all female prisoners in the county jail, and who shall receive a salary of nine hundred dollars per annum, to be paid by the county in monthly installments at the same time, in the same manner, and out of the same fund as is the salary of the sheriff. In counties of this class the sheriff shall be allowed by the board of supervisors his actual necessary expenses for pursuing criminals, or for transacting of criminal business, and his actual necessary expenses for service of all process and notices, and each and all such expenses shall be a charge against the county and allowed by the board of supervisors, and paid as other county charges are paid. In counties of this class the sheriff shall not be allowed to retain for his own use any fees or mileage for the service of any process issued out of any court of this county but such fees and mileage when collected shall be paid into the county treasury.

3. The recorder, three thousand six hundred dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed the recorder the following deputies and copyists who shall be appointed by the recorder of said county, and shall be paid as follows: One chief deputy who shall receive one thousand eight hundred dollars per annum; one index deputy who shall receive a salary of one thousand three hundred and fifty dollars per annum, one assistant index clerk who shall receive a salary of one thousand two hundred dollars per annum, one chief filing clerk who shall act as deputy registrar who shall receive a salary of one thousand five hundred dollars per annum; one assistant filing clerk who shall receive a salary of one thousand and twenty dollars per annum; one compilation clerk who shall receive a salary of one thousand and twenty dollars per annum; and as many copyists as may be required, who shall receive as compensation the sum of five cents per folio for recording all instruments or notices except maps and plats, and for copies of any records, five cents per folio.

4. The auditor, three thousand six hundred dollars per annum; *provided*, that there is hereby allowed to the auditor the following deputies: One chief deputy who shall receive a salary of one thousand nine hundred and fifty dollars per annum; one deputy who shall receive a salary of one thousand six hundred and eighty dollars per annum; one deputy who shall receive a salary of one thousand three hundred and fifty dollars per annum; one deputy who shall receive a salary of nine hundred dollars per annum; five additional deputies at a salary of four dollars per day each, for each day employed for a period not to exceed one hundred and fifty-six days in any one year.

5. The treasurer, three thousand six hundred dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the treasurer, the following deputies, who shall be appointed by the treasurer and shall receive salaries as follows: One deputy who shall receive a salary of two thousand one hundred dollars per annum. The salary of the treasurer hereinabove provided shall be in full compensation for all services rendered, and the fees heretofore chargeable and collected by him for returning to the state the collateral inheritance tax and for the performance of his official duties in connection therewith shall be paid into the county treasury and be the property of said county, and said treasurer shall receive no fees, compensation or commissions of any kind or character for any service rendered by him in connection with said collateral inheritance tax.

6. The tax collector, three thousand six hundred dollars per annum and such fees as are allowed by law; one chief deputy who shall receive a salary of two thousand one hundred dollars per annum; two deputies who shall receive salaries of one thousand three hundred and fifty dollars each, per annum; two deputies who shall receive salaries of one thousand two hundred dollars each, per annum; a stenographer who shall receive a salary of one thousand and twenty dollars per annum; nine additional clerks at a salary of four dollars per day each, for each day employed, for a period not to exceed one hundred and fifty-six days in any one year.

7. The assessor, three thousand six hundred dollars per annum, and traveling expenses incurred in the discharge of his official duties not exceeding three hundred sixty dollars per annum; *provided*, that in counties of this class there shall be, and there hereby is allowed to the assessor, one chief deputy who shall receive a salary of one thousand eight hundred dollars per annum; one deputy who shall receive a salary of sixteen hundred and fifty dollars per annum; one deputy who shall receive a salary of one thousand three hundred and fifty dollars per annum; two deputies for a period not exceeding six months in any one year at salaries of one hundred dollars per month each; one deputy for a period not exceeding five months in any one year at a salary of one hundred dollars per month; four deputies for a period not exceeding four months in any one year, at salaries of one hundred dollars each per month; one stenographer who shall receive a salary of one thousand and twenty dollars per annum; six deputies for a period not exceeding one hundred and four days each fourth year, whose per diem shall be four dollars each when actually employed. It is further provided that in counties of this class the assessor shall receive no commission for his collection of taxes on personal property, nor shall such assessor receive any compensation or commission for the collection of poll taxes or road poll taxes, nor shall the assessor receive any compensation for making out the military roll of persons returned to him as subject to military duty as provided by section one thousand nine hundred one of the Political Code; *provided, however*, that fifteen per cent of all moneys collected by him for poll taxes and road poll taxes shall be allowed to such counties on their settlement with the state, and be and remain the property of such counties. It is further provided that in counties of this class, in addition to the deputies already allowed, there shall be and is hereby allowed to the assessor, eighteen deputies who shall receive salaries of four dollars per day each, five deputies who shall receive salaries of five dollars per day each, and three deputies who shall receive salaries of three dollars per day each for a period not exceeding seventy-eight days in any one year.

8. The district attorney, four thousand dollars per annum; also one assistant district attorney, who shall receive a salary of three thousand dollars per annum; two deputy district attorneys who shall receive salaries of two thousand four hundred dollars each per annum; one deputy district attorney who shall receive a salary of two thousand dollars per annum; one deputy district attorney who shall receive a salary of one thousand eight hundred dollars per annum; and two stenographers who shall receive salaries of one thousand two hundred dollars each, per annum. It is further provided that in counties of this class the district attorney be and is hereby allowed a detective who shall receive a salary of one thousand six hundred and fifty dollars per annum.

9. The superintendent of public schools, two thousand seven hundred and fifty dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed the superintendent of public schools, one assistant superintendent who shall receive a salary of one thousand two hundred dollars per annum and one bookkeeper who shall receive a salary of one thousand two hundred dollars per annum. In counties of this class the secretary of the county board of education shall not be paid or allowed to receive any compensation whatever for his services as secretary of such board, nor for any services rendered in connection therewith; *and provided, further*, that in counties of this class, the county school superintendent shall receive his actual and necessary traveling expenses for visiting and examining schools and school properties of the county and in performing such other duties as are incident to the full discharge of the requirements of the office of superintendent of schools, the claims for such expenses to be subject to the approval of the board of supervisors.

10. The public administrator, such fees as are now or may hereafter be allowed by law.

11. The coroner, one thousand five hundred dollars, and in addition thereto the board of supervisors shall allow the coroner his actual traveling expenses in the performance of his official duties within the county, when called away from the county seat. It is further provided that in counties of this class there shall be and there is hereby allowed the coroner, one assistant coroner, who shall receive a salary of twelve hundred dollars per annum, who shall also act as autopsy surgeon, and one summoning officer who shall, as compensation for his services, receive a fee of twenty-five cents for each and every person sworn as a coroner's juror.

12. The surveyor, three thousand six hundred dollars per annum, also one office deputy who shall receive a salary of one thousand eight hundred dollars per annum, one principal field deputy who shall receive a salary of one thousand eight hundred dollars per annum; one assistant field deputy in the assessor's office who shall receive a salary of one thousand two hundred dollars per annum, one assistant office deputy who shall receive a salary of one thousand and eighty dollars per annum, one draftsman who shall receive a salary of nine hundred dollars per annum; two deputies, chiefs of parties, who shall receive salaries of one thousand two hundred dollars each per annum; two instrument men who shall receive salaries of nine hundred and sixty dollars each per annum, and such other assistants as may be necessary for field work, who shall receive a compensation of three dollars per diem and expenses, when working in the field.

13. For the purpose of regulating the compensation of the justices of the peace and constables, townships in counties of this class are hereby classified as follows: Townships having a population of thirty thousand or more shall belong to and be known as townships of the first class; townships having a population of twelve thousand and less than thirty thousand shall belong to and be known as townships of the second class; townships having a population of five thousand and less than twelve thousand shall belong to and be known as townships of the third class; townships having a population of one thousand and less than five thousand shall belong to and be known as townships of the fourth class; townships having a population of less than one thousand shall belong to and be known as townships of the fifth class.

The population referred to in classifying townships as above provided for shall be the population found and determined by multiplying the registered vote at the last general election by three, and such population so determined shall be and become the official population of such township for the purpose of this act.

14. In counties of this class justices of the peace shall receive the following compensation, and all such salaries shall be paid monthly in the same manner as the salaries of county officers are paid, viz:

In townships of the first class three thousand dollars per annum each.

In townships of the second class twelve hundred dollars per annum.

In townships of the third class six hundred dollars per annum.

In townships of the fourth class three hundred and sixty dollars per annum.

In townships of the fifth class one hundred and twenty dollars per annum.

Such salaries shall be as full compensation for all services rendered by them in both civil and criminal cases. All fees chargeable and collectable by justices of the peace in civil and criminal cases for service rendered by them shall be paid monthly into the county treasury.

In townships of the first class, the board of supervisors of counties of this class shall furnish the justices of the peace suitable courtrooms.

In townships of the first class, in counties of this class, there shall be two justices of the peace and the said offices are hereby created. In all other townships in counties of this class there shall be one justice of the peace.

15. In counties of this class constables shall receive the following compensation, and all such salaries shall be paid monthly in the same manner as the salaries of county officers are paid, viz:

In townships of the first class in all criminal cases in lieu of fees now allowed by law twelve hundred dollars per annum.

In townships of the second class in all criminal cases in lieu of fees now allowed by law six hundred dollars per annum.

In townships of the third class in all criminal cases in lieu of fees now allowed by law six hundred dollars per annum.

In townships of the fourth class in all criminal cases in lieu of fees now allowed by law three hundred and sixty dollars per annum.

In townships of the fifth class in all criminal cases in lieu of fees now allowed by law two hundred and forty dollars per annum.

In all townships in counties of this class the constables shall be allowed in addition to the compensation above set forth all fees in civil cases as are now or may hereafter be allowed by law, and actual traveling expenses only in lieu of mileage for taking prisoners to the county jail.

In townships of the first class in counties of this class the board of supervisors shall furnish the constables offices with necessary and proper furniture for each of said constables.

16. Each member of the board of supervisors, one thousand five hundred dollars per annum and fifteen cents per mile in going from his residence to the county seat

at each meeting of the board. Also five hundred dollars per annum each and fifteen cents for each mile actually traveled in performing services as road commissioner; *provided*, that said supervisors shall not in any one year receive more than one thousand dollars each in mileage as road commissioner.

17. In counties of this class, grand and trial jurors in all criminal cases tried in the superior court shall receive two dollars fifty cents per day for each day's attendance while engaged in the performance of the duties required of them and in addition thereto shall receive for each mile actually traveled in going only, while acting as such juror, twenty-five cents; and the judge of said court shall make an order directing the auditor to draw his warrant on the treasurer in favor of such juror for said per diem and mileage and the treasurer shall pay the same.

18. Bringing records down to date in any office in counties of the seventh class, when the work of said office has not been brought down to date, and was in such condition when the present incumbent was inducted into office, the board of supervisors may authorize said incumbent to perform the labors that should have been performed by his predecessors in office and for that purpose may authorize said incumbent to employ special clerical help, at a compensation to be fixed by the board of supervisors, at so much per diem; *provided*, that the provisions herein shall apply only to work that should have been done by the incumbent's predecessor in office.

19. The deputies, clerks, copyists and employees mentioned in this section are hereby allowed to the respective county officers named, who shall appoint the same, and said deputies, clerks, copyists and employees shall be paid by the counties of this class in monthly installments, at the same time, in the same manner and out of the same fund as the salaries of the county officers are paid.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 782—An act to amend section 4275 of the Political Code, relating to the salaries of county officers in counties of the forty-sixth class, and fixing the mileage and per diem of jurors in counties of the forty-sixth class.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 3, after "4275," add the following:

"In counties of the forty-sixth class the county officers shall receive, as compensation for the services required of them by law or by virtue of their office, the following salaries, to wit:

(a) The county clerk, two thousand five hundred dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the county clerk one deputy who shall receive a salary of one thousand dollars per annum, and one deputy who shall receive a salary of eight hundred dollars per annum; the deputies herein provided for shall be appointed by the county clerk, and their salaries shall be paid by said county in equal monthly installments at the same time and in the same manner and out of the same funds as the salary of the county clerk is paid. All fees collected by the clerk as are now or may hereafter be required by law shall by him be paid into the county treasury.

(b) The sheriff, five thousand dollars per annum, and the fees or commissions for the service of all papers issued by any court of the state outside of his county; also, his actual and necessary traveling expenses in the execution of a warrant outside of his county issued by a court or magistrate of his county.

(c) The recorder, one thousand four hundred forty dollars per annum, and, in addition thereto, all fees which said recorder is now or may hereafter be entitled to receive as such recorder, or which are now or may hereafter be required by law to be collected by said recorder.

(d) The auditor, one thousand five hundred dollars per annum.

(e) The treasurer, two thousand four hundred dollars per annum; *provided*, that all commissions and fees required or permitted by any law of this state or of the United States to be collected by the treasurer either as an officer or ex officio officer, his deputies or assistants, for the performance of any official duty, shall be collected for the benefit of the county and shall be paid into the general fund of the county monthly.

(f) The tax collector, one thousand five hundred dollars per annum.

(g) The assessor, four thousand dollars per annum; *provided*, that said assessor shall be entitled to receive and retain for his own use four per cent only on personal property tax collected by him as authorized by section three thousand eight hundred twenty of the Political Code of the State of California.

(h) The district attorney, three thousand dollars per annum; *provided*, that said officer shall refrain from the private practice of law; *provided, further*, that in counties of this class, there shall be and is hereby allowed to the district attorney a stenographer or office clerk, to be appointed by the district attorney, who shall receive a salary of six hundred dollars per annum, to be paid in equal monthly installments, at the same time, in the same manner and out of the same funds as the salary of the district attorney is paid.

(i) The coroner, such fees as are now or may be hereafter allowed by law.

(j) The public administrator such fees as are now or may be hereafter allowed by law.

(k) The superintendent of schools, two thousand seven hundred dollars per annum and traveling expenses while visiting schools of his county; and for services as secretary of the board of education he shall receive five dollars per day for each day said board is in session.

(l) The surveyor, such fees as are now or may be hereafter allowed by law.

(m) Justices of the peace shall receive the following monthly salaries, to be paid each month, and in the same manner and out of the same fund as county officers are paid, which shall be in full for all services rendered by them in criminal cases: In townships having a population of more than nine hundred, seventy-five dollars per month; in townships having a population less than nine hundred and more than five hundred, fifty dollars per month; in townships having a population less than five hundred, twenty dollars per month.

(n) Constables shall receive the following monthly salaries to be paid each month, and in the same manner and out of the same fund as county officers are paid, which shall be in full for all services rendered by them in criminal cases: In townships having a population of more than nine hundred, seventy-five dollars per month; in townships having a population of less than nine hundred and more than five hundred, fifty dollars per month; in townships having a population of less than five hundred, twenty dollars per month; *provided*, that each constable shall receive his actual and necessary expenses incurred in conveying prisoners to the county jail. In addition to the compensation received in criminal cases each constable shall receive and retain for his own use such fees as are now or may be hereafter allowed by law for all services performed by him in civil actions.

(o) Supervisors the sum of one hundred twenty-five dollars per month each; mileage at the rate of ten cents per mile for each mile actually traveled by them in the discharge of their duties either as road commissioner or supervisor, not exceeding in the aggregate two hundred fifty dollars per annum. Supervisors shall also receive their necessary expenses when the performance of duty as supervisor or road commissioner takes them out of the county.

(p) The official reporters, same as now provided by law.

(q) In counties of this class grand jurors and trial jurors in the superior court shall receive for each day's attendance the sum of three dollars, and for each mile actually and necessarily traveled from their residence to the county seat, the sum of fifteen cents; such mileage to be allowed but once during each session such jurors are required to attend.

Amendment adopted.

Bill read second time, and ordered to print engrossment, and third reading.

Senate Bill No. 657—An act to amend section 4254 of the Political Code, relating to compensation of officers in counties of the twenty-fifth class, and creating the office of county librarian and providing for the appointment and salary thereof.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 6, strike out the words "one deputy clerk", and insert in lieu thereof the words "a stenographer".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 7, strike out the words "one hundred", and insert in lieu thereof the word "fifty".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 8, strike out the period after the word "required" and insert a semicolon and add the following: "the salaries of said deputy clerks to be paid at the same time, and in the same manner, and out of the same fund as the salary of the county clerk, the clerk also to receive ten cents a name for each person registered, which shall be allowed by the board of supervisors of the county. He shall also be allowed not to exceed ten deputies for the purpose of registering electors, who shall be paid not to exceed five cents for each elector registered; that any of such deputies as are required to work in the office shall receive not to exceed two dollars and fifty cents per day for the time so employed. The change in compensation hereby made is not an increase in compensation of a county officer and shall become operative as soon as this act takes effect as to the deputy clerks and the stenographer and their salaries, but shall not become operative as to the county clerk and his salary and fees until the first Monday after the first day of January, 1919."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 19, strike out the word "two" before the word "thousand" and insert in lieu thereof the word "one".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 20, after the period after the word "annum" add the following: "The change in compensation hereby made is not an increase in the compensation of a county officer and shall become operative as soon as this act takes effect."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, strike out all of lines 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31 and 32, and insert in lieu thereof the following:

3. The recorder, two thousand two hundred dollars per annum; and said recorder shall collect and pay into the county treasury for the use and benefit of the county the fees required by law to be collected; *provided*, that in counties of this class there shall be one chief deputy recorder who shall receive a salary of one thousand five hundred dollars per annum, one indexing deputy recorder who shall receive a salary of one thousand two hundred dollars per annum and two copyists who shall each receive a salary of nine hundred dollars per annum, the salaries of said recorder, deputies and copyists to be paid in equal monthly installments by the county. This section shall not go into effect until the first Monday after the first day of January, 1919.

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, strike out all of lines 33, 34, 35 and 36, and insert in lieu thereof the following:

4. The auditor, two thousand four hundred dollars per annum; *provided*, that in counties of this class there shall be one deputy auditor who shall receive a salary of one thousand five hundred dollars per annum, and one deputy auditor who shall receive a salary of nine hundred dollars per annum. This section shall not go into effect until the first Monday after the first day of January, 1919.

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 33, strike out the word "four" and insert the word "six".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, line 36, strike out the words "two hundred".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 5, line 22, strike out the word "ten" and insert in lieu thereof the word "fifteen".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 5, line 25, strike out the word "seven" and insert in lieu thereof the word "eight".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 5, line 25, strike out the word "ten" and insert in lieu thereof the word "fifteen".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 5, line 27, strike out the word "seven" and insert in lieu thereof the word "eight".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 6, line 20, strike out the word "ninety" and insert in lieu thereof the words "one hundred twenty five".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 6, line 20, strike out the word "eighty" and insert in lieu thereof the words "one hundred".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 6, line 22, strike out the word "fifty" and insert in lieu thereof the word "sixty".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 6, line 23, strike out the word "thirty" and insert in lieu thereof the word "forty".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 6, line 34, strike out all on line 34 after the word "allowed" and all on line 35, and insert in lieu thereof the following: "all necessary expenses actually incurred in arresting and conveying prisoners to court or to prison, which expenses shall be audited by the board of supervisors."

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 7, line 12, after the period after the word "commissioners" add the following: "The change in compensation hereby made is not an increase in compensation of a county officer and shall become operative as soon as this act takes effect."

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 7, line 36, strike out the period after the word "incumbents", insert a comma in lieu thereof and add the following: "except as hereinbefore provided and excepted."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS—(OUT OF ORDER)

Assembly Bill No. [illegible]—An act amending section [illegible] of the Penal Code, relating to [illegible] of [illegible] and the [illegible] of [illegible] or appliances and providing a punishment therefor.

COMMITTEE AMENDMENTS

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 1, after the word "[illegible]" insert the words "[illegible]" and

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. [illegible]—An act to amend section 1 and to repeal section 2 of an act entitled "An act granting to the city of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to [illegible] and [illegible] to the city of Berkeley and regulating the management, use and control thereof," approved [illegible], [illegible] (as amended May [illegible], [illegible]).

COMMITTEE AMENDMENTS

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On line 2 of the title strike out [illegible] and insert [illegible]

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, strike out the words and figures "Section 1," [illegible] and insert in lieu thereof the following:

Section two of an act entitled "An act granting to the city of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to [illegible] to the city of Berkeley and regulating the management, use and control thereof," approved [illegible], [illegible], (as amended May [illegible], [illegible]) is hereby repealed.

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. [illegible]—An act to amend section [illegible] of the Code of Civil Procedure, relating to [illegible] fees and [illegible].

Bill read second time and ordered on file for third reading.

Assembly Bill No. [illegible]—An act to amend section [illegible] of the Code of Civil Procedure, relating to [illegible] appeals in [illegible].

Bill read second time and ordered on file for third reading.

Assembly Bill No. [illegible]—An act to [illegible] marks, brands and [illegible] for the [illegible] of the [illegible] sections [illegible] and [illegible] of the Political Code, to provide methods of [illegible] and [illegible] of [illegible], brands and [illegible] to be [illegible] and [illegible].

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE

On page 1, line 10, after the word "brand" strike out the word "and" and insert in lieu thereof the word "or".

Amendment adopted.

AMENDMENT NUMBER TWO

On page 2, line 12, strike out the words "thirty days" and insert in lieu thereof the words "four weeks".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 206—An act to amend section 1 and to repeal section 2 of an act entitled "An act granting to the city of Alameda the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Alameda, and regulating the management, use and control thereof," approved June 11, 1913.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE

On page 2, line 37, after the period following the word "city" add the following: "*Provided, further*, that in the granting of any and all such leases the city council shall, whenever in its judgment it can reasonably do so, give preference to the owners of upland abutting on the salt marsh, tide or submerged land proposed to be leased. *Provided, however*, that the said city of Alameda may grant, give, convey and allow such lands or any portion thereof, forever to the United States for public purposes of the United States; *provided, however*, that no such grant shall be made unless authorized and approved by a vote of the majority of the electors of such municipal corporation voting upon the proposition of making such grant at an election therein, at which such proposition shall have been submitted."

Amendment adopted.

AMENDMENT NUMBER TWO

On page 3, line 7, after the comma following the word "thereof" insert the following: "except wharves, docks, piers, slips, quays or other improvements constructed on such lands by the United States for public purposes of the United States,".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 4—An act to amend section 12 of an act entitled "An act to create a firemen's relief, health, and life insurance and relief fund in the several counties, cities and counties, cities, and towns of the State," approved March 20, 1905.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 67—An act to amend section 3 of an act entitled "An act to create a police relief, health and life insurance, and pension fund in the several counties, cities and counties, cities and towns of the State," approved March 4, 1889, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 498—An act to amend section 12 of an act entitled "An act to create a police relief, health, and life insurance and pension

fund in the several counties, cities and counties, cities, and towns of the State," approved March 4, 1889, as amended.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 28, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 14—An act to carry into effect the provisions of subdivisions 6 and 7 of section 8½ of Article XI of the Constitution of the State of California as the said section of said article was amended on the 3d day of November in the year 1914; and also to provide for the alteration of the boundaries of and for the annexation of territory located in the county of San Mateo to the city and county of San Francisco, for the incorporation of such annexed territory in and as a part thereof, and for the government of such annexed territory as an integral part of such city and county of San Francisco;

Also: Senate Bill No. 617—An act to amend section 591 of the Political Code, relating to the maintenance of the office of the Insurance Commissioner;

Also: Senate Bill No. 756—An act to amend section 199 of the Code of Civil Procedure, relating to the competency of jurors;

Also: Senate Bill No. 113—An act to amend section 674 of the Penal Code, relating to civil death of person sentenced to state prison for life;

Also: Senate Bill No. 114—An act to amend section 673 of the Penal Code relating to civil rights of convict suspended;

And reports that the same have been correctly engrossed.

ROMINGER, Acting Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 28, 1917.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 1169—An act to create a state council of defense to make investigations into the effect of the occurrence of war upon the civil and economic life of the people of the State of California; to recommend to the Governor measures to provide for the public security, the better protection of public health, a fuller development of the economic resources of the State and the encouragement of military training; to impose upon public officers certain duties in connection herewith; and to make appropriation for the purposes of this act—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

CHANDLER, Chairman.

Senate Bill No. 1169 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 28, 1917.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 905—An act to add three new sections to an act entitled "An act relating to immigrants and immigration, creating a commission of immigrating and housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, providing for the investigation by said commission of all things affecting immigrants, and for the care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof," approved June 12, 1913, to be numbered 15, 16 and 17, and making an appropriation to carry out the provisions hereof—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended, and be re-referred to Committee on Finance.

KEHOE, Chairman.

Senate Bill No. 905 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 845—An act amending sections 287, 288, 289 and 299 of the Code of Civil Procedure, relating to the causes for which courts may remove attorneys and counselors, the proceedings for removal or suspension, and the judgment in such proceedings;

Also: Senate Bill No. 595—An act to add to the Civil Code a new section to be numbered 594, relating to the incorporation of associations mentioned in Title XII of Part IV of division first of said code and making further provisions respecting articles of incorporation of corporations formed from such associations;
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Senate Bills Nos. 845 and 595 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1349—An act to amend section 791 of the Political Code, relating to notaries public;

Also: Assembly Bill No. 749—An act to repeal an act entitled "An act to incorporate the town of Felton in the county of Santa Cruz," approved March 8, 1878;

Also: Assembly Bill No. 1368—An act making bonds of municipal water districts legal investments for certain purposes;
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Assembly Bills Nos. 1349, 749 and 1368 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 980—An act relating to and regulating the carrying, possession, sale or other disposition of firearms capable of being concealed upon the person; prohibiting the sale to or carrying of concealed weapons by persons under the age of eighteen years; prohibiting the possession, carrying, manufacturing and sale of certain other dangerous weapons and the giving, transferring and disposition thereof to other persons within this State; providing for the registering of the sales of firearms; prohibiting the carrying or possession of concealed weapons in municipal corporations; providing for the destruction of certain dangerous weapons as nuisances and making it a felony to use or attempt to use certain dangerous weapons against another;

Also: Assembly Bill No. 20—An act to amend section 671 of the Code of Civil Procedure, relating to judgment liens;

Also: Assembly Bill No. 58—An act to add a new section to the Code of Civil Procedure, to be numbered 671*a*;

Also: Assembly Bill No. 221—An act to amend section 704 of the Penal Code, relating to proceedings before a magistrate on hearing of a charge of threatened offense;
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Assembly Bills Nos. 980, 20, 58 and 221 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 224—An act to repeal section 63½ of the Penal Code;

Also: Assembly Bill No. 225—An act to repeal section 63 of the Penal Code;

Also: Assembly Bill No. 795—An act to amend section 1438 of the Penal Code, relating to the conduct of trial in justices' courts;

Also: Senate Bill No. 615—An act to add a new section to the Code of Civil Procedure, to be numbered 1166*a*, relating to actions for obtaining possession of real property, to the manner in which tenants may be ejected and providing the form of complaint, the form of the amount of the undertaking and the form of the writ of ejectment, and the manner of executing and serving the writ;
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Assembly Bills Nos. 224, 225 and 795 and Senate Bill No. 615 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 811—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications—has had the same under consideration, and respectfully reports the same back and recommends that it do not pass.

Minority Report: Do pass.

KEHOE, Chairman.

Senate Bill No. 811 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 508—An act to amend section 737 of the Political Code, relating to the salaries of superior judges—has had the same under consideration, and respectfully reports the same back and recommends that it do pass, and be re-referred to Committee on Finance.

KEHOE, Chairman.

Senate Bill No. 508 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 616—An act to amend section 1167 of the Code of Civil Procedure, relating to service of summons in unlawful detainer;

Also: Senate Bill No. 816—An act to amend section 3 of an act entitled "An act relating to explosives and prescribing regulations for the transportation, storage and selling of explosives, and providing penalties for the violation of this act," in effect March 21, 1911, and known as Chapter 243, Statutes of 1911, and to repeal section 11 of said act;

Also: Assembly Bill No. 1417—An act to amend section 1 of an act entitled "An act granting to the city of Los Angeles the tidelands and submerged lands of the State within the boundaries of the said city," approved May 1, 1911;

Has had the same under consideration and respectfully reports the same back with amendments and recommends that they do pass, as amended.

KEHOE, Chairman.

Senate Bills Nos. 616 and 816 and Assembly Bill No. 1417 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 28, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 887—An act to amend section 1 of an act entitled "An act granting certain tide lands and submerged lands of the State of California to the city of Oakland, and regulating the management, use, and control thereof," approved May 1, 1911;

Also: Senate Bill No. 924—An act authorizing any county to permit the construction and maintenance of a highway or boulevard over highways within its limits connecting with main public highways of an adjoining county by the board of supervisors or highway commissioners of such adjoining county, permitting boards of supervisors of such adjoining counties to construct and maintain such bridge or bridges on such highways or boulevards as they may deem necessary, permitting such boards of supervisors to macadamize or pave or gutter such highways or boulevards, providing the manner in which the cost and expense thereof shall be paid, and prescribing the procedure whereby the use, control, maintenance and jurisdiction of any highway or boulevard constructed under the provisions of this act may be retransferred to the county originally granting the use thereof;

Also: Senate Bill No. 108—An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California;

Also: Senate Bill No. 333—An act to amend section 643 of the Political Code, relating to the compensation of fish and game commissioners;

Also: Senate Bill No. 22—An act to amend section 637½ of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 17—An act to amend section 310 of the Penal Code, relating to the use of the national flag for advertising purposes;

Also: Senate Bill No. 99—An act to amend an act entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered

nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled "An act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof," approved June 12, 1913, amended May 19, 1915, by adding a new section to be numbered section 4½ and by amending section 11

Also: Senate Bill No. 30—An act to amend sections 1 and 9 of an act entitled "An act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records," approved June 16, 1905, and acts amendatory thereof or supplemental thereto, by extending the application of said act to real property, when the records covering the period when said real property was in another county have been destroyed among the records of such other county, and to provide for notice of the pendency of actions brought under the provisions hereof;

Also: Senate Bill No. 73—An act to amend section 1415 of the Code of Civil Procedure, relating to the duties of special administrators;

Also: Senate Bill No. 74—An act to add a new section to the Code of Civil Procedure, to be numbered 1418, relating to payment of secured debts by special administrators;

Also: Senate Bill No. 289—An act to amend section 4288 of the Political Code, relative to time of payment of salaries of county officers;

Also: Senate Bill No. 827—An act to provide for the periodical inspection of elevators operated in places of employment in this State, to require a permit for such operation; to make it a misdemeanor to operate such elevator without such permit; and to provide for an injunction against such operation if dangerous to the life or safety of employees; to vest in the industrial accident commission the power to make such inspections and determine the correctness of inspection and require reports of inspections and to issue such permits and prescribe regulations for the same

Also: Senate Bill No. 901—An act to amend the title and sections 5 and 10 of an act entitled "An act to provide for the inspection of the manufacture of foods, drugs and stuffs intended to be used or prepared for use as food for human beings when sold, offered, or exposed for sale in containers, and providing penalties for the violation thereof," approved May 24, 1913, and amended June 7, 1915;

Also: Senate Bill No. 714—An act to amend section 1 of an act entitled "An act for the relief of purchasers of school lands," approved June 3, 1913

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-seventh day of March, 1917, at two o'clock p.m.

CANEPA, Chairman.

CASE OF URGENCY.

The following resolution was offered:

By Senator Benson:

Resolved, That Senate Bill No. 1169 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Inman, Irwin, Kehoe, Lyon, McDonald, Maddux, Nevlon, Purkitt, Rigdon, Rominger, Rush, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

Whereupon the President declared that section 15 of Article IV of the Constitution had been suspended for the purpose of considering Senate Bill No. 1169—An act to create a state council of defense to make investigations into the effect of the occurrence of war upon the civil and economic life of the people of the State of California; to recommend to the Governor measures to provide for the public security, the better protection of public health, a fuller development of the economic resources of the State and the encouragement of military

training; to impose upon public officers certain duties in connection herewith; and to make appropriation for the purposes of this act.

Read first time, previously.

Read second time, and considered engrossed.

Read third time.

Section 7 setting forth the urgency clause read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—32.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1169 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Inman, Johnson, Kehoe, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 1133—An act to amend section 4290 of the Political Code, relating to fees and salaries of county officers.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Lyon moved to refer Senate Bill No. 1133 to Senator Gates, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3, line 11, strike out the words "twelve and one-half" and insert in lieu thereof the word "twelve".

AMENDMENT NUMBER TWO.

On page 3, line 12, strike out the words "*provided, however*, that the sheriff"; also strike out all of lines 13, 14, 15, 16, 17, to and including the word "return", also the semicolon, in line 18.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 28, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 1133, with instructions to amend, respectfully reports the same back, amended as per instructions.

GATES, Special Committee.

Report read, and, on motion of Senator Lyon, adopted.

Bill ordered to print, and re-engrossment.

SENATOR CARR, W. J., IN THE CHAIR.

At three o'clock and twenty minutes p. m., Senator Carr, W. J., of the Thirty-sixth District, was called to the chair.

Senate Bill No. 14—An act to carry into effect the provisions of subdivisions 6 and 7 of section 8½ of Article XI of the Constitution of the State of California as the said section of said article was amended on the third day of November in the year 1914; and also to provide for the alteration of the boundaries of and for the annexation of territory located in the county of San Mateo to the city and county of San Francisco, for the incorporation of such annexed territory in and as a part thereof, and for the government of such annexed territory as an integral part of such city and county of San Francisco.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 14 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Burnett, Caminetti, Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Lyon, McDonald, Maddux, Nealon, Rominger, Rush, Scott, Sharkey, Stackenbruck, and Thompson—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 20—Resolution to propose to the people of the State of California an amendment to section 9 of Article IX of the Constitution of the State of California in relation to the powers of the Board of Regents of the University of California.

Be it resolved by the Senate, the Assembly concurring, That the legislature of the State of California, at its regular session commencing the eighth day of January, 1917, two-thirds of all the members elected at each of the two houses of the state legislature voting in favor thereof, hereby proposes to the people of the State of California that section nine of article nine of the constitution of the State of California be amended so as to read as follows:

SEC. 9. The University of California shall constitute a public trust, to be administered by the existing corporation known as "the regents of the University of California," with full powers of organization and government, subject only to such legislative control as may be necessary to insure compliance with the terms of the endowments of the university and the security of its funds. Said corporation shall be in form a board composed of eight ex officio members, to wit: the governor, the lieutenant governor, the speaker of the assembly, the superintendent of public instruction, the president of the state board of agriculture, the president of the Mechanics Institute of San Francisco, the president of the alumni association of the university and the acting president of the university, and sixteen appointive members appointed by the governor; *provided, however*, that the present appointive members shall hold office until the expiration of their present terms. The term of the appointive members shall be sixteen years; the terms of two appointive members to expire as heretofore on March first of every even-numbered calendar year, and in case of any vacancy the term of office of the appointee to fill such vacancy, who shall be appointed by the governor, to be for the balance of the term as to which such vacancy exists. Said corporation shall be vested with the legal title and the management and disposition of the property of the university and of property held for its benefit and shall have the power to take and hold, either by purchase or by donation, or gift, testamentary or otherwise, or in any other manner, without restriction, all real and personal property for the benefit of the university or incidentally to its conduct. Said corporation shall also have all the powers necessary or convenient for the effective administration of its trust, including the power to sue and to be sued, to use a seal, and to delegate to its committees or to the faculty of the university, or to others, such authority or functions as it may deem wise; *provided*, that all moneys derived from the sale of public lands donated to this state by act of congress approved July 2, 1862 (and the several acts amendatory thereof), shall be invested as provided by said acts of congress and the income from said moneys shall be inviolably appropriated to the endowment, support and maintenance of at least one college of agriculture, where the lead-

ing objects shall be (without excluding other scientific and classical studies, and including military tactics) to teach such branches of learning as are related to scientific and practical agriculture and mechanic arts, in accordance with the requirements and conditions of said acts of congress; and the legislature shall provide that if, thorough neglect, misappropriation, or any other contingency, any portion of the funds so set apart shall be diminished or lost, the state shall replace such portion so lost or misappropriated, so that the principal thereof shall remain forever undiminished. The university shall be entirely independent of all political or sectarian influence and kept free therefrom in the appointment of its regents and in the administration of its affairs, and no person shall be debarred admission to any department of the university on account of sex.

Senate constitutional amendment read.

The question being on the adoption of the Senate constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 20 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Jones, Lyon, McDonald, Maddux, Nealon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—29.

NOES—None.

Title read and approved.

Senate constitutional amendment ordered transmitted to the Assembly.

Senate Bill No. 1116—An act granting certain lands and validating certain state patents.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1116 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chamberlin, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Jones, Lyon, McDonald, Maddux, Nealon, Purkitt, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 328—An act to amend section 626f of the Penal Code, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 328 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, W. J., Chamberlin, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Jones, Lyon, McDonald, Maddux, Nealon, Purkitt, Rominger, Scott, Sharkey, Slater, Stuckenbruck, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 268—An act to amend section 1469 of the Code of Civil Procedure, relating to administration of estate not exceeding two thousand dollars in value.

On motion of Senator Benson, Assembly Bill No. 268 was passed on file.

Assembly Bill No. 368—An act to amend the Penal Code by adding a new section, to be known as section 563*b*, thereto, relating to offenses against or concerning banking institutions and prescribing penalties for violation of the provisions of the act.

On motion of Senator Benson, Assembly Bill No. 368 was passed on file.

Assembly Bill No. 937—An act to amend section 570 of the Code of Civil Procedure, relating to the disposition of unclaimed funds in the hands of a receiver.

On motion of Senator Benson, Assembly Bill No. 937 was passed on file.

Assembly Bill No. 93—An act to amend section 4259 of the Political Code, relating to salaries and fees of officers in counties of the thirtieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 93 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 43—An act to amend section 4265 of the Political Code of the State of California, relating to the compensation of officers of counties of the thirty-sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 43 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Lyon, McDonald, Maddux, Nealon, Purkitt, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 230—An act amending section 4250 of the Political Code, relating to salaries and fees of officers of counties of the twenty-first class.

On motion of Senator Benson, Assembly Bill No. 230 was passed on file.

Assembly Bill No. 187—An act to amend section 4272 of the Political Code, relating to the salaries and fees of officers of counties of the forty-third class.

On motion of Senator Benson, Assembly Bill No. 187 was passed on file.

Assembly Concurrent Resolution No. 15—Relative to the inscription on the monument erected to the memory of James W. Marshall at Coloma, El Dorado County, California.

On motion of Senator Benson, Assembly Concurrent Resolution No. 15 was passed on file.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Tyrrell:

SENATE CHAMBER, SACRAMENTO, March 28, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2 of Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act granting certain tidelands of the State of California to the city of Oakland and regulating the management, use and control thereof.

Request referred to Committee on Rules.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(OUT OF ORDER).

The following resolution was offered:

By Senator Scott: Senate Concurrent Resolution No. 23—Relative to investigation of books used to supplement the State series of textbooks adopted for use in elementary schools.

Resolution ordered to print, and referred to Committee on Education.

ADJOURNMENT.

At three o'clock and thirty-five minutes p.m., on motion of Senator Benson, the President pro tempore declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Thursday, March 29, 1917.

The Senate met at ten o'clock a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—39.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal, of Wednesday, March 28, 1917, the further reading was dispensed with, on motion of Senator Crowley.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Slater, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to the Hon. J. Edgar Allen of Petaluma.

On request of Senator F. M. Carr, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to J. D. Armstrong of Hayward.

PETITION.

The following petition was received and ordered printed in the Journal:

To the Honorable Senate and Assembly of California:

We, the undersigned voters of the county of Los Angeles, do hereby make a vigorous protest against the passage of the bill, fathered by Assemblyman Prendergast, providing that impounded dogs not claimed may be sold to be vivisected.

We most earnestly urge every Senator and Assemblyman to use his voice and vote to defeat this barbarous measure, that would have a most brutalizing effect upon society.

RUTH A. STERNER, and 42 others.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 258—An act to provide for the organization and government of commercial waterway districts, and to provide for the acquisition or construction thereby of a system of commercial waterways within such districts and for the issuance of bonds and the payment thereof, and for levying and collecting taxes on property in such districts;

Also: Assembly Bill No. 1100—An act to amend section 17 of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof, to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, and known as the "Weights and Measures Act," and amended June 8, 1915;

Also: Assembly Bill No. 546—An act prohibiting the marriage of all persons afflicted with certain diseases and requiring health certificates for marriage, and prescribing penalties for violations hereof;

Also: Assembly Bill No. 309—An act to amend section 465 of the Civil Code of the State of California, relating to powers of railroad corporations.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 258 read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 1100 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 546 read first time, and referred to Committee on Public Morals.

Assembly Bill No. 309 read first time, and referred to Committee on Public Utilities.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 683—An act to add a new section to the Penal Code, to be numbered 632c, relating to the protection of trout—and respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 683.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SIX HUNDRED EIGHTY-THREE.

AMENDMENT NUMBER ONE.

On page 1, after line 16, of the printed bill, insert the following: "The provisions of this section shall not take effect until the thirty-first day of October, nineteen hundred seventeen."

AMENDMENT NUMBER TWO.

On page 1, line 11, of the printed bill, strike out the word "twenty-five" and insert in lieu thereof the word "ten".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 683?"

The roll was called, and the amendments concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—34.

NOES—None.

Senate Bill No. 683 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate Amendments to Assembly Bill No. 1375—An act to amend sections 2, 8, 9, 10, 11, 12, 12½, 13, 14, 15, 17, 18 and 20 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended by an act, to amend an act entitled "An act to amend an act entitled 'An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy and other systems and modes of treating the sick or afflicted in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation, approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act,' approved June 2, 1913, by amending sections 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 17, and 18, and adding a new section thereto to be numbered 12½ relating to the practice of chiropody," approved April 24, 1915, and to add a new section thereto to be numbered 24, relating to the practice of midwifery, providing the method of citing said act, and providing penalties for the violation thereof.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Senate Bill No. 1169—An act to create a state council of defense to make investigations into the effect of the occurrence of war upon the civil and economic life of the people of the State of California; to recommend to the Governor measures to provide for the public security, the better protection of public health, a fuller development of the economic resources

of the State and the encouragement of military training; to impose upon public officers certain duties in connection herewith; and to make appropriation for the purposes of this act.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 1169 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 29, 1917.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 6—An act to regulate the preparation of plans and specifications and awarding of contracts for the erection, construction and alteration of public buildings in the State of California—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to Committee on Judiciary.

CHANDLER, Chairman.

Senate Bill No. 6 re-referred to Committee on Judiciary.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 191—An act appropriating money for the construction of a convalescent cottage for females at the Napa State Hospital;

Also: Senate Bill No. 192—An act appropriating money for the construction of a pathological laboratory at the Napa State Hospital;

Also: Senate Bill No. 201—An act to appropriate money to maintain the model and training schools at the several state normal schools;

Also: Senate Bill No. 204—An act appropriating money for the improvement of the grounds of the San Diego State Normal School;

Also: Senate Bill No. 205—An act appropriating money for furniture and equipment for the San Diego State Normal School;

Also: Senate Bill No. 209—An act to appropriate money for the construction of a manual training school building at the San Jose Normal School;

Also: Senate Bill No. 223—An act appropriating money for the construction of workers' cottage for men at the Agnews State Hospital;

Also: Senate Bill No. 224—An act appropriating money to cover the cost of furnishing workers' cottage for men at the Agnews State Hospital;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

CHANDLER, Chairman.

Senate Bills Nos. 191, 192, 201, 204, 205, 209, 223, and 224 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 246—An act appropriating money for the construction of cottage for low grade adult females at the Sonoma State Home;

Also: Senate Bill No. 247—An act appropriating money for the construction and equipment of bakery building at the Sonoma State Home;

Also: Senate Bill No. 248—An act appropriating money for the construction and equipment of laundry building at the Sonoma State Home;

Also: Senate Bill No. 301—An act appropriating money to complete the heating plant of the California School for the Deaf and the Blind;

Also: Senate Bill No. 304—An act to amend section 1 of an act approved April 25, 1911, and entitled "An act to carry into effect the provisions of subdivision (e) of section 14 of Article XIII of the Constitution of the State of California as the said article was amended on the eighth day of November in the year 1910, in so far as the same relates to the State University; and also to provide for the permanent support and improvement of the University of California; and to that end making a continuing appropriation and creating an annual fund therefor; and repealing an act entitled 'An act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor,' and to repeal an act approved February 14, 1887, entitled 'An act to provide for the permanent support and improvement of the University

of California by the levy of a rate of taxation and the creation of a fund therefor,' and also to repeal an act approved February 27, 1897, entitled 'An act to provide additional support and maintenance, and for the acquisition of necessary property and improvements of the University of California, by the levy of a rate of taxation, and the creation of a fund therefor," approved March 20, 1909.'";

Also: Senate Bill No. 1147—An act making an appropriation to defray the expense of legislative printing for the forty-second session of the Legislature of the State of California;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

CHANDLER, Chairman.

Senate Bills Nos. 246, 247, 248, 301, 304, and 1147 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 864—An act to appropriate money for the payment of compensation benefits accruing by reason of personal injury resulting from accident to State officers and employees while performing services accruing out of and incidental to their employment—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

CHANDLER, Chairman.

Senate Bill No. 864 ordered on file for second reading.

ON HOSPITALS AND ASYLUMS.

SENATE CHAMBER, SACRAMENTO, March 29, 1917.

MR. PRESIDENT: Your Committee on Hospitals and Asylums to which was referred Assembly Bill No. 1220—An act to provide for a day of rest for employees of state hospitals, state prisons and other state institutions—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

CROWLEY, Chairman.

Assembly Bill No. 1220 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 13, 1917.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 627—An act to amend the title and section 1 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities therein; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition and construction of such improvements," approved April 20, 1915—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

TYRRELL, Chairman.

Senate Bill No. 627 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 431—An act authorizing and empowering municipalities to provide a procedure for the fixing and establishing of setback lines on private property bordering on the whole or part of any street, avenue or highway, to prohibit the erection of buildings, fences or other structures between such setback lines and fences or other structures between such setback lines and the lines of any such street, avenue or highway, and to condemn any and all property necessary or convenient for that purpose—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

TYRRELL, Chairman.

Senate Bill No. 431 ordered on file for second reading.

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, March 28, 1917.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 123—An act to amend section 23*a* of an act entitled "An act for the

regulation and control of fraternal benefit societies," approved May 1, 1911, and to add a new section thereto to be numbered 23b—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

BURNETT, Chairman.

Assembly Bill No. 123 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 282—An act to amend section 596 of the Political Code concerning certificate of authority to insurance companies; prohibiting the use of unauthorized companies except for surplus line insurance; providing for the licensing of surplus line brokers, their obligations and duties and providing penalty for violation thereof—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

BURNETT, Chairman.

Assembly Bill No. 282 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 124—An act to provide whole family protection for members of fraternal benefit societies—has had the same under consideration, and respectfully reports the same back and recommend that it do pass.

BURNETT, Chairman.

Assembly Bill No. 124 ordered on file for second reading.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Sharkey:

SENATE CHAMBER, SACRAMENTO, March 29, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2 of Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend sections 1, 4 and 5 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the bay of San Francisco and the bay of San Pablo to the city of Richmond in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved June 11, 1913.

Request referred to Committee on Rules.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 90—An act to amend section 290½ of the Civil Code, relating to corporations.

On motion of Senator Jones, Senate Bill No. 90 was passed on file.

Senate Bill No. 49—An act to repeal section 55a of the Penal Code, relative to soliciting, demanding, or pledging votes for or against any particular bill or measure.

On motion of Senator Duncan, Senate Bill No. 49 was passed on file.

Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending sections 1 and 14 of Article XIII thereof, both relating to revenue and taxation, so as to permit taxation of certain public utilities owned or operated by counties, cities and counties, or municipal corporations.

On motion of Senator Irwin, Senate Constitutional Amendment No. 11 was passed on file.

Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section 22 of Article XII thereof, relating to the powers and duties of the Railroad Commission of the State of California.

On motion of Senator Irwin, Senate Constitutional Amendment No. 21 was passed on file.

Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section 23 of Article XII thereof, relating to the powers and duties of the Railroad Commission of the State of California.

On motion of Senator Irwin, Senate Constitutional Amendment No. 22 was passed on file.

Senate Bill No. 320—An act to amend section 1858 of the Political Code, relating to the apportionment of the elementary school funds and the counting of attendance in the elementary and secondary schools of the State.

On motion of Senator Jones, Senate Bill No. 320 was passed on file.

Senate Bill No. 890—An act to amend section 2643 of the Political Code, relating to the powers of boards of supervisors over roads.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 890 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Gates, Hans, Ingram, Inman, Irwin, Jones, King, Luce, Maddux, Nealon, Rigdon, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending section 1 of Article IV thereof, relating to legislative powers, and reserving to the people of the State of California the power to propose laws, statutes and amendments to the Constitution and to enact the same at the polls, independent of the Legislature, and also reserving to the people of the State of California the power to approve or reject at the polls any act or section or part of any act of the Legislature.

On motion of Senator Duncan, Senate Constitutional Amendment No. 5 was passed on file.

Senate Constitutional Amendment No. 44—A resolution to propose to the people of the State of California to amend section 13 of Article VI of the Constitution of the State, relating to inferior courts.

On motion of Senator Ballard, Senate Constitutional Amendment No. 44 was passed on file.

Senate Bill No. 1090—An act to amend sections 1, 2, 3, 6, 7, 12, 15 and 16 of an act entitled "An act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911, as amended.

On motion of Senator Scott, Senate Bill No. 1090 was passed on file.

Senate Bill No. 761—An act to repeal sections 1959 and 2027 of the Political Code, and to amend sections 1918, 1919, 1924, 1925, 1926, 1927, 1928*a*, 1928*b*, 1928*d*, 1929, 1930, 1931, 1932, 1932½, 1933, 1934, 1951, 1953, 1954, 1955, 1956, 1957, 1958, 1960, 1980, 1982, 2006, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2026, 2086, 2107, 2111 and 2112 of the Political Code, all relating to the National Guard of the State of California.

Re-referred to Committee on Finance.

Senate Bill No. 872—An act defining the meaning of the term "appointive officer," and to prohibit any appointive officer of the State of California, or of any of its departments or commissions, from participating in political conventions, discussions or campaigns for or against any political party, or measure, or candidate, making public political speeches to influence the action of any voter or voters for or against any party, person, or measure, or using any official stationery for such purpose, and providing penalties for the violation thereof.

On motion of Senator Shearer, Senate Bill No. 872 was passed on file.

Senate Bill No. 651—An act to repeal an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913.

On motion of Senator Stuckenbruck, Senate Bill No. 651 was passed on file.

Senate Bill No. 1110—An act to promote the development of the California fruit industry and to protect the State's reputation in the fruit markets by establishing a standard for the packing of certain fresh fruits specified herein, prescribing penalties for violations of the provisions hereof, and repealing all acts inconsistent herewith.

On motion of Senator Benson, Senate Bill No. 1110 was passed on file.

Senate Bill No. 715—An act to regulate and control the business of making personal loans and to regulate the assignment of wages when given as security for any such loan.

On motion of Senator Gates, Senate Bill No. 715 was passed on file.

Senate Bill No. 612—An act to amend section 537 of the Penal Code, relating to fraudulent practices upon keepers of hotels, inns, restaurants, boarding houses, lodging houses or furnished apartment houses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 612 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, King, Luce, Lyon, Maddux, Nealon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Tyrrell—28.

NOES—Senators Burnett and Rigdon—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 594—An act to amend section 8 of an act entitled "An act to provide for the formation of levee districts in the various counties of this State and to provide for the erection of levees, dikes and other works for the purpose of protecting the lands within such districts from overflow and to levy assessments to erect and construct and maintain such levees, dikes and other works and to pay the necessary costs and expenses of maintaining said districts," approved March 20, 1905, and amended by an act approved March 16, 1907.

On motion of Senator Carr, W. J., Senate Bill No. 594 was passed on file.

Senate Bill No. 1151—An act to repeal an act entitled "An act providing for the investigation by the State Veterinarian, the Secretary of the State Board of Health and the State Commissioner of Horticulture of injury to animal life and vegetation in California, caused by smelter wastes, and making an appropriation therefor," approved June 16, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1151 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, and Tyrrell—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 884—An act to repeal section 847 of the Civil Code, relating to uses and trusts, to amend section 857 of the Civil Code, relating to express trusts, and to amend section 2220 of the Civil Code, relating to purposes for which a trust may be created.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 884 passed by the following vote:

AYES—Senators Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Rigdon, Rominger, Scott, Sharkey, Shearer, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MINUTE CLERK JOS. A. BEEK AT THE DESK.

Senate Bill No. 885—An act to amend section 715 of the Civil Code, relating to restraints upon alienation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 885 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Chamberlin, Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Inman, Jones, King,

Luce, Lyon, Maddux, Nealon, Rominger, Rush, Scott, Thompson, and Tyrrell—25.
NOES—Senator Irwin—1.

Title read and approved.
Bill ordered transmitted to the Assembly.

SENATOR JONES IN THE CHAIR.

At eleven o'clock a.m., Senator Jones of the Twenty-eighth District was called to the chair.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Senate Bill No. 736, heretofore set as a special order for eleven o'clock a.m., the same was taken up for consideration.

Senate Bill No. 736—An act to add a new section to the Penal Code, to be numbered 653*f*, relating to the restricting of the number of individuals who may learn a trade.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Duncan moved to refer Senate Bill No. 736 to Senator Luce, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill, strike out the period, and insert in lieu thereof a semicolon, and the following: "*provided*, that each person or corporation employing an apprentice shall be obliged to teach said apprentice all branches of the trade to which he is apprenticed."

AMENDMENT RULED OUT OF ORDER.

The acting President ruled that the amendment offered by Senator Duncan was not germane to the bill and that therefore the motion to refer was out of order.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 736 refused passage by the following vote:

AYES—Senators Ballard, Breed, Chamberlin, Chandler, Irwin, Maddux, Purkitt, Rominger, and Sharkey—9.
NOES—Senators Benson, Canepa, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Jones, Kehoe, King, Luce, Lyon, Nealon, Rigdon, Scott, Slater, Thompson, and Tyrrell—23.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 87—An act to empower the State Market Director of California to regulate and control the business of buying and selling fresh fish; to regulate the destruction of food fish; to create a state fish exchange; to license those engaged in marketing fish; to create a state fish exchange fund and a revolving fund; to provide penalties for violations of this act; to investigate and report on the fish industry; and to promote the sale of fish.

On motion of Senator Luce, Senate Bill No. 87 was passed on file.

Senate Bill No. 51—An act to add a new section to the Code of Civil Procedure, to be numbered 337*a*, relating to the time when an action upon an open book account accrues.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 51 passed by the following vote:

AYES—Senators Benson, Breed, Carr, F. M., Carr, W. J., Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Rigdon, Rominger, Scott, Sharkey, Shearer, and Tyrrell—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 140—An act to amend section 1405 of the Civil Code, relating to escheat property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 140 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Canepa, Carr, F. M., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Rigdon, Scott, Sharkey, Shearer, Thompson, and Tyrrell—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 139—An act to amend section 1269 of the Code of Civil Procedure and to add a new section to said code, to be numbered 1272*a*, both relating to escheat and unclaimed estates and property and to proceedings relating thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 139 passed by the following vote:

AYES—Senators Benson, Breed, Canepa, Carr, F. M., Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Jones, Kehoe, King, Luce, Lyon, Nealon, Rigdon, Rominger, Rush, Scott, Shearer, Thompson, and Tyrrell—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 32—An act to amend sections 190, 192, 193, 194, 195, 201 and 246 of the Code of Civil Procedure, relating to jurors.

On motion of Senator Benson, Senate Bill No. 32 was passed on file.

Senate Bill No. 630—An act to add a new section to the Civil Code, to be numbered section 2767, relating to the disposition by the beneficiary of his interest under a policy of life insurance.

In the absence of the author, Senate Bill No. 630 was ordered passed, to retain its place on the file.

Senate Bill No. 635—An act to amend section 596*a* of the Political Code, relating to legal advice upon certain action by the Insurance Commissioner.

In the absence of the author, Senate Bill No. 635 was ordered passed, to retain its place on the file.

Senate Bill No. 617—An act to amend section 591 of the Political Code, relating to the maintenance of the office of the Insurance Commissioner.

On motion of Senator Scott, Senate Bill No. 617 was passed on file.

Senate Bill No. 756—An act to amend section 199 of the Code of Civil Procedure, relating to the competency of jurors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 756 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Canepa, Carr, W. J., Crowley, Duncan, Evans, Flaherty, Hans, Inman, Irwin, Jones, Kehoe, Luce, Lyon, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Thompson, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., the hour of recess was extended until twelve o'clock and thirty-five minutes p.m.

MOTION TO RECONSIDER.

Senator Rominger moved to reconsider the vote whereby Senate Bill No. 414 was refused passage.

POSTPONEMENT OF CONSIDERATION.

Senator Rominger moved that the further consideration of the motion to reconsider the vote whereby Senate Bill No. 414 was refused passage be postponed until the next legislative day.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Duncan, Luce, and Ballard.

The roll was called on the motion to postpone consideration of the motion to reconsider, and the motion to postpone carried by the following vote:

AYES—Senators Benson, Breed, Brown, Carr, W. J., Chamberlin, Duncan, Evans, Gates, Ingram, Irwin, Jones, Kehoe, King, Luce, Purkitt, Rigdon, Rominger, Rush, Thompson, and Tyrrell—20.

NOES—Senators Ballard, Burnett, Canepa, Carr, F. M., Crowley, Flaherty, Hans, Inman, Lyon, Maddux, Nealon, Scott, Sharkey, Shearer, and Slater—15.

RECESS.

At twelve o'clock and thirty-five minutes p.m., on motion of Senator Benson, the Acting President declared the Senate at recess until the hour of two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 488—An act to amend section 24 of an act entitled "An act to provide for the acquisition by municipalities of land for public park or playground purposes by condemnation, and for the establishment of assessment districts and the assessment of property therein to pay the expenses of acquiring such land," approved April 22, 1909, as amended.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 2 of the title, after the letter "n" in the word "section" add the letter "s," also insert thereafter the words "four and".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, strike out the word "twenty-four" and insert in lieu thereof the word "four".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, between lines 7 and 8, insert the following:

SEC. 4. Any person interested, objecting to said improvement, or to the extent of the assessment district described in said ordinance of intention, may file a written protest with the clerk of the city council, within thirty days after the first publication of the notice required by section three of this act. Every such protest must contain a description of the property in which each signer thereof is interested, sufficient to identify the same, and must set forth the nature of his interest therein, and must be accompanied by the affidavit of one of the signers thereof that each signature thereof is the genuine signature of the person whose name is thereto subscribed; and in case any signature is made by an agent, there must be attached to the protest the affidavit of the agent that he is duly authorized to sign such protest. Any protest not complying with the foregoing requirements, shall not be considered by the city council. In the case of property held by tenancy in common, if any co-tenant sign such protest, only the proportionate share of the frontage thereof represented by his interest therein, shall be counted in determining the amount of frontage represented by such protest. The clerk shall endorse on every such protest the date of its reception by him, and at the next regular meeting of the city council, after the expiration of the time for filing protests, shall present to said city council all protests so filed with him. If such protests are against said improvement, and said city council at said meeting or at any other time to which the hearing of said protests may be adjourned, finds that the same are signed by the owners of a majority of the frontage of the property fronting on streets or parts of streets within said assessment district, all further proceedings under said ordinance of intention shall be barred, and no new ordinance of intention for the same improvement shall be passed within six months after the presentation of such protests to the city council, unless the owners of a majority of the frontage of the property fronting on streets or parts of streets within said assessment district shall, in the meantime, petition therefor. If such protests are against the improvement and the council finds that they are not signed by the owners of a majority of the frontage of the property fronting on streets or parts of streets within the assessment district, or if such protests are only against the extent of the assessment district, the council shall hear said protests at said meeting, or at any time to which the hearing thereof may be adjourned, and pass upon the same, and its decision shall be final and conclusive. If such protests are sustained, no further proceedings shall be had under said ordinance of intention, but a new ordinance of intention for the same improvement may be passed at any time. If such protests are denied, the proceedings shall continue as if such protests had not been made. At the expiration of the time within which protests may be filed, if none are filed, or if protests are filed, and after hearing are denied, as above provided, then upon such denial, the city council shall be deemed to have acquired jurisdiction to order the improvement described in the ordinance of intention.

SEC. 2. Section twenty-four of said act is hereby amended to read as follows:

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 62—An act to amend section 4 of an act entitled "An act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvements within municipalities, and also for the payment of such bonds," approved February 27, 1893.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 186—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipality voting upon the question of incurring such indebtedness.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 585—An act to amend section 765 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 697—An act to amend section 863 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 749—An act to repeal an act entitled "An act to incorporate the town of Felton in the county of Santa Cruz, State of California," approved March 8, 1878.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1368—An act making bonds of municipal water districts legal investments for certain purposes.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 980—An act relating to and regulating the carrying, possession, sale or other disposition of firearms capable of being concealed upon the person; prohibiting the sale to or carrying of concealed weapons by persons under the age of eighteen years; prohibiting the possession, carrying, manufacturing and sale of certain other dangerous weapons and the giving, transferring and disposition thereof to other persons within this State; providing for the registering of the sales of firearms; prohibiting the carrying or possession of concealed weapons in municipal corporations; providing for the destruction of certain dangerous weapons as nuisances and making it a felony to use or attempt to use certain dangerous weapons against another.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 20—An act to amend section 671 of the Code of Civil Procedure, relating to judgment liens.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 58—An act to add a new section to the Code of Civil Procedure to be numbered 671*a*, relating to the filing and recording of judgments and transcripts of judgments rendered in federal courts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 221—An act to amend section 704 of the Penal Code, relating to proceedings before a magistrate on hearing of a charge of threatened offense.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 224—An act to repeal section 63½ of the Penal Code.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 225—An act to repeal section 63 of the Penal Code.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 795—An act to amend section 1438 of the Penal Code, relating to the conduct of trial in justices' courts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1417—An act to amend section 1 of an act entitled "An act granting to the city of Los Angeles the tidelands and submerged lands of the State within the boundaries of the said city," approved May 1, 1911.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 11, before the comma following the word "periods" insert the following: "in any event not to exceed thirty years".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 13, before the comma following the word "periods" insert the following: "in any event not to exceed thirty years".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

CONSIDERATION ON DAILY FILE.

SECOND READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 112—An act to amend the Penal Code by adding thereto two new sections to be numbered 1168 and 1169, relating to indeterminate sentences of persons convicted of criminal offenses for the first time, and to provide for the release of such persons within the time for which they are sentenced to imprisonment.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, lines 4 and 5, strike out the words "under the age of thirty-five years".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1154—An act to add a new section to an act entitled "An act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams and watercourses, for the prevention of the overflow thereof, by widening, deepening, straightening and

otherwise improving the same, and to authorize the boards of supervisors to levy and collect assessments from the property benefited to pay the expenses of the same," approved March 27, 1895, as amended, to be numbered 20½, relating to refund of assessments.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1157—An act defining henceforth the exterior boundaries of Reclamation District No. 108, situate partly in the counties of Colusa and Yolo, and providing for the liquidation of the affairs of Reclamation District No. 108, as it now exists, its exterior boundaries being described in that certain act of the Legislature, approved May 18, 1915, and approving the acts and proceedings of the said district, as defined in the said act of May 18, 1915, and the board of trustees thereof, and providing for the continuation in office of the present trustees of said district, and for the election and qualification of their successors, and providing that in the management and control of the affairs of said Reclamation District No. 108, as defined in this act, that it is subject to the provisions of the Political Code of the State of California, and to all other laws of the State, except as provided in the said act, in connection with the issuance and payment of warrants and the payment of assessments, providing that all moneys of the said district shall be paid and deposited with the county treasurer of Colusa County, and conferring jurisdiction upon the board of supervisors of the county of Colusa as to all matters concerning said district, and providing also for the management and control and administration of the affairs of said district.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 845—An act amending sections 287, 288, 289 and 299 of the Code of Civil Procedure, relating to the causes for which courts may remove attorneys and counselors, the proceedings for removal or suspension, and the judgment in such proceedings.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 595—An act to add to the Civil Code a new section to be numbered 594, relating to the incorporation of associations mentioned in Title XII of Part IV of division first of said code and making further provisions respecting articles of incorporation of corporations formed from such associations.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 615—An act to add a new section to the Code of Civil Procedure, to be numbered 1166a, relating to actions for obtaining possession of real property, to the manner in which tenants may be ejected and providing the form of complaint, the form of the amount of the undertaking and the form of the writ of ejectment, and the manner of executing and serving the writ.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 811—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 616—An act to amend section 1167 of the Code of Civil Procedure, relating to service of summons in unlawful detainer.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 10, after the word "summons" strike out the rest of the line; all of line 11 and down to and including the word "ascertained" in line 12, and insert in lieu thereof the following: "or if he has departed from the State or can not after due diligence be found within the State".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 816—An act to amend section 3 of an act entitled "An act relating to explosives and prescribing regulations for the transportation, storage and selling of explosives, and providing penalties for the violation of this act," in effect March 21, 1911, and known as Chapter 213, Statutes of 1911, and to repeal section 11 of said act.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, between lines 24 and 25, insert the following:

"(b) The quantity of explosives that may be lawfully had, kept or stored in any magazine shall depend upon the distance that such magazine is situated from buildings, highways, or railroads, and upon the protection afforded by natural or efficient artificial barricades to such buildings, highways or railroads. Whenever any of the quantities given in column one of the quantity and distance table hereinafter set forth is had, kept or stored in any magazine in this state, the distance that any quantity given in column one of said table may be lawfully had, kept or stored from buildings is the distance set opposite said quantity in column two of said table, and the distance that any quantity in column one of said table, may be lawfully had, kept or stored from railroads is the distance set opposite said quantity in column three of said table, and the distance that any quantity given in column one of said table may be lawfully had, kept or stored from highways is the distance set opposite said quantity in column four of said table. The quantity and distance table governing the keeping or storing of explosives is as follows:

QUANTITY AND DISTANCE TABLE.

Column 1 Quantity that may be lawfully kept or stored from nearest building, highway or railroad				Column 2.	Column 3	Column 4
Blasting caps		Other explosives		Distance from nearest building, feet	Distance from nearest railroad, feet	Distance from nearest highway, feet
Number over	Number not over	Pounds over	Pounds not over			
1,000	5,000	----------	----------	30	20	15
5,000	10,000	----------	----------	60	40	30
10,000	20,000	----------	----------	120	70	50
20,000	25,000	----------	50	200	120	80
25,000	50,000	50	100	240	120	100
50,000	100,000	100	200	360	220	140
100,000	150,000	200	300	520	310	200
150,000	200,000	300	400	640	380	260
200,000	250,000	400	500	720	430	290
250,000	300,000	500	600	800	480	320
300,000	350,000	600	700	860	520	340
350,000	400,000	700	800	920	550	360
400,000	450,000	800	900	980	590	380
450,000	500,000	900	1,000	1,020	610	400
500,000	750,000	1,000	1,500	1,060	640	420
750,000	1,000,000	1,500	2,000	1,200	720	480
1,000,000	1,500,000	2,000	3,000	1,300	780	520
1,500,000	2,000,000	3,000	4,000	1,420	850	570
2,000,000	2,500,000	4,000	5,000	1,500	900	600
		5,000	6,000	1,560	940	620
		6,000	7,000	1,610	970	640
		7,000	8,000	1,660	1,000	660
		8,000	9,000	1,700	1,020	680
		9,000	10,000	1,740	1,040	700
		10,000	20,000	1,780	1,070	710
		20,000	30,000	2,110	1,270	840
		30,000	40,000	2,410	1,450	960
		40,000	50,000	2,680	1,610	1,070
		50,000	60,000	2,920	1,750	1,170
		60,000	70,000	3,130	1,840	1,250
		70,000	80,000	3,310	1,990	1,320
		80,000	90,000	3,460	2,080	1,380
		90,000	100,000	3,580	2,150	1,430
		100,000	200,000	3,670	2,200	1,470
		200,000	300,000	4,190	2,510	1,680
		300,000	400,000	4,670	2,800	1,870
		400,000	500,000	5,110	3,070	2,040

Whenever the building, railroad or highway to be protected is effectually screened from the magazine, where explosives are had, kept or stored, either by natural features of the ground or by an efficient artificial barricade of such height that any straight line drawn from the top or any side wall of the magazine to any part of the building to be protected, will pass through such intervening natural or efficient artificial barricade, and any straight line drawn from the top of any side wall of the magazine to any point twelve feet above the center of the railroad or highway to be protected will pass through such intervening natural or efficient artificial barricade, the applicable distances given in column two, three and four of the quantity and distance table may be reduced one-half.

If at any time the distances from a magazine to a building, highway or railroad be decreased through the construction of a new building, highway or railroad or by any other means, then the amounts of explosives which may be lawfully had, kept or stored in said magazine must be reduced to correspond with the quantity and distance table.

The term "building" when used in the foregoing table shall be held to mean and include only any building regularly occupied in whole or in part as a habitation for human beings, and any store, church, schoolhouse, railway station or other public place of assembly.

The term "highway" when used in the foregoing table shall be held to mean public streets or public road, and shall not include roads constructed and maintained by private persons.

The term "railroad" when used in the foregoing table shall be held to mean and include any steam, electric or other railroad that carries passengers or articles of commerce for hire.

The term "efficient artificial barricade" when used in the foregoing shall be held to mean an artificial mound or properly revetted wall of earth of a thickness of not less than three feet."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, on line 25, strike out the letter "b" and insert in lieu thereof the letter "c".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1349—An act to amend section 791 of the Political Code, relating to notaries public.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1349 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, F. M., Chamberlin, Crowley, Duncan, Flaherty, Gates, Ingram, Johnson, Jones, Luce, Maddux, Nealon, Rigdon, Rush, Sharkey, Shearer, Slater, and Tyrrell—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 268—An act to amend section 1469 of the Code of Civil Procedure, relating to administration of estate not exceeding two thousand dollars in value.

On motion of Senator Benson, Assembly Bill No. 268 was passed on file.

Assembly Bill No. 937—An act to amend section 570 of the Code of Civil Procedure, relating to the disposition of unclaimed funds in the hands of a receiver.

On motion of Senator Benson, Assembly Bill No. 937 was passed on file.

Assembly Bill No. 230—An act amending section 4250 of the Political Code, relating to salaries and fees of officers of counties of the twenty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 230 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Duncan, Flaherty, Gates, Ingram, Johnson, Jones, Luce, McDonald, Maddux, Nealon, Rigdon, Rush, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 15—Relative to the inscription on the monument erected to the memory of James W. Marshall at Coloma, El Dorado County, California.

On motion of Senator Benson, Assembly Concurrent Resolution No. 15 was passed on file.

Assembly Bill No. 373—An act amending section 499*a* of the Penal Code, relating to stealing of electric current and the injuring of electric wires or appliances, and providing a punishment therefor.

Bill read third time.

On motion of Senator Benson, Assembly Bill No. 373 was passed on file.

Assembly Bill No. 262—An act to amend section 1 and to repeal section 2 of an act entitled "An act granting to the city of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Berkeley, and regulating the management, use and control thereof," approved June 11, 1913, also approved May 27, 1915.

On motion of Senator Benson, Assembly Bill No. 262 was passed on file.

Assembly Bill No. 38—An act to amend section 86 of the Code of Civil Procedure, relating to justices' clerk and appointees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 38 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Carr, F. M., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, McDonald, Maddux, Nealon, Rigdon, Rush, Sharkey, Shearer, Slater, and Tyrrell—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 278—An act to amend section 1714 of the Code of Civil Procedure, relating to new trials and appeals in proceedings in probate courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 278 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Carr, F. M., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, McDonald, Maddux, Nealon, Rigdon, Sharkey, Shearer, Slater, and Tyrrell—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 206—An act to amend section 1 and to repeal section 2 of an act entitled "An act granting to the city of Alameda the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Alameda, and regulating the management, use and control thereof," approved June 11, 1913.

On motion of Senator Hans, Assembly Bill No. 206 was passed on file.

Assembly Bill No. 4—An act to amend section 12 of an act entitled "An act to create a firemen's relief, health, and life insurance and relief

fund in the several counties, cities and counties, cities, and towns of the State," approved March 20, 1905.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 4 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, McDonald, Rigdon, Rush, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 67—An act to amend section 3 of an act entitled "An act to create a police relief, health and life insurance, and pension fund in the several counties, cities and counties, cities and towns of the State," approved March 4, 1889, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 67 passed by the following vote:

AYES—Senators Breed, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Jones, Kehoe, King, McDonald, Maddux, Nealon, Rigdon, Rush, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 498—An act to amend section 12 of an act entitled "An act to create a police relief, health, and life insurance and pension fund in the several counties, cities and counties, cities, and towns of the State," approved March 4, 1889, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 498 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, McDonald, Maddux, Nealon, Rigdon, Rush, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 368—An act to amend the Penal Code by adding a new section, to be known as section 563*b*, thereto, relating to offenses against or concerning banking institutions and prescribing penalties for violation of the provisions of the act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 368 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, W. J., Chamberlin, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Kehoe, King, Maddux, Nealon, Rigdon, Rush, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 187—An act to amend section 4272 of the Political Code, relating to the salaries and fees of officers of counties of the forty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 187 passed by the following vote:

AYES—Senators Ballard, Breed, Carr, F. M., Carr, W. J., Chamberlin, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Kehoe, King, Maddux, Nealon, Rigdon, Rush, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 307—An act to perpetuate marks, brands and counterbrands established in the several counties of the State under sections 3168 and 3169 of the Political Code, to provide methods of perpetuation and declaring all marks, brands and counterbrands not so perpetuated to be inoperative and void.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 307 passed by the following vote:

AYES—Senators Ballard, Breed, Carr, F. M., Carr, W. J., Chamberlin, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Rigdon, Shearer, Slater, Stuckenbruck, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 843—An act making bonds of municipal improvement districts legal investments for certain purposes.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Chamberlin moved to refer Senate Bill No. 843 to Senator Ballard as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, after the comma following the word "companies" insert "banks, both commercial and savings, and".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 29, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 843, with instructions to amend, respectfully reports the same back, amended as per instructions.

BALLARD, Special Committee.

Report read, and, on motion of Senator Chamberlin, adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF ASSEMBLY BILLS.

Assembly Concurrent Resolution No. 12—Relative to adjourning sine die of the forty-second session of the Legislature of the State of California, to fix a day for said adjournment.

Resolved by the assembly, the senate concurring, That the forty-second session of the legislature of the State of California, adjourn *sine die* at twelve m., Friday, April 27, 1917.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 12 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, F. M., Chamberlin, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Rigdon, Rush, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—28.

NOES—None.

Title read and approved.

Resolution ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 113—An act to amend section 674 of the Penal Code, relating to civil death of person sentenced to state prison for life.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 113 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Rigdon, Rush, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 114—An act to amend section 673 of the Penal Code, relating to civil rights of convict suspended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 114 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Rush, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—28.

NOES—Senator Chamberlin—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following reports of standing committee were received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 29, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Sharkey to introduce a bill entitled: "An act to amend sections 1, 4,

and 5 of an act entitled 'An act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Francisco and the bay of San Pablo to the city of Richmond in furtherance of navigation and commerce and the fisheries and providing for the government, management and control thereof;'"—has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Rigdon, Rush, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—31.

NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Tyrrell to introduce a bill entitled: "An act granting certain tide lands and submerged lands of the State of California to the city of Oakland and regulating the management, use and control thereof;"—has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Rigdon, Rush, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—31.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS.

The following bills were introduced in accordance with the above reports:

By Senator Sharkey: Senate Bill No. 1170—An act to amend sections 1, 4 and 5 of an act entitled "An act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Francisco and the bay of San Pablo to the city of Richmond in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved June 11, 1913.

Bill read first time, and referred to Committee on Judiciary.

By Senator Tyrrell: Senate Bill No. 1171—An act granting certain tidelands and submerged lands of the State of California to the city of Oakland and regulating the management, use and control thereof.

Bill read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, March 28, 1917.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 234—An act to amend section 3692 of the Political Code, relating

to the powers and duties of the State Board of Equalization—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

Minority report: Do not pass.

BENSON, Chairman.

Senate Bill No. 234 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 992—An act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under an act hereby repealed, to be known as the "Inheritance Tax Act"; and to repeal Chapter 595 of the laws of the session of the Legislature of California of 1913, approved June 16, 1913, known as the "Inheritance Tax Act," and all amendments thereto, and to repeal all acts and parts of acts in conflict with this act—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to Committee on Judiciary.

BENSON, Chairman.

Senate Bill No. 992 ordered re-referred to Committee on Judiciary.

Also:

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 969—An act providing for cooperation between the State and the counties of the State in the gathering and plating of data upon which the valuation of real property may be established and equalized, and appropriating money for such purpose;

Also: Senate Bill No. 970—An act to add a new section to the Political Code to be numbered 4041*a*, relating to the powers and duties of boards of supervisors in the gathering and plating and recording of data upon which the valuation of real property may be established and equalized;

Has had the same under consideration, and respectfully reports the same back and recommends that they be re-referred to the Committee on Finance.

BENSON, Chairman.

Senate Bills Nos. 969 and 970 re-referred to Committee on Finance.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, March 29, 1917.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to section 34 of Article IV of the Constitution of the State of California in relation to special appropriation bills;

Also: Senate Constitutional Amendment No. 30—A resolution to propose to the people of the State of California to amend section 21 of Article XX of the Constitution, relative to workmen's compensation;

Also: Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the Constitution by adding a new section 15 to Article XIII, relating to revenue and taxation;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they be adopted, as amended.

BALLARD, Chairman.

Senate Constitutional Amendments Nos. 15, 30 and 31 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 21—A resolution to propose to the people of the State of California to amend section 12 of Article XIII of the Constitution of said State, relating to poll taxes—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do not be adopted.

BALLARD, Chairman.

Assembly Constitutional Amendment No. 21 ordered on file.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 29, 1917.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 213—An act to amend sections 850, 852, 855, 860, 871, 879, 880, and 890 of the Code of Civil Procedure, and to repeal sections 854, 857, 858, and 872 thereof, all relating to civil actions in justices' courts;

Also: Senate Bill No. 215—An act to amend section 430 of the Code of Civil Procedure, relating to the demurrer to the complaint;

Also: Senate Bill No. 216—An act to amend section 1054 of the Code of Civil Procedure, relating to the extension of time within which an act is to be done;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

KEHOE, Chairman.

Senate Bills Nos. 213, 215 and 216 ordered on file for second reading.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, March 29, 1917.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 764—An act to add a new section to the Penal Code to be numbered 630*a*, relating to the protection of fish and game and providing additional penalties for the violation of the laws relating thereto;

Also: Assembly Bill No. 367—An act to amend section 631*d* of the Penal Code relating to the domestication of wild game;

Also: Assembly Bill No. 767—An act to amend section 628*c* of the Penal Code, relating to fish and game;

Also: Assembly Bill No. 1144—An act to amend section 629 of the Penal Code of the State of California, relative to placing and maintaining of screens over the inlets of pipes, flumes, ditches, canals and mill races, taking water from any river, creek, stream or lake in which fish have been placed or may exist;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

SLATER, Chairman.

Senate Bill No. 764 and and Assembly Bills Nos. 367, 767 and 1144 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 343—An act to amend section 628*a* of the Penal Code, relating to the protection of fish and game;

Also: Senate Bill No. 350—An act to amend section 628*c* of the Penal Code;

Also: Senate Bill No. 763—An act to amend section 626*a* of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 767—An act to regulate the business of dealing in fish by wholesale and retail for profit and to provide therefrom revenue for the conservation, propagation and restoration of fish in the State of California, and providing for a record of the transactions therein and providing penalties for the violation thereof and repealing all acts and parts of acts in conflict therewith;

Also: Assembly Bill No. 11—An act to amend section 626 of the Penal Code, relating to the protection of fish and game;

Also: Assembly Bill No. 64—An act to amend section 626*d* of the Penal Code, relating to the protection of fish and game;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

SLATER, Chairman.

Senate Bills Nos. 343, 350, 763 and 767 and Assembly Bills Nos. 11 and 64 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 28, 1917.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 238—An act to repeal section 3062 of the Political Code, relating to health officers;

Also: Assembly Bill No. 239—An act to amend sections 2979*a*, 2984, 3061 and 3064 of the Political Code, relating to health officers;

Also: Assembly Bill No. 762—An act to amend sections 2 and 7 of an act entitled "An act relating to cold storage, the regulation of refrigerating warehouses, the disposition or sale of food kept or preserved therein, and defining the duties of the State Board of Health in relation thereto," approved June 13, 1913, as amended;

Also: Assembly Bill No. 764—An act to amend an act entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, as amended, by amending sections 2, 3, 4, 8, 9, 12 and 19 thereof;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

CARR, F. M., Chairman.

Assembly Bills Nos. 238, 239, 762 and 764 ordered on file for second reading.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Chamberlin:

SENATE CHAMBER, SACRAMENTO, March 29, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2 of Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend the Code of Civil Procedure of the State of California by adding thereto a new section, to be known as number 1718, authorizing the court to appoint attorney for legatees, devisees, minor or absent heirs at law, when, and what compensation he is to receive.

Request referred to Committee on Rules.

MOTION TO RECONSIDER.

Senator Inman moved to reconsider the vote whereby Senate Bill No. 820 was passed.

POSTPONEMENT OF CONSIDERATION.

On motion of Senator Inman, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 820 was passed, was continued until the next legislative day.

APPROVAL OF JOURNALS.

On motion of Senator Benson, the Journals of Monday, February 26; Tuesday, February 27; Wednesday, February 28; Thursday, March 1; Friday, March 2; Monday, March 5; Tuesday, March 6; Wednesday, March 7; Thursday, March 8; Friday, March 9; Saturday, March 10; Monday, March 12; Tuesday, March 13; Wednesday, March 14; Thursday, March 15; and Friday, March 16, were approved as corrected.

ADJOURNMENT.

At three o'clock and twenty minutes p.m., on motion of Senator Benson, the President pro tempore declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Friday, March 30, 1917.

The Senate met at ten o'clock a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—38.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal, of Thursday, March 29, 1917, its further reading was dispensed with, on motion of Senator Sharkey.

LEAVE OF ABSENCE.

Senator Maddux was, on motion of Senator Slater, granted leave of absence for Friday, March 30, and Saturday, March 31.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Slater, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. Ben. F. Ballard of Santa Rosa, deputy superintendent of schools of Sonoma County.

On request of Senator Purkitt, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to John Richard Knight, George Purkitt Knight and the following members of the faculty and student body of the Glenn County High School and the Orland High School:

GLENN COUNTY HIGH SCHOOL—Elizabeth McDole, Mrs. William M. Finch, Margaret Finch, Ethel Finch, Mrs. W. H. Walker, Melba Graves, Leona Walker, Mrs. G. A. Bondurant, Mrs. A. D. Pieper, Arline Pieper, Annybelle Bondurant, Marjorie Coonington, Howard Willam Dahlgren, Joe Mike Billiora, Ellsworth Joseph Burgi, Merlin J. Hawkins, William D. Douglas, Walter A. Sanford, Roy Carlson, Ella Crane, Celesta Planet, Harold C. Craig, Ruth Fellersen, Marion Youngreen, Eunice Markham, Frances McFarland, Beulah Leonard, and Ora Baugher.

ORLAND HIGH SCHOOL—Joy Bradner, Aileen Hyland, Mary Weager, Gretchen King, Gilbert E. Morton, John R. Bailey, Jack Utz, Luella Leonard, Doris Birch, Estjer Fellersen, Grace Christian, Bessie E. Dickerson, Minnie B. Haack, Bernice Reager, Edna Sanford, Lucy Kaber, Ellen Hann, Golda Hulen, Olin Lefors, Donald Cameron, Elmer C. Pruhtes, Leon B. Marshall, Gilbert E. Morton, Annabel

Sperlich, Verona Sperlich, Hetty Cushman, Turla Harrison, Olive Halterman, Dorothy Marshall, Mrs. Eva O. Halterman, Heloise Dahlgren, Vernon Barcelonx, Cedric King, Raymond Lachenmyer, Carl Hohik, Ezra Youngreen, Willard Linebarger, Robert Hicks, Della Snelson, Elizabeth Graham, Clara Smith, Ruby Stout, C. C. Childress, D. M. Walker, Gaber Harwell, Cathy M. Schom, Harold Craig, Harry S. Havenor, Raemon Samuels, Elsi Pine, Albert A. Ossenbriggen, Evelyn M. Morrill, Edith Rahm, Neel E. Peake, Emma Fruchtenicht, Hazel Hatterman, Melba Zumwalt, Henrietta Haever, Francis Weinrich, May Fitzgerald, Doris Rudolph, Myra Luce, Mrs. F. T. Weinrich, Mrs. A. Luce, Olga Benson, Lenus Luce, Lehr E. Colville, Lenora Carpenter, Mildred Colville, Leona White, J. Killebrew, Neva Patton, and Leslie Lantz.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 55—An act to add a new section to the Code of Civil Procedure to be numbered 1663, relating to partial distribution of estates of deceased persons;

Also: Assembly Bill No. 673—An act to add a new section to the Penal Code of the State of California to be numbered 626*a*, relating to the protection of game;

Also: Assembly Bill No. 756—An act to amend section 1881 of the Code of Civil Procedure of the State of California, relating to confidential communications;

Also: Assembly Bill No. 1006—An act to prevent fraud upon the traveling public by adding a new section to the Penal Code of the State of California, to be known and numbered as section 483, making it a misdemeanor to sell, transfer or deliver to another for the use of any person other than the person entitled by the terms thereof to the use of same, any ticket scrip, mileage or commutation book, coupon, etc.;

Also: Assembly Bill No. 907—An act to amend section 453 of the Civil Code, relating to insurance on the assessment plan;

Also: Assembly Bill No. 1298—An act to add a new section to the Penal Code, to be numbered 1617, relating to the taking, preservation, destruction and use of photographs, Bertillon measurements, finger prints, and other methods of identification.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 55 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 673 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 756 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1006 read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 907 read first time, and referred to Committee on Insurance.

Assembly Bill No. 1298 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 290—An act to amend section 2646 of the Political Code;

Also: Senate Bill No. 750—An act to add a new section to the Political Code, to be numbered section 3804*b*, relating to the payment of taxes on property assessed by two or more counties and to cancellation of erroneous assessments;

Also: Senate Bill No. 1107—An act to appropriate money to pay the expenses incurred in the publication of bond acts presented to the people at the election of November 7, 1916;

Also: Senate Bill No. 562—An act to amend section 4258 of the Political Code, relating to salaries and fees of officers and to the fees to be allowed trial and grand jurors of counties of the twenty-ninth class;

Also: Senate Bill No. 96—An act to amend section 850 of the Code of Civil Procedure, relating to notice in justices' courts;

Also: Senate Bill No. 1139—An act to amend section 2 of an act entitled "An act providing for the disposition of certain property," passed April 21, 1851, relating to tidelands covered by the waters of Carquinez Straits.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 290, 750, 1107, 562, 96 and 1139 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate Amendments to Assembly Bill No. 93—An act to amend section 4259 of the Political Code, relating to salaries and fees of officers in counties of the thirtieth class.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

COMMUNICATION.

The following communication was received and ordered printed in the Journal:

SAN JOSE, March 29, 1917.

State Board of Equalization, Sacramento, California.

DEAR SIRS: Since mailing you my report on the amount of foodstuffs in this county I have received later information and I request that the following correction be made in my report:

California Packing Corporation—canned fruits, 38,600 cases. (Instead of 5,000 cases.)

Very truly yours,

HAROLD E. FORD, Deputy Assessor

PETITION.

The following petition was received and ordered printed in the Journal:

SACRAMENTO, CALIFORNIA, March 27, 1917.

State Legislature, Sacramento, California.

DEAR SIRS: We, the Parent Teachers' Association of the Andrew Jackson School, Pasadena, wish to call your attention to the fact that we indorse Senate Bills Nos. 426, 542 and Assembly Bills Nos. 621 and 625.

Hoping to hear of the passage of such bills, we are,

Yours truly,

MRS. WILLIAM J. DAVIDS, President.
FLORENCE KNIGHT, Secretary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 29, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of the State by adding a new section thereto, to be known as section 7½*a* of Article XI, relating to the consolidation of city and county government and to the framing of charters therefor and amendments to such charters—and reports that the same has been correctly re-engrossed.

CANEPA, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 452—An act providing for the establishment of public rating bureaus and defining their powers and methods of conducting business; providing for inquiries into such rating bureaus by the Insurance Commissioner; providing for review of rates by Insurance Commissioner; providing against unfair discrimination in

rates; providing for chief examiners for rating bureaus and prescribing their duties; providing for filing with Insurance Commissioner by insurance companies of schedules of rates; providing for inspection of risks rated by rating bureaus; providing for filing with Insurance Commissioner of schedule of commissions to be paid agents, solicitors and brokers; providing against demoralization of business; providing entire act not to be affected by unconstitutionality of part thereof; providing for penalty for violation of act by insurance companies; providing for penalty for violation of act by agent or other representative; repealing laws in conflict with this act;

Also: Senate Bill No. 381—An act to amend section 632 of the Penal Code, relating to the protection of fish;

Also: Senate Bill No. 152—An act to provide for the establishment of passenger transportation facilities upon The Embarcadero, in the city and county of San Francisco;

Also: Senate Bill No. 654—An act to amend section 2552 of the Political Code, relating to the salaries of the Board of State Harbor Commissioners and assistants, said amendment relating to the salary of the president of the board and his duties, and the fund out of which the said salaries and the compensation of employees of the board shall be payable;

And reports that the same have been correctly engrossed.

CANEPA, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 28, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 471—An act to amend sections 1, 2, 3, 5, 7, 8, 9 and 10 of an act entitled "An act authorizing levee districts of the State to incur a bonded indebtedness for the purpose of building, constructing or repairing levees of the district; or for excavating and constructing ditches or canals of such district, or for the purpose of acquiring rights of way for any such levees, ditches, or canals, or for any and all of said purposes," approved March 8, 1911, and adding thereto four new sections designated as sections 8a, 8b, 8c, and 11;

Also: Senate Bill No. 121—An act providing for the organization of water districts by the board of supervisors of any county of the State upon petition therefor by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of said county in which the lands contained in said district are located; providing for the acquisition and construction by said district of water works, for the irrigation of the lands embraced therein and for the distribution of water for irrigation purposes and domestic use; providing for the payment of the debts thereof by a tax levied on the property embraced therein; providing for the issuance and sale of bonds thereby;

And reports that the same have been correctly re-engrossed.

CANEPA, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 29, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 712—An act to add a new section to the Political Code, to be numbered 1528, providing for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds;

Also: Senate Bill No. 1084—An act to amend sections 1745 and 1746 and to repeal section 1749 of the Political Code, all relating to the issuance of bonds by high school districts;

And reports that the same have been correctly engrossed.

CANEPA, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 351—An act to amend section 626c of the Penal Code, relating to the protection of fish and game;

Also: Senate Bill No. 578—An act to amend section 626j of the Penal Code;

Also: Senate Bill No. 701—An act empowering and authorizing the board of fish and game commissioners to insure against loss or damage by fire the property of the State of California;

Also: Senate Bill No. 819—An act to amend sections 3 and 5 of an act entitled "An act requiring employers who provide hospital service for their employees and who make a charge therefor, to keep books, records and accounts of all such charges, and to make an annual report thereof; requiring each such charge to be just and

reasonable and to be devoted for no other purpose than such hospital service; and prescribing penalties for violations of the provisions thereof," approved June 8, 1915, by altering the respective jurisdictions of the Railroad Commission and the Industrial Accident Commission with respect to hospital facilities of public utilities;

Also: Senate Bill No. 1105—An act to amend section 3513 of the Political Code, relating to the payment of the purchase price of lands sold by the State on and after the first day of May, A. D. 1911;

Also: Senate Bill No. 473—An act to amend the Code of Civil Procedure by adding thereto a new section to be numbered 2055, relating to the examination of an adverse party;

Also: Senate Bill No. 690—An act to amend section 1238 of the Code of Civil Procedure, relating to the public uses in behalf of which the right of eminent domain may be exercised;

Also: Senate Bill No. 1169—An act to create a state council of defense to make investigations into the effect of the occurrence of war upon the civil and economical life of the people of the State of California; to recommend to the Governor measures to provide for the public security, the better protection of public health, a fuller development of the economic resources of the State and the encouragement of military training; to impose upon public officers certain duties in connection herewith; and to make appropriation for the purposes of this act;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-ninth day of March, 1917, at eleven o'clock a.m.

CANEPA, Chairman.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, March 30, 1917.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 235—An act to repeal sections 3664, 3665, 3666, 3667, 3668, 3669, 3670 and 3671 of the Political Code, to re-enact said sections, and to add 29 new sections to said code, to be numbered sections 3664*a*, 3664*b*, 3664*c*, 3664*d*, 3665*a*, 3665*b*, 3665*c*, 3666*a*, 3666*b*, 3666*c*, 3667*a*, 3667*b*, 3667*c*, 3668*a*, 3668*b*, 3668*c*, 3669*a*, 3669*b*, 3669*c*, 3669*d*, 3669*e*, 3670*a*, 3670*b*, 3670*c*, 3671*a*, 3671*b*, 3671*c*, 3671*d*, 3671*e*, all relating to taxation of public service and other corporations, banks and insurance companies for the benefit of the State;

Also: Senate Bill No. 307—An act to amend sections 3607, 3608, 3617, 3627, 3628, 3629, 3641, 3643, 3650, 3663, 3678, 3679, 3701, 3728, 3734 and 3758 of the Political Code, and to repeal sections 3609, 3610, 3719, 3757, 3769*a*, 3839, 3840, 3841, 3842, 3843, 3844, 3845, 3846, 3847, 3848, 3849, 3850, 3851, 3852, 3853, 3854, 3855, 3856, 3857, 3858, 3859, 3860, 3861, and 3862, of said code, and to add to said code a new section to be numbered 3714*a*, all relating to revenue and taxation;

Also: Senate Bill No. 850—An act to amend an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance," approved May 10, 1915, relating to the terms and conditions upon which corporations may transact business in this State;

Also: Senate Bill No. 851—An act to amend section 400 of the Civil Code, and to repeal sections 405, 406, 408, 409, and 410 of said code, relating to corporations;

Also: Senate Bill No. 854—An act to amend section 341 of the Code of Civil Procedure, relating to time for commencement of actions;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass, as amended.

BENSON, Chairman.

Senate Bills Nos. 235, 307, 850, 851 and 854 ordered on file for second reading.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, March 30, 1917.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 534—An act prohibiting an employer from discharging an employee for failure to patronize a boarding house or hotel owned or conducted by the employer, and prescribing penalties for violations of the provisions hereof—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

LYON, Chairman.

Assembly Bill No. 534 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 662—An act to require employers to pay the cost of bonds and photographs required of and furnished by employees or applicants for employment;

Also Assembly Bill No 1025—An act prohibiting employers of labor from coercing employees in the purchase of things of value, and prescribing a penalty for the violation of the provisions hereof;

Also: Senate Bill No. 825—An act to repeal an act entitled "An act to provide for temporary floors in buildings more than three stories high in the course of construction and for the protection of the life and limb of workmen employed in such buildings from falling joists or girders and from falling bricks, rivets, etc.," approved March 6, 1909, and known as Chapter 107, Statutes of 1909;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

LYON, Chairman.

Assembly Bills Nos. 662 and 1025, and Senate Bill No. 825 ordered on file for second reading.

ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, March 30, 1917.

MR PRESIDENT Your Committee on Prisons and Reformatories, to which was referred Senate Bill No. 1141—An act to add a new section to the Penal Code to be numbered 1202*a*, relating to imprisonment in the state prison—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BROWN, Chairman

Senate Bill No. 1141 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 629—An act to amend section 1644 of the Penal Code relating to rules and regulations for the performance of labor, credits for good behavior of prisoner confined in county jail or in city jail or in city and county jail—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BROWN, Chairman.

Assembly Bill No. 629 ordered on file for second reading.

ON BANKING.

SENATE CHAMBER, SACRAMENTO, March 29, 1917.

MR. PRESIDENT Your Committee on Banking, to which was referred Assembly Bill No. 369—An act relating to the liquidation of banks by the superintendent of banks; empowering him to levy assessments against the members and stockholders of any bank in process of liquidation by him to an amount which he may determine to be necessary to promptly pay the creditors of such bank in full, to enforce such assessments by suit and empowering the superior court to determine the equities of the members and stockholders of any such bank to any surplus which may remain after the payment of the creditors of such bank in full and to award and distribute the same accordingly—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

HANS, Chairman.

Assembly Bill No. 369 ordered on file for second reading.

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 29, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Chamberlin to introduce a bill entitled "An act to amend the Code of Civil Procedure of the State of California by adding thereto a new section to be known as number 1718, authorizing the court to appoint attorney for legatees, devisees, minor or absent heirs at law, when, and what compensation he is to receive"—has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Caneva, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Inman, Johnson, Jones, Kehoe, Lace, Lyon, Nealon, Purkitt, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

INTRODUCTION AND FIRST READING OF BILL.

The following bill was introduced in accordance with the above report:

By Senator Chamberlin: Senate Bill No. 1172—An act to add a new section to the Code of Civil Procedure to be numbered 1718, authorizing the court to appoint attorney for legatees, devisees, minor or absent heirs at law, when, and to fix the compensation thereof.

Bill read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 29, 1917.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 430—An act to provide for the establishment within municipalities of districts or zones within which the use of property, height of buildings and proportional area of the lot which may be lawfully covered by improvements, may be regulated by ordinance—has had the same under consideration, and respectfully reports the same back and recommends that it do pass, as amended.

TYRRELL, Chairman.

Senate Bill No. 430 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 719—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, by adding a new section thereto to be numbered 256½—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to Committee on Education.

TYRRELL, Chairman.

Senate Bill No. 719 re-referred to Committee on Education.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 30, 1917.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 404—An act to repeal an act entitled "An act to provide for the reporting of occupational diseases," approved April 21, 1911;

Also: Senate Bill No. 405—An act providing for the inspection of all institutions treating syphilis and gonococcus infections, and defining the powers and duties of the State Board of Health in relation thereto;

Also: Senate Bill No. 558—An act to amend sections 1 and 2 of an act entitled "An act to prevent the supply of water dangerous to health for domestic purposes and to provide for the installation of sanitary water systems," approved June 13, 1913, so as to prevent the supply of water impure, unwholesome, unpotable or polluted for domestic purposes and to compel the furnishing of pure, wholesome and potable water supplies for domestic purposes;

Also: Senate Bill No. 559—An act to amend sections 2 and 3 of an act entitled "An act for the preservation of the public health of the people of the State of California and empowering the State Board of Health to enforce its provisions, and

providing penalties for the violation thereof," approved March 23, 1907, amended April 1, 1911, June 13, 1913, so as to prevent the maintenance of sewer farms or the making of any addition or modification in sewage works, plant, place or manner of disposal without a permit from the State Board of Health and to prevent the creation of nuisance by said works or disposal;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

CARR, F. M., Chairman.

Senate Bills Nos. 404, 405, 558 and 559 ordered on file for second reading.

COMMUNICATION.

The following communication was presented and ordered printed in the Journal:

SACRAMENTO, March 27, 1917.

The Honorable President of the Senate:

Owing to the fact that I am to take up some special publicity work for the Adjutant General in connection with the State defense, I hereby tender my resignation as assistant at the desk of the Secretary of the Senate, to take effect March 31st.

Respectfully,

E. A. CHARLTON.

RESOLUTION.

The following resolution was offered:

By Senator Luce:

Resolved, That the resignation of E. A. Charlton, assistant at the desk at a per diem of five dollars, be accepted and that his name be stricken from the payroll of the Senate.

Resolution read.

Senator Luce moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Nealon, Purkitt, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Rominger the further consideration of the motion to reconsider the vote whereby Senate Bill No. 414 was refused passage, was continued until the next legislative day.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(OUT OF ORDER).

The following resolutions were offered:

By Senator Breed: Senate Concurrent Resolution No. 24—Relative to leaves of absence of the Governor, and the members of the Senate and Assembly of the forty-second session of the Legislature of the State of California.

Resolution ordered to print, and referred to Committee on Rules.

By Senator Breed: Senate Constitutional Amendment No. 49—A resolution to propose to the people of the State of California an amendment to section 13½ of Article XI of the Constitution of the State of California, relating to the payment of county, city and county, city, town, municipal, irrigation district or other public corporation bonds at any place or places within or outside of the United States.

Constitutional amendment ordered to print, and referred to Committee on Constitutional Amendments.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Johnson:

SENATE CHAMBER, SACRAMENTO, March 30, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2 of Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act providing for the taking over by the State of California of a certain road in Boulder Creek Township, county of Santa Cruz and for the maintenance and improvement of the same as a state road under the supervision of the State Department of Engineering.

Request referred to Committee on Rules.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 90—An act to amend section 290½ of the Civil Code, relating to corporations.

In the absence of the author, Senate Bill No. 90 was ordered passed, to retain its place on the file.

Senate Bill No. 49—An act to repeal section 55*a* of the Penal Code, relative to soliciting, demanding, or pledging votes for or against any particular bill or measure.

In the absence of the author, Senate Bill No. 49 was ordered passed, to retain its place on the file.

Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending sections 1 and 14 of Article XIII thereof, both relating to revenue and taxation, so as to permit taxation of certain public utilities owned or operated by counties, cities and counties, or municipal corporations.

On motion of Senator Irwin, Senate Constitutional Amendment No. 11 was ordered to unfinished business.

Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section 22 of Article XII thereof, relating to the powers and duties of the Railroad Commission of the State of California.

On motion of Senator Irwin, Senate Constitutional Amendment No. 21 was ordered to unfinished business.

Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section 23 of Article XII thereof, relating to the powers and duties of the Railroad Commission of the State of California.

On motion of Senator Irwin, Senate Constitutional Amendment No. 22 was ordered to unfinished business.

Senate Bill No. 320—An act to amend section 1858 of the Political Code, relating to the apportionment of the elementary school funds and the counting of attendance in the elementary and secondary schools of the State.

On motion of Senator Jones, Senate Bill No. 320 was passed on file.

Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending section 1 of Article IV thereof, relating to legislative powers, and reserving to the people of the State of California the power to propose laws, statutes and amendments to the Constitution and to enact the same at the polls, independent of the Legislature, and also reserving to the people of the State of California the power to approve or reject at the polls any act or section or part of any act of the Legislature.

On motion of Senator Duncan, Senate Constitutional Amendment No. 5 was passed on file.

Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of the State by adding a new section thereto, to be known as section 7½*a* of Article XI, relating to the consolidation of city and county government and to the framing of charters therefor and amendments to such charters.

On motion of Senator Breed, Senate Constitutional Amendment No. 13 was passed on file.

Senate Constitutional Amendment No. 44—A resolution to propose to the people of the State of California to amend section 13 of Article VI of the Constitution of the State, relating to inferior courts.

On motion of Senator Ballard, Senate Constitutional Amendment No. 44 was passed on file.

Senate Bill No. 1090—An act to amend sections 1, 2, 3, 6, 7, 12, 15 and 16 of an act entitled "An act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911, as amended.

On motion of Senator Scott, Senate Bill No. 1090 was passed on file.

MOTION TO RECONSIDER.

Senator Inman moved to reconsider the vote whereby Senate Bill No. 820 was passed.

The question being on the motion to reconsider,

The roll was called, and the motion lost by the following vote:

AYES—Senators Breed, Brown, Carr, F. M., Chamberlin, Chandler, Duncan, Ingram, Inman, Irwin, King, McDonald, Nealon, Purkitt, Rigdon, Rominger, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—20.

NOES—Senators Ballard, Benson, Canepa, Carr, W. J., Crowley, Flaherty, Hans, Johnson, Jones, Kehoe, Luce, Lyon, Scott, and Sharkey—14.

Senate Bill No. 820 ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 872—An act defining the meaning of the term "appointive officer," and to prohibit any appointive officer of the State of California, or of any of its departments or commissions, from participating in political conventions, discussions or campaigns for or against any political party, or measure, or candidate, making public political speeches to influence the action of any voter or voters for or

against any party, person, or measure, or using any official stationery for such purpose, and providing penalties for the violation thereof.

On motion of Senator Duncan, Senate Bill No. 872 was passed on file.

Senate Bill No. 651—An act to repeal an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913.

On motion of Senator Stuckenbruck, Senate Bill No. 651 was passed on file.

Senate Bill No. 1110—An act to promote the development of the California fruit industry and to protect the State's reputation in the fruit markets by establishing a standard for the packing of certain fresh fruits specified herein, prescribing penalties for violations of the provisions hereof, and repealing all acts inconsistent herewith.

On motion of Senator Benson, Senate Bill No. 1110 was passed on file.

Senate Bill No. 715—An act to regulate and control the business of making personal loans and to regulate the assignment of wages when given as security for any such loan.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Gates moved to refer Senate Bill No. 715 to Senator Evans, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 4, line 26, of the printed amended bill, strike out all after the period to and including the word "examination", and period on line 31, page 4, and insert in lieu thereof the following:

The commissioner shall have power and authority, at all times, to administer oaths, and take the testimony of any witness in any inquiry, investigation, or hearing concerning any licensee or applicant for a license, or the business or any act or transaction of such licensee or applicant for a license; to issue subpoenas requiring the attendance of witnesses and the production of books, documents and other things under his control, upon such inquiry, investigation or hearing, in any part of the **state; and, in any such case, to take or cause to be taken the deposition of any** witness residing within or without this state. All of the provisions of chapter two of title three of part four of the Code of Civil Procedure of California, relating to the means of production of evidence out of court, shall be applicable to any inquiry, **investigation, or hearing under this act.**

No person shall be excused from testifying or from producing any book, document, or other thing under his control upon any such inquiry, investigation, or hearing, upon the ground that his testimony, or the book, document, or other thing required of him, may tend to incriminate him, or may have a tendency to subject him to punishment for a felony, or to a penalty or forfeiture; but no person shall be prosecuted, punished or subjected to any penalty or forfeiture for or on account of any act, transaction, matter, or thing concerning which he shall have been so compelled to testify under oath, or to produce such documentary or other evidence; *provided*, that no person so testifying shall be exempt from prosecution or punishment **for perjury if committed by him in his testimony.**

The authority to make or conduct any such inquiry, investigation, or hearing, including the authority to administer oaths, and to subpoena witnesses and take their testimony, may be delegated by the commissioner to any deputy or examiner appointed

by him for that purpose. Such appointment shall be made by an instrument in writing, signed by the commissioner under his official seal, and upon such inquiry, investigation, or hearing, the same shall be produced by such deputy or examiner at any time upon demand therefor.

Copies of all official papers, records, documents, orders, and licenses made or filed in the office of the commissioner, certified by him, or any deputy, and sealed with the official seal, shall be admissible in evidence in any action or proceeding, in like cases and with like effect as the originals.

AMENDMENT NUMBER TWO.

On page 6, line 3, of the printed amended bill, strike out period, and insert in lieu thereof a semicolon and the following: "*provided*, that any licensee may make, with any borrower, a loan of money for a period of one year, upon interest at a rate not exceeding six per cent per annum, evidenced by a promissory note executed by the borrower, with or without one or more co-makers or endorsers, for the repayment of the principal amount of the sum lent, and may deduct, in advance, from the sum lent, the interest thereon; and, as a condition of making such loan, such licensee may charge the borrower, if such loan be made, but not otherwise, a sum not exceeding one dollar for each fifty dollars, or fraction thereof, of the sum lent, but in any event not exceeding five dollars, in payment of all expenses incurred and services rendered in connection with such loan; and may require the borrower, as a part of the same transaction, to subscribe for a certificate of investment, issued by the licensee, and to pay therefor the amount of the face thereof (which shall not exceed the principal amount of the sum lent in fifty equal weekly installments, and to pledge the same with such licensee as security for the repayment of such loan. Such certificate shall be an express contract of the licensee for the direct payment of money to the certificate holder, and may contain a provision that if default be made in the payment of any weekly installment when it becomes due, a sum not exceeding five cents for each fifty dollars, or fraction thereof, of the face of such certificate may be charged by the licensee as a stipulated compensation to the licensee for services performed and expenses incurred by the licensee at the request of the certificate holder by reason of such default. No charge, bonus, fee, claim, or demand of any nature whatsoever, other than the charges hereinbefore in this proviso expressly authorized, shall be made by any such licensee upon or in connection with any such loan, or upon any renewal thereof, except upon a sale of the property pledged, or upon the entry of judgment to enforce the obligations of the borrower. No subscription for any certificate of investment, or agreement for the payment of money thereon, shall be valid, unless the licensee shall have first secured from the commissioner of corporations a certificate or permit authorizing or permitting the licensee to sell or issue such certificates of investment. The commissioner, in such certificate or permit, may impose such conditions as he may deem necessary to the issue of such certificates of investment, and may from time to time, for cause, rescind, alter, or amend the certificate or permit issued by him."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 30, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 715, with instructions to amend, respectfully reports the same back, amended as per instructions.

EVANS, Special Committee.

Report read and, on motion of Senator Gates, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 471—An act to amend sections 1, 2, 3, 5, 7, 8, 9 and 10 of an act entitled "An act authorizing levee districts of the State to incur a bonded indebtedness for the purpose of building, constructing or repairing levees of the district; or for excavating and constructing ditches or canals of such district, or for the purpose of acquiring rights of way for any such levees, ditches, or canals, or for any and all of said purposes," approved March 8, 1911, and adding thereto four new sections designated as sections 8*a*, 8*b*, 8*c* and 11.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 471 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Tyrrell—29.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 594—An act to amend section 8 of an act entitled "An act to provide for the formation of levee districts in the various counties of this State and to provide for the erection of levees, dikes and other works for the purpose of protecting the lands within such districts from overflow and to levy assessments to erect and construct and maintain such levees, dikes and other works and to pay the necessary costs and expenses of maintaining said districts," approved March 20, 1905, and amended by an act approved March 16, 1907.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 594 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rominger, Rush, Sharkey, Slater, Stuckenbruck, and Tyrrell—28.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 30, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 458—An act to amend sections 2322, 2322*a*, 2322*c* and 2322*d* of the Political Code and to add new sections 2322*f*, 2322*g*, 2322*h*, 2322*i*, and 2322*j* to the Political Code, said sections relating to orchards, trees, vines or plants of any variety, infected or infested with diseases, scale or other insects of any kind injurious to fruit, fruit trees, vines or other plants or vegetables, or noxious weeds and to the extermination or the control of insects, ground squirrels, gopher or other animal pests and plant diseases or noxious weeds, and to the appointment and removal of a county horticultural commissioner in the several counties of the State; prescribing his duties and powers and fixing his compensation and term of office, also providing for a State Board of Horticultural Examiners, prescribing the duties of said board, and providing for examination to be taken by persons desiring to qualify for position as county horticultural commissioner; providing for the dividing of the several counties of the State into districts by the respective county horticultural commissioners, and providing for the appointment of deputy commissioners, local inspectors, and quarantine guardians, prescribing their duties and powers and fixing their compensation—and reports that the same has been correctly re-engrossed.

CANEPA, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 755—An act to amend sections 2239, 2283, 2287 and 2289 of the Civil Code, relating to trusts;

Also: Senate Bill No. 386—An act to amend the Penal Code of the State of California by adding a new section thereto to be numbered 496*a* and relating to the purchase of certain materials by junk dealers;

Also: Senate Bill No. 815—An act to provide for the protection of beneficiaries of workmen's compensation insurance policies against the default or insolvency of insurance carriers issuing such policies by requiring such carriers to provide security for the payment of such compensation;

Also: Senate Bill No. 319—An act to add a new section to be numbered 1582 and to amend section 1543 of the Political Code, relating to the lapsing, suspending, and reestablishing of school districts and the powers and duties of superintendents of schools;

Also: Senate Bill No. 516—An act to amend section 1521 of the Political Code relating to the compensation and expenses of members of the State Board of Education and assistant superintendents of public instruction;

Also: Senate Bill No. 1007—An act to amend section 1750 of the Political Code, relating to high school courses of study;

Also: Senate Bill No. 666—An act to amend section 4236 of the Political Code relating to the salaries, fees and expenses of officers and of grand and trial jurors in counties of the seventh class;

Also: Senate Bill No. 782—An act to amend section 4275 of the Political Code relating to the salaries of county officers in counties of the forty-sixth class, and fixing the mileage and per diem of jurors in counties of the forty-sixth class;

Also: Senate Bill No. 657—An act to amend section 4254 of the Political Code relating to compensation of officers in counties of the twenty-fifth class, and creating the office of county librarian and providing for the appointment and salary thereof—And reports that the same have been correctly engrossed.

CANEPA, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 1133—An act to amend section 4290 of the Political Code, relating to fees and salaries of county officers—and reports that the same has been correctly re-engrossed.

ROMINGER, Acting Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 342—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class;

Also: Senate Bill No. 1154—An act to add a new section to an act entitled "An act to provide for the formation of protection districts in the various counties of this State, for the improvement and reclamation of the channels of unnavigable streams and watercourses, for the prevention of the overflow thereof, by widening, deepening, straightening and otherwise improving the same, and to authorize the boards of supervisors to levy and collect assessments from the property benefited to pay the expenses of the same," approved March 27, 1895, as amended, to be numbered 20½, relating to refund of assessments;

Also: Senate Bill No. 1157—An act to amend sections 2322, 2322*a*, 2322*c* and 2322*d* of the Political Code and to add new sections 2322*f*, 2322*g*, 2322*h*, 2322*i*, and 2322*j* to the Political Code, said sections relating to orchards, trees, vines or plants of any variety, infected or infested with diseases, scale or other insects of any kind injurious to fruit, fruit trees, vines or other plants or vegetables, or noxious weeds and to the extermination or the control of insects, ground squirrels, gopher or other animal pests and plant diseases or noxious weeds, and to the appointment and removal of a county horticultural commissioner in the several counties of the State; prescribing his duties and powers and fixing his compensation and term of office, also providing for a state board of horticultural examiners, prescribing the duties of said board, and providing for examination to be taken by persons desiring to qualify for position as county horticultural commissioner, providing for the dividing of the several counties of the State into districts by the respective county horticultural commissioners, and providing for the appointment of deputy commissioners, local inspectors, and quarantine guardians, prescribing their duties and powers and fixing their compensation;

Also: Senate Bill No. 845—An act amending sections 287, 288, 289 and 290 of the Code of Civil Procedure, relating to the causes for which courts may remove attorneys and counselors, the proceedings for removal or suspension, and the judgment in such proceedings;

Also: Senate Bill No. 595—An act to add to the Civil Code a new section to be numbered 594 relating to the incorporation of associations mentioned in Title XII of Part IV of division first of said code and making further provisions respecting articles of incorporation of corporations formed from such associations;

Also: Senate Bill No. 615—An act to add a new section to the Code of Civil Procedure, to be numbered 1166a, relating to actions for obtaining possession of real property, to the manner in which tenants may be ejected and providing the form of complaint, the form of the amount of the undertaking and the form of the writ of ejectment, and the manner of executing and serving the writ;

Also: Senate Bill No. 811—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications;

Also: Senate Bill No. 112—An act to amend the Penal Code by adding thereto two new sections to be numbered 1168 and 1169, relating to indeterminate sentences of persons convicted of criminal offenses for the first time, and to provide for the release of such persons within the time for which they are sentenced to imprisonment.

And reports that the same have been correctly engrossed.

ROMINGER, Acting Chairman.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Senate Bill No. 101, heretofore set as a special order for eleven o'clock a.m., the same was taken up for consideration.

Senate Bill No. 101—An act to amend section 16 of an act entitled "An act regulating the employment and hours of labor of children; prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics and providing penalties for the violation hereof," approved February 20, 1905, as amended by an act approved April 14, 1911, as further amended by an act approved June 2, 1913; and as further amended by an act approved June 5, 1915.

Bill read third time, previously.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., the hour of recess was extended until two o'clock p.m.

MOTION.

Senator Inman moved to take a recess until two o'clock and thirty minutes p.m.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Duncan, Inman, and Shearer.

The roll was called on the motion to take a recess until two o'clock and thirty minutes p.m., and the motion lost by the following vote:

AYES—Senators Brown, Canepa, Carr, F. M., Chamberlin, Inman, Irwin, Kehoe, Shearer, Slater, and Thompson—10.

NOES—Senators Ballard, Benson, Breed, Carr, W. J., Chandler, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Stuckenbruck, and Tyrrell—24.

CALL OF THE SENATE.

The roll was called upon passage of Senate Bill No. 101.

Pending the announcement of the vote, Senator Lyon moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—33.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At one o'clock and fifty-five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Lyon.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Senate Bill No. 101 refused passage by the following vote:

AYES—Senators Benson, Breed, Carr, W. J., Duncan, Evans, Flaherty, Johnson, Jones, Kehoe, King, Luce, Purkitt, Rigdon, and Sharkey—14.

NOES—Senators Ballard, Brown, Canepa, Chamberlin, Chandler, Crowley, Gates, Ingram, Irwin, Lyon, McDonald, Nealon, Rominger, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—20.

NOTICE OF MOTION TO RECONSIDER.

Senator Lyon gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 101 was refused passage.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day adopted as amended, Senate Concurrent Resolution No. 22—Relative to adoption of Joint Rules—and respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

RECESS.

At two o'clock p.m., on motion of Senator Benson, the President pro tempore declared the Senate at recess until the hour of three o'clock and thirty minutes p.m.

RECONVENED.

At three o'clock and thirty minutes p.m., the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 30, 1917.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 870—An act to add two new sections, to be numbered 1617c and 1543b, to the Political Code, providing for the cooperative purchase of staple apparatus and supplies by trustees of common school districts and certain high school boards through the office of the county purchasing agent or the superintendent of schools—has had the same under consideration, and respectfully reports the same back with amendments and recommends that same do pass, as amended.

Minority report: That same do not pass.

GATES, Chairman.

Senate Bill No. 870 ordered on file for second reading.

ON ROADS AND HIGHWAYS

SENATE CHAMBER, SACRAMENTO, March 30, 1917.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 413—An act to amend section 273*b* of the Penal Code, relating to work of convicts on roads, and payment therefor—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

JOHNSON, Chairman.

Senate Bill No. 413 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 521—An act to amend section 2745 of the Political Code, relating to the formation of road divisions;

Also: Assembly Bill No. 25—An act to legalize the organization of permanent road divisions and validate all proceedings for the issuance of bonds of said divisions where authority for issuance of said bonds has already been given by a vote of at least two-thirds of the electors of any permanent road division;

Also: Assembly Bill No. 1098—An act amending section 10 of an act entitled "An act providing for the laying out, constructing, straightening, improvement and repair of main public highways in any county, providing for the voting, issuing, and selling of county bonds and the acceptance of donations to pay for such work and improvements, providing for a highway commission to have charge of such work and improvements, and authorizing cities and towns to improve the portions of such highways within their corporate limits and to issue and sell bonds therefor," approved March 19, 1907, as amended;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

JOHNSON, Chairman.

Assembly Bills Nos. 521, 25 and 1098 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 580—An act to amend section 2643 of the Political Code, relating to the powers of boards of supervisors respecting roads—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

JOHNSON, Chairman.

Assembly Bill No. 580 ordered on file for second reading.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1220—An act to provide for a day of rest for employees of the state hospitals, state prisons and other state institutions.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 123—An act to amend section 23*a* of an act entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911, and to add a new section thereto to be numbered 23*b*.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 9, after the word "thereafter" insert the words "at least".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 282—An act to amend section 596 of the Political Code, concerning certificate of authority to insurance companies; prohibiting the use of unauthorized companies except for surplus line

insurance; providing for the licensing of surplus line brokers, their obligations and duties and providing penalty for violation thereof.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 10, strike out the words "ninety-five" and insert in lieu thereof: "ninety-four".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 6, line 3, after the word "company" insert: "nothing in this section shall be construed to permit any broker to solicit or place marine insurance or insurance on property of railroads or other common carriers engaged in interstate trade with nonadmitted insurers until three-quarters of the companies duly authorized to transact such class of insurance in this state shall have first been given a refusal of such insurance at equal rates and same conditions as may be bona fide obtainable from insurance companies admitted to do the same character of insurance under the laws of the State of New York".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 124—An act to provide whole family protection for members of fraternal societies.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 367—An act to amend section 631*d* of the Penal Code of the State of California, relating to the domestication of wild game.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 767—An act to amend section 628*i* of the Penal Code, relating to fish and game.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1144—An act to amend section 629 of the Penal Code of the State of California, relative to placing and maintaining of screens over the inlets of pipes, flumes, ditches, canals and mill races, taking water from any rivers, creek, stream or lake in which fish have been placed or may exist.

On motion of Senator Irwin, Assembly Bill No. 1144 was passed on file.

Assembly Bill No. 11—An act to amend section 626 of the Penal Code, relating to the protection of fish and game.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, lines 17 and 18, strike out the word "district" and insert in lieu thereof the words "districts number one and."

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 64—An act to amend section 626*d* of the Penal Code, relating to the protection of fish and game.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 12, strike out the word "district" and insert in lieu thereof the words "districts number one and".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 238—An act to repeal section 3062 of the Political Code, relating to health officers.

Bill read second time, ordered on file for third reading.

Assembly Bill No. 239—An act to amend sections 2979*a*, 2984, 3061 and 3064 of the Political Code, relating to health officers.

Bill read second time, ordered on file for third reading.

Assembly Bill No. 764—An act to amend an act entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled, or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, and amended 1913 and 1915, by amending sections 2, 3, 4, 8, 9, 12 and 19.

Bill read second time, ordered on file for third reading.

Assembly Bill No. 762—An act to amend sections 2 and 7 of an act entitled "An act relating to cold storage, the regulation of refrigerating warehouses, the disposition or sale of food kept or preserved therein, and defining the duties of the State Board of Health in relation thereto," approved June 13, 1913, as amended.

Bill read second time, and ordered on file for third reading.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 452—An act providing for the establishing of public rating bureaus and defining their powers and methods of conducting business; providing for inquiries into such rating bureaus by the Insurance Commissioner; providing for review of rates by Insurance Commissioner; providing against unfair discrimination in rates; providing for chief examiners for rating bureaus and prescribing their duties; providing for filing with Insurance Commissioner by insurance companies of schedules of rates; providing for inspection of risks rated by rating bureaus; providing for filing with Insurance Commissioner of short rate tables for cancellation of schedules of commissions to be paid agents, solicitors and brokers; providing against demoralization of business; providing entire act not to be affected by unconstitutionality of part thereof; providing for penalty for violation of act by insurance companies; providing for penalty for violation of act by agent or other representative; repealing laws in conflict with this act.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Kehoe moved to refer Senate Bill No. 452 to Senator Jones, as a Special Committee of One, to amend as follows:

On page 2, line 3, of the printed bill, strike out the comma at the end of the line.
On page 2, line 28, of the printed bill add the word "and" after the word "member"

On page 3, line 7, add a comma after the word "promptly".

On page 4, line 15, strike out the comma after the word "five" and insert in lieu thereof the word "or".

On page 5, line 1, strike out the comma after the word "five" and insert in lieu thereof the word "or".

On page 5, line 9, add a comma after the word "conditions".

On page 5, line 26, add the word "promptly" after the word "report".

Strike out all that part of the title commencing with the word "providing" after the semicolon on line 11 of the title down to and including the semicolon on line 13.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 30, 1917.

MR. PRESIDENT: Your Special Committee on One, to whom was referred Senate Bill No. 452, with instructions to amend, respectfully reports the same back, amended as per instructions.

JONES, Special Committee.

Report read, and on motion of Senator Kehoe adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 617—An act to amend section 591 of the Political Code, relating to the maintenance of the office of the Insurance Commissioner.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Scott moved to refer Senate Bill No. 617 to Senator Crowley, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, after the word "expenses" insert the following: "and employ such assistance".

AMENDMENT NUMBER TWO.

On page 1, line 11, of the printed bill, after the word "year" insert the words "out of the funds paid into the state treasury by the insurance commissioner".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 30, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 617, with instructions to amend, respectfully reports the same back, amended as per instructions.

CROWLEY, Special Committee.

Report read, and on motion of Senator Scott adopted.

Bill ordered to print and re-engrossment.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 191—An act appropriating money for the construction of a convalescent cottage for females at the Napa State Hospital.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 192—An act appropriating money for the construction of a pathological laboratory at the Napa State Hospital.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 201—An act to appropriate money to maintain the model and training schools at the several state normal schools.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 204—An act appropriating money for the improvement of the grounds of the San Diego State Normal School.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 205—An act appropriating money for furniture and equipment for the San Diego State Normal School.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 209—An act to appropriate money for the construction of a manual training school building at the San Jose State Normal School.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 223—An act appropriating money for the construction of workers' cottage for men at the Agnews State Hospital.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 224—An act appropriating money to cover the cost of furnishing workers' cottage for men at the Agnews State Hospital.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 246—An act appropriating money for the construction of cottage for low-grade adult females at the Sonoma State Home.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 247—An act appropriating money for the construction and equipment of bakery building at the Sonoma State Home.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 248—An act appropriating money for the construction and equipment of laundry building at the Sonoma State Home.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 301—An act appropriating money to complete the heating plant of the California School for the Deaf and the Blind.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 304—An act to amend section 1 of an act approved April 25, 1911, and entitled "An act to carry into effect the provisions of subdivision (e) of section 14 of Article XIII of the Constitution of the State of California as the said article was amended on the eighth day of November in the year 1910, in so far as the same relates to the State University; and also to provide for the permanent support and improvement of the University of California; and to that end making a continuing appropriation and creating an annual fund therefor; and repealing an act entitled 'An act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor,' and to repeal an act approved February 14, 1887, entitled 'An act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor,' and also to repeal an act approved February 27, 1897, entitled 'An act to provide additional support and maintenance, and for the acquisition of necessary property and improvements of the University of California, by the levy of a rate of taxation, and the creation of a fund therefor,' approved March 20, 1909."

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1147—An act making an appropriation to defray the expense of legislative printing for the forty-second session of the Legislature of the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 864—An act to appropriate money for the payment of compensation benefits accruing by reason of personal injury resulting from accident to state officers and employees while performing services accruing out of and incidental to their employment.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after the word "the" insert the word "sixty-eighth,".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 627—An act amending an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities therein; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements and for the acquisition and construction of such improvements," approved April 20, 1915, by amending the title of said act and by amending section 1 of said act.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In the second line of the title of the printed bill, add the letter "s" to the word "section"; also, after the word "one", and before the word "of", in the same line, insert the words "two and fourteen".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, following the line 15, add two new sections, as follows:

SEC. 3. Section two of said act is hereby amended to read as follows:

SEC. 2. Whenever a petition signed by not less than ten per cent of the qualified electors residing in the territory which is proposed to be formed into a municipal improvement district, setting forth a general description of the improvement work or public utility to be acquired or constructed and a general description of the exterior boundaries of such proposed district, shall have been filed in the office of the clerk of the legislative body of said city, said legislative body may adopt an ordinance declaring its intention to call an election in said proposed district, or as the same may have been modified as herein provided, for the purpose of submitting to the qualified electors of said district the proposition of authorizing the issuance and sale of bonds of such district in the manner and for the purpose set forth in said ordinance of intention. Said legislative body shall have power to change or modify the boundaries of said district and the nature, character or extent of such proposed public improvement work or public utility. Said ordinance of intention shall also contain:

1. An accurate description of the exterior boundaries of the proposed municipal improvement district;

2. A general description of the improvement work or public utility proposed to be acquired or constructed therein;

3. An estimate of the cost of the proposed improvement work or public utility and of the incidental expense in connection therewith;

4. That upon a certain date fixed therein an election will be called in said district for the purpose of submitting to the qualified voters thereof the proposition of incurring indebtedness by the issuance of bonds of such district to pay the cost and expenses of the proposed improvement work or public utility, and that a map showing the exterior boundaries of said district with relation to the territory immediately contiguous thereto, and a general description of the proposed improvement are on file in the office of the clerk of the legislative body of such city; which said map shall govern for all details as to the extent of the said district.

SEC. 4. Section fourteen of said act is hereby amended to read as follows:

Sec. 14. The provisions of this act shall be liberally construed to effect the purpose thereof and no provision hereof shall be deemed or construed to prevent the inclusion within the boundaries of any district formed under the provisions of this act, of any territory which has heretofore or which may be hereafter included within any other district formed under the provisions of this act.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 431—An act authorizing and empowering municipalities to provide a procedure for the fixing and establishing of set-back lines on private property bordering on the whole or part of any street, avenue or highway, to prohibit the erection of buildings, fences or other structures between such set-back lines and the lines of any such street, avenue or highway, and to condemn any and all property necessary or convenient for that purpose.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 7, strike out the period after the word "thereof" and insert in lieu thereof a comma, also insert the following: "and shall require that a written protest signed by the owners of a majority of the frontage upon the streets and parts of streets within the district to be assessed, and filed with such city council, shall be a bar to such proceeding for a period of six months from the date of the filing of such protest."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 234—An act to amend section 3692 of the Political Code, relating to the powers and duties of the State Board of Equalization.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 213—An act to amend sections 850, 852, 855, 860, 871, 879, 880, and 890 of the Code of Civil Procedure, and to repeal sections 854, 857, 858, and 872 thereof, all relating to civil actions in justices' courts.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 8, strike out the period following the word "attorney" and insert in lieu thereof a semicolon and the following: "*provided, however*, that where a party appears in person, such party shall, at the time of such appearance, leave with the justice or justice's clerk, and the same shall be entered upon the docket, an address where service of the notice of hearing of such matter may be made; *provided, further*, that such notice shall be personally served on said person if he

can be found at said address, but in case said person can not, after due diligence, be found at said address and such fact appears by affidavit to the satisfaction of the court or a judge thereof, then the service of such notice may be by registered mail and in the manner hereinafter provided for service of notice by mail."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 26, strike out the period after the word "therefrom" and insert in lieu thereof a comma and the following: "or has appeared in person."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 215—An act to amend section 430 of the Code of Civil Procedure of the State of California, relating to the demurrer to the complaint.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 7, after the word "the" strike out the word "fact" and insert in lieu thereof the word "face".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 216—An act to amend section 1054 of the Code of Civil Procedure of the State of California, relating to the extension of time within which an act is to be done.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 5, strike out the period following the word "thereafter" and insert in lieu thereof a comma and the following: "except in cases of summary actions or proceedings."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 764—An act to add a new section to the Penal Code of the State of California, to be numbered section 630*a*, relating to the protection of fish and game and providing additional penalties for the violation of the laws relating thereto.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 343—An act to amend section 628*a*, of the Penal Code of the State of California, relating to the protection of fish and game.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 10, strike out the word "May" and insert the word "June". After the word "of" on the same line, strike out the word "June" and insert the word "July".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 350—An act to amend section 628c of the Penal Code of the State of California.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in the second line of the title, after the word "Code", strike out the period and insert the following: ", relating to the protection of fish and game."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, in line 7, following the comma after the word "dried" insert the following: "or who takes or catches any fish for the purpose of taking the eggs or ova of such fish,".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, in line 9, following the comma after the word "commission" strike out the words "or any person or corporation without the consent of the owners thereof, which pond or reservoir has been stocked with fish".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, in line 12, after the word "river" strike out the words "or stream" and in lieu thereof insert the following: ", stream or lake".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 763—An act to amend section 626g of the Penal Code of the State of California, relating to the protection of game.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill in lines 6 and 7 strike out the following: "except Douglas or red squirrel,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill in line 8 strike out the comma and the word "or" and in lieu thereof insert the following: ". Provided that every person".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill in line 12 following the comma insert the following: "or more than twelve tree squirrels in any one open season."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 767.—An act to regulate the business of dealing in fish by wholesale and retail for profit and to provide therefrom revenue for the conservation, propagation and restoration of fish in the State of California, and providing for a record of the transactions therein and providing penalties for the violation thereof and repealing all acts and parts of acts in conflict herewith.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 2, 3, 4, 5 and 6 of the title, and insert in lieu thereof the following:

"To license canners, curers, preservers and packers of fish and handlers of crustaceans and mollusks, and providing a revenue therefrom for the conservation, propagation and restoration of fish in the State of California, and providing for a record of fish caught or received, and providing penalties for the violations of the provisions thereof, and".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out that part of line 2 after the comma following the word "fish". Strike out all of lines 3, 4, 5 and 6 and insert in lieu thereof the following: "or of dealing in mollusks or crustaceans by wholesale without first procuring a".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out all of line 12 preceding the words "as provided" and insert in lieu thereof the following: "can, cure, preserve or pack fish and to deal in mollusks and crustaceans by wholesale in this state, (subject to the restrictions provided by law),".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out the words "first day of July" following the word "the" and insert in lieu thereof the words "thirtieth day of June".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, strike out the words "fish dealer's license" appearing in lines 35 and 36 and insert in lieu thereof the following: "license as provided in section 1 of this act, and every person dealing in fresh fish".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3 of the printed bill, strike out all of line 4 and insert in lieu thereof the following: "person or persons from whom such fish were received. Said book or books are to be open at all times for the inspection of members of the fish and game commission or persons duly authorized by them."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3 of the printed bill, in line 9, strike out the words "or received" and insert in lieu thereof the following: ", received or caught".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3 of the printed bill, strike out the word "fisherman" in line 10, and strike out all of line 11 and insert in lieu thereof the following: "person or persons from whom such fish were received or purchased. Said monthly statements are to be accompanied by an affidavit to the effect that the said report is a true and correct statement of all the fish received or caught during the time covered by the report."

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3 of the printed bill, in lines 12 and 13, strike out the words "fish dealer's license" and insert in lieu thereof the following: "a license as provided in section 1 of this act, and every person dealing in fresh fish,".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3 of the printed bill, in line 16, after the word "receives" add the following: "the price per pound paid to the fisherman".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3 of the printed bill, in line 25, strike out the word "four" and insert in lieu thereof the words "two and one-half".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 3 of the printed bill, strike out that part of line 26 following the words "of fish" and strike out all of line 27 and insert in lieu thereof the following: "(other than herring or buck shad) purchased or received by them from fishermen (for purposes other than the fresh fish market, or for fish (other than herring or buck shad) caught or taken by themselves for purposes other than the fresh fish market, with".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 3 of the printed bill, in line 29, strike out the word "three" and insert in lieu thereof the word "five".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 3 of the printed bill, in line 32, after the word "fishermen" insert the words "for purposes other than the fresh fish market."

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 3 of the printed bill, in line 32, insert after the word "taken" the following: "for purposes other than the fresh fish market."

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 3 of the printed bill, in line 33, strike out the word "them" and insert in lieu thereof the following: "the person or persons operating under said license".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 4 of the printed bill, strike out that part of line 11 following the period, and strike out all of lines 12 and 13 and insert in lieu thereof the following: "Said privilege tax shall be paid to the fish and game commission, or some one authorized by them, within thirty days after the close of each quarterly period."

Amendment adopted.

[illegible]

together with a statement to the best of their knowledge as to whether such person was industrious or not, of good character or not, the nature of his associates and his disposition.

d. The governing authority of the reformatory or prison in which such person may be confined, or any board or commission that may be hereafter given authority so to do, shall determine after the expiration of the minimum term of imprisonment has expired, what length of time, if any, such person shall be confined, unless the sentence be sooner terminated by commutation or pardon by the governor of the state; and if it be determined that such person so sentenced be released before the expiration of the maximum period for which he is sentenced, then such person shall be released at such time as the governing board, commission or other authority may determine.

e. The state board of prison directors shall make all necessary rules and regulations to carry out the provisions of this act not inconsistent therewith, and may provide the forms of all documents necessary therefor.

f. Any convicted person undergoing sentence in either of the state prisons of this state, not sooner released under the provisions of this act shall, in accordance with the provisions of existing law, be discharged from custody on serving the maximum punishment provided by law for the offense of which such person was convicted."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 30, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 112, with instructions to amend, respectfully reports the same back, amended as per instructions.

BENSON, Special Committee.

Report read, and, on motion of Senator Inman, adopted.
Bill ordered to print and re-engrossment.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER.

The following reports of standing committees were received and read:

ON OIL INDUSTRIES.

SENATE CHAMBER, SACRAMENTO, March 30, 1917.

MR. PRESIDENT: Your Committee on Oil Industries, to which was referred Senate Bill No. 769—An act to amend sections 2, 4, 5, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 22, 24, 27, 31, 33, 36, 37, 38, 40, 41, 42, 43, 44, 46, 47, 48, 49 of an act entitled "An act establishing and creating a department of the State Mining Bureau for the protection of the natural resources of petroleum and gas from waste and destruction through improper operations in production, providing for the appointment of a State Oil and Gas Supervisor, prescribing his duties and powers, fixing his compensation; providing for the appointment of deputies and employees, providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act," approved June 10, 1915, and to add two new sections thereto to be numbered 21a' and 49a—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

THOMPSON, Chairman.

Senate Bill No. 769 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 30, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 616—An act to amend section 1167 of the Code of Civil Procedure, relating to service of summons in unlawful detainer;

Also: Senate Bill No. 816—An act to amend section 3 of an act entitled "An act relating to explosives and prescribing regulations for the transportation, storage and

selling of explosives, and providing penalties for the violation of this act," in effect March 21, 1911, and known as Chapter 213, Statutes of 1911, and to repeal section 11 of said act;
And reports that the same have been correctly engrossed.

CANEPA, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 843—An act making bonds of municipal improvement districts legal investments for certain purposes—and reports that the same has been correctly re-engrossed.

CANEPA, Chairman.

ADJOURNMENT.

At four o'clock and ten minutes p.m., on motion of Senator Benson, the President pro tempore declared the Senate adjourned until Monday, April 2, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Monday, April 2, 1917.

The Senate met at eleven o'clock a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Minute Clerk Jos. A. Beck at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—38.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal, of Friday, March 30, 1917, its further reading was dispensed with, on motion of Senator Flaherty.

LEAVES OF ABSENCE.

Senator Ingram moved that Senator Sharkey be granted leave of absence for the day.

Senator Rominger objected to granting leave of absence to Senator Sharkey.

A viva voce vote was taken and the motion carried.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Slater, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Miss Carroll Guilloû, Miss Dorothy Tyson and Mr. René Guilloû of Windsor, Sonoma County.

On request of Senator Rush, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. J. Louis Martin of Oakland.

On request of Senator Slater, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mrs. Hal Morrison and Miss Clara Christianson of Santa Rosa.

On request of Senator Jones, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mrs. G. M. Warren of Santa Clara.

On request of Senator Scott, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Master Walter McCalligan of the Jefferson Primary School of Sacramento.

On request of Senator Ingram, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. and Mrs. John Glasson and Miss Buzza of Grass Valley.

ANNOUNCEMENT BY THE PRESIDENT.

The President announced that the Hon. Charles W. Bell of Pasadena, former member of the Senate and former member of Congress, was in the Senate Chamber, and invited him to occupy a seat with the President.

PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Senator Rigdon:

WHEREAS, The future growth and constructive progress of our community is of vital concern to the membership of the Pacific Grove Chamber of Commerce; and premising:

That the future growth of the community is wholly dependent upon the resources of all adjoining territory;

That the abalone is a community resource and is being subjected to unrestricted fishing and its existence endangered, as demonstrated by the existing scarcity of this shellfish along our shores;

That public moneys are to be expended for the building of roads and development of that district where this public resource is now being privately appropriated;

That an abundance of shellfish is an asset to the community; now, therefore, be it

Resolved, That we, the membership of the Pacific Grove Chamber of Commerce, do urge upon the Hon. E. S. Rigdon the imperative necessity of the enactment into law of the measure relating to the taking of the abalone for commercial purposes as passed by the Assembly. We further urge that he vigorously support this measure and earnestly endeavor to secure the passage of the proposed bill by the Senate.

Done in regular meeting. Carried by unanimous vote.

Pacific Grove Chamber of Commerce, March 28, 1917.

Elgin C. Hurlbert, President; F. R. Meagher, Vice President; W. J. Gould, President Directors; W. R. Holman, Director; D. R. Beardsley, Director; Ed E. Long, Director; Dr. Frank R. Hart, Director.

Also:

We, the undersigned, do respectfully petition the Hon. Senator Rigdon that he make every effort within his power to secure the enactment of the proposed bill now before the Legislature, which bill provides that it shall be unlawful to take abalones for commercial purposes in the district between Seaside and Point San Luis.

Respectfully submitted.

C. O. Goold, Mrs. C. O. Goold, W. M. Basham, T. B. Reardon, Mrs. W. M. Basham, L. E. Layne, W. L. Overstreet, F. Schweninger, Ernest Schweninger, Mrs. Edna O. Murphy, Chas. Hamilton, I. A. Johnson, Wade Stewart, A. J. Bowen, Mrs. A. J. Bowen, Mrs. W. L. Overstreet, M. J. Murphy, Leonard Sinclair, Geo. Schweninger, Wm. Machado, A. Stewart, L. H. Leidig, F. M. Wermuth, H. P. Sarouette, Mrs. J. E. Nichols, T. F. Lisk, Mrs. A. A. Decker, Mrs. E. Leidig, Harry Decker, W. T. Dunning, H. Aucourt, Henry Hitchcock, Juian Rebull, Ed Romandia, John P. Cogle, August

Englund, J. E. Nichols, Robert G. Leidig, Sam Panere, L. R. Thompson, R. W. Ball, Colin Ross, A. A. Decker, Lee Daingerfield, Peter Taylor, Dr. J. E. Beck, Herbert Large, Benjamin Turner, Geo. W. Fishback, Margaret P. Taylor, John A. Machado, Robert H. Duriee, R. W. Hicks, R. F. Gillett, Chester Holton, C. J. Arne, Fred Leid, Stella J. Guichard, Delos Curtis, Mrs. C. Curtis, Ida L. Hilliard, Wm. Kibbler, E. A. McLean, W. F. Beardsley, F. W. Gruske, A. H. Vachell, Mrs. H. Aucourt, M. E. Hand, M. Herminia Bremner, J. W. Hand, Kathryn B. Wand, J. C. Mickel, Gertrude M. Waterbury, H. L. Warren, M. L. Hutchinson, R. J. Delpoe, W. H. Butler, Manuel Pereira, C. S. Beck, C. Underwood, Benjamin H. Leidig, H. S. Cogle, S. J. Wyatt, Mrs. S. J. Wyatt, Geo. J. Koch, Stephen C. Thomas, and I. B. Waterbury.

By Senator Brown:

LOS ANGELES, March 30, 1917.

Hon. W. D. Stephens, Governor of the State of California; Hon. A. H. Breed, President of the Senate of the State of California; Hon. C. C. Young, Speaker of the Assembly of the State of California; Senators and Assemblymen of the State of California, in Session Assembled at Sacramento, California:

GREETINGS: WHEREAS, Senate Bill No. 715, introduced by Senator Gates, is now before the Legislature and is an act entitled "An act to regulate and control the business of making personal loans and to regulate the assignment of wages when given as surety for any such loan"; and

WHEREAS, The Council of the city of Los Angeles is of the opinion that it would be unwise for the Legislature of the State of California to enact said proposed bill, for, in the opinion of the Council, it is one of the most reprehensible actions that has ever come under its observation; and

WHEREAS, Senator Brown has introduced Assembly Bill No. 70, entitled "An act to be known as the usury law, relating to the rate of interest which may be charged for the loan or forbearance of money, goods or things in action, or on accounts after demand, or on judgments, providing penalties for the violation of the provisions hereof and repealing sections 1917, 1918, 1919, 1920 of the Civil Code and all acts or parts of acts in conflict with this act"; and

WHEREAS, In the opinion of the City Council of the city of Los Angeles, it would be unwise for the Legislature of the State of California to enact Senate Bill No. 715 for the reasons above set forth; therefore be it

Resolved, That the Council of the city of Los Angeles in session assembled this thirtieth day of March, 1917, hereby requests that the Senators and Assemblymen from the southern counties of California, be requested to use their influence so that Senate Bill No. 715 may not be adopted; and be it further

Resolved, That it be the sense of the Council of the city of Los Angeles that the Senators and Assemblymen from Southern California use their best endeavors to see that Senate Bill No. 70 is adopted and placed upon the statute books of the State of California; and be it further

Resolved, That a copy of this resolution be forwarded to the Governor of the State of California, the Senate and Legislature and a copy to each of the Senators and Legislators of Southern California.

I, Chas. L. Wilde, city clerk of the city of Los Angeles, hereby certify that the foregoing resolution was adopted by the City Council at its meeting held March 30, 1917.

CHAS. L. WILDE, City Clerk.

Also:

OAKLAND, March 30, 1917.

Clerk of the Senate, State Capitol, Sacramento, California.

DEAR SIR: At the regular monthly meeting of the retail grocers of Alameda county, the following resolution, recently passed by the Merchants' Exchange of Oakland, was unanimously approved by this association.

"WHEREAS, The National Guard of the State of California is composed largely of men of family with wife and children dependent on them for support; and

WHEREAS, Large numbers of such citizens will be called to the colors in case of the mobilization of the United States Army; therefore,

Resolved, By the Merchants' Exchange of Oakland that we earnestly request the California legislature to enact such legislation as will adequately provide for the families of all members of the National Guard while mustered into the service of the United States."

Very truly yours,

RETAIL GROCERS AND MERCHANTS' ASSOCIATION.
By E. S. HOGAN, Secretary.

Also:

TAXPAYERS' LEAGUE, OAKLAND, CALIFORNIA, March 30, 1917.

WHEREAS, Certain amendments to Senate Bill No. 884 have been proposed by the Public Utility District Committee; and

WHEREAS, We believe their amendment essential for safeguarding the people's rights; and

WHEREAS, We believe a Public Utility District should be formed by the East Bay committees as soon as the said bill shall have been properly amended; now, therefore, be it

Resolved, That the executive committee of the Taxpayers' League, Inc., respectfully requests the Legislature of the State of California to pass said amendment.

Above resolution passed at the regular meeting of Taxpayers' League, Thursday evening, March 29, 1917.

[SEAL] CHAS. S. KONIGSBERG, Assistant Secretary.

By Senator Canepa:

SAN FRANCISCO, March 26, 1917.

At a meeting of the San Francisco Hotel Association held in San Francisco, Monday, March 26, 1917, the following resolution was unanimously adopted

WHEREAS, A bill known as the Rominger Liquor bill is before the State Legislature for action; and

WHEREAS, It is realized that the passage of this bill would work destructive and irreparable injury to the hotel and apartment interests of San Francisco, which represent many millions of invested capital; and

WHEREAS, At this very time strenuous effort is being made to raise funds to properly advertise California with the object of bringing tourists and sightseers to this State; and

WHEREAS, It is the firm belief that the passage of this bill would undo the work of years in earning for San Francisco a worldwide reputation for hospitality and liberal entertainment; be it therefore

Resolved, That the San Francisco Hotel Association, representing nearly 400 hotels and apartment houses, does hereby protest against the passage of the Rominger bill with all the vehemence and strength that makes the feeling prevail that the passage of this bill would be an incalculable financial calamity to the hotel and apartment interests of the great metropolis and the State as well.

SAN FRANCISCO HOTEL ASSOCIATION,
EDWARD ROLKIN, President.

KIRK HARRIS, Secretary.

COMMUNICATION.

The following communication was received and ordered printed in the Journal:

LOS ANGELES, March 29, 1917

Secretary of the Senate.

DEAR SIR: Will you convey to the Senate and Assembly my feeling of gratitude for the beautiful tribute paid by them to Mr. Eshleman's memory? I thank them especially in the children's name, and know that such words of love and respect from the members of the Senate and Assembly must be an inspiration to them to make their lives as useful as was their daddy's.

Thanking you I am,

Most sincerely,

ELIZABETH ESHLEMAN.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 2, 1917.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 46—An act appropriating money for painting the temporary buildings of Humboldt State Normal School;

Also: Senate Bill No. 170—An act appropriating money for the care and improvement of grounds of the Fresno State Normal School;

Also: Senate Bill No. 171—An act appropriating money for the completing of the plant and equipment of the Fresno State Normal School;

Also: Senate Bill No. 195—An act appropriating money for the construction of a tubercular ward on the grounds of the Veterans' Home;

Also: Senate Bill No. 207—An act appropriating money for traveling expenses of directors of the Women's Relief Corps Home;

Also: Senate Bill No. 221—An act appropriating money for a sewer system at the Santa Barbara State Normal School;

Also: Senate Bill No. 240—An act appropriating money for sewerage and water systems at the University of California Farm School at Davis;

Also: Senate Bill No. 241—An act appropriating money for the construction and equipment of a creamery at the University of California Farm School at Davis;

Also: Senate Bill No. 243—An act appropriating money for the construction of small buildings at the University of California Farm School at Davis;

Also: Senate Bill No. 244—An act appropriating money for repairs and improvements to buildings, structures and equipment at the Veterans' Home;

Also: Senate Bill No. 250—An act appropriating money to cover the cost of water softening plant at the Mendocino State Hospital;

Also: Senate Bill No. 252—An act appropriating money for repairs to flooring at the Mendocino State Hospital;

Also: Senate Bill No. 258—An act appropriating money to cover the cost of four continuous baths for the Stockton State Hospital;

Also: Senate Bill No. 260—An act appropriating money for the construction of a tubercular hospital at the Stockton State Hospital;

Also: Senate Bill No. 265—An act appropriating money for the completion of the buildings of Riverside Citrus Experiment Station of the University of California;

Also: Senate Bill No. 280—An act appropriating money for the construction of a prison school building at the Folsom State Prison;

Also: Senate Bill No. 281—An act appropriating money for the purchase of new machinery and equipment for the machine and blacksmith shops at the Folsom State Prison;

Also: Senate Bill No. 282—An act appropriating money for repairs and improvements to buildings, structures and equipment at the Folsom State Prison;

Also: Senate Bill No. 296—An act appropriating money for the improvement of the grounds of the Industrial Home for the Adult Blind;

Also: Senate Bill No. 297—An act appropriating money to be used for water development at the Industrial Home for the Adult Blind;

Also: Senate Bill No. 298—An act appropriating money for the purchase of a burial plot for the Industrial Home for the Adult Blind;

Also: Senate Bill No. 299—An act appropriating money for the purchase of equipment for the Industrial Home for the Adult Blind;

Also: Senate Bill No. 300—An act appropriating money for repairs and improvements to buildings and equipment at the Industrial Home for the Adult Blind;

Also: Senate Bill No. 302—An act appropriating money to complete the electric wiring of the California School for the Deaf and the Blind;

Also: Senate Bill No. 1167—An act appropriating money for the construction of sewage disposal system at the Folsom State Prison;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

CHANDLER, Chairman.

Senate Bills Nos. 46, 170, 171, 195, 207, 221, 240, 241, 243, 244, 250, 252, 258, 260, 265, 280, 281, 282, 296, 297, 298, 299, 300, 302 and 1167 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 206—An act appropriating money for repairs and improvements, including fire protection, at the Women's Relief Corps Home;

Also: Senate Bill No. 557—An act to authorize the board of trustees of the San Jose State Normal School to exchange certain land belonging to said school for other land belonging to the San Jose high school district;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass, as amended.

CHANDLER, Chairman.

Senate Bills Nos. 206 and 557 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 2, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 191—An act appropriating money for the construction of a convalescent cottage for females at the Napa State Hospital;

Also: Senate Bill No. 192—An act appropriating money for the contruction of a pathological laboratory at the Napa State Hospital;

Also: Senate Bill No. 201—An act to appropriate money to maintain the model and training schools at the several state normal schools;

Also: Senate Bill No. 204—An act appropriating money for the improvement of the grounds of the San Diego State Normal School;

Also: Senate Bill No. 205—An act appropriating money for furniture and equipment for the San Diego State Normal School;

Also: Senate Bill No. 206—An act to appropriate money for the construction of a manual training school building at the San Jose State Normal School;

Also: Senate Bill No. 223—An act appropriating money for the construction of workers' cottage for men at the Agnews State Hospital;

Also: Senate Bill No. 224—An act appropriating money to cover the cost of furnishing workers' cottage for men at the Agnews State Hospital;

Also: Senate Bill No. 246—An act appropriating money for the construction of cottage for low grade adult females at the Sonoma State Home;

Also: Senate Bill No. 247—An act appropriating money for the construction and equipment of bakery building at the Sonoma State Home;

Also: Senate Bill No. 248—An act appropriating money for the construction and equipment of laundry building at the Sonoma State Home;

Also: Senate Bill No. 301—An act appropriating money to complete the heating plant for the California School for the Deaf and the Blind;

Also: Senate Bill No. 304—An act to amend section 1 of an act approved April 25, 1911, and entitled "An act to carry into effect the provisions of subdivision (c) of section 14 of Article XIII of the Constitution of the State of California as the said article was amended on the eighth day of November in the year 1910, in so far as the same relates to the State University; and also to provide for the permanent support and improvement of the University of California, and to that end making a continuing appropriation and creating an annual fund therefor, and repealing an act entitled 'An act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor, and to repeal an act approved February 14, 1887, entitled "An act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor," and also to repeal an act approved February 27, 1897, entitled "An act to provide additional support and maintenance, and for the acquisition of necessary property and improvements of the University of California, by the levy of a rate of taxation, and the creation of a fund therefor," approved March 20, 1909.'";

Also: Senate Bill No. 1147—An act making an appropriation to defray the expense of legislative printing for the forty-second session of the Legislature of the State of California;

Also: Senate Bill No. 234—An act to amend section 3692 of the Political Code, relating to the powers and duties of the State Board of Equalization;

Also: Senate Bill No. 764—An act to add a new section to the Penal Code to be numbered 630a, relating to the protection of fish and game and providing additional penalties for the violation of the laws relating thereto;

And reports that the same have been correctly engrossed.

CANEPA, Chairman.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, March 30, 1917.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California to amend section 8½ of Article XI of the Constitution of the State, relating to city charters and to provisions therein for municipal courts—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

BALLARD, Chairman.

Assembly Constitutional Amendment No. 2 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XX thereof a new section, to be numbered section 22, relative to health insurance—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it be adopted, as amended.

BALLARD, Chairman.

Senate Constitutional Amendment No. 26 ordered on file.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, April 2, 1917.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 305—An act to provide an exposition building or buildings in Alameda

County, for the use of all the counties of the State, for the purpose of establishing and maintaining permanent exhibits therein of the products and resources of the different counties, and to make an appropriation for the construction of said building or buildings, and for the equipment of same—has had the same under consideration, and respectfully reports the same back without recommendation and asks that it be re-referred to Committee on Finance.

KING, Chairman.

Senate Bill No. 305 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 106—An act to repeal an act entitled "An act to provide for the creation of the state commission market, and the organization thereof, to carry on the business of receiving from the producers thereof the agricultural, fishery, dairy and farm products of the State of California and selling and disposing of such products on commission, creating the 'state commission market fund' and appropriating money therefor," approved June 10, 1915—has had the same under consideration, and respectfully reports the same back and recommends that it do not pass.

KING, Chairman.

Senate Bill No. 106 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 86—An act to provide for the creation of the "State Market Commission" and the organization thereof; to carry on the business of receiving from the producers thereof the agricultural, fishery, dairy and farm products of the State of California and selling and disposing of such products on commission to define its other duties and powers; to create the position of "State Market Director," to define his duties and powers; to create the "State Market Commission Fund," and to appropriate money to carry out the provisions of this act; and repealing that act known as "State Commission Market Act," approved June 10, 1915, Chapter 713 of the Statutes of 1915, and all other acts and parts of acts in conflict with the provisions of this act—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

KING, Chairman.

Senate Bill No. 86 ordered on file for second reading.

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, March 30, 1917.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 102—An act to amend sections 12 and 16 of an act entitled "An act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, as amended March 23, 1907, April 15, 1909, and May 1, 1911—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BURNETT, Chairman.

Assembly Bill No. 102 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 749—An act authorizing the Governor to appoint a commission to investigate and advise the Legislature concerning the adoption of a system of social insurance, and to make a report to the forty-third session of the Legislature and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BURNETT, Chairman.

Senate Bill No. 749 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 676—An act to amend section 453*ee* of the Civil Code, relating to mortgage insurance—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

BURNETT, Chairman.

Senate Bill No. 676 ordered on file for second reading.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 21—Approving amendments to the charter of the city of San Rafael, a municipal corporation, in the county of Marin, State of California, voted for and ratified by the qualified electors of said city at a general election held therein on the twelfth day of April, 1915.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Concurrent Resolution No. 21 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 231—An act to amend section 19c of the Juvenile Court Law, approved June 5, 1915.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 231 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1254—An act appropriating money to cover office rent, janitor service and supplies, State's offices in the Union League Building, Los Angeles;

Also: Assembly Bill No. 351—An act appropriating money for repairs and improvements to buildings of the San Diego State Normal School;

Also: Assembly Bill No. 375—An act appropriating money for repairs and improvements to the buildings and equipment of the Los Angeles State Normal School;

Also: Assembly Bill No. 341—An act appropriating money for the purchase of additional dairy herd for the Stockton State Hospital;

Also: Assembly Bill No. 410—An act appropriating money for the purchase of bakery equipment at the Norwalk State Hospital;

Also: Assembly Bill No. 411—An act appropriating money for the purchase of dairy herd and horses at the Norwalk State Hospital;

Also: Assembly Bill No. 416—An act appropriating money for the purchase of laundry equipment at the Norwalk State Hospital;

Also: Assembly Bill No. 344—An act appropriating money for the purchase of a complete X-ray apparatus for the Stockton State Hospital.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1254 read first time, and referred to Committee on Finance.

Assembly Bill No. 351 read first time, and referred to Committee on Finance.

Assembly Bill No. 375 read first time, and referred to Committee on Finance.

Assembly Bill No. 341 read first time, and referred to Committee on Finance.

Assembly Bill No. 410 read first time, and referred to Committee on Finance.

Assembly Bill No. 411 read first time, and referred to Committee on Finance.

Assembly Bill No. 416 read first time, and referred to Committee on Finance.

Assembly Bill No. 344 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 449—An act appropriating money for the construction of creamery at the Whittier State School;

Also: Assembly Bill No. 514—An act appropriating money for the construction and equipment of ice plant in commissary building at the California School for Girls;

Also: Assembly Bill No. 518—An act appropriating money for the heating of office in commissary building and manor house at the California School for Girls;

Also: Assembly Bill No. 519—An act appropriating money for the improvement of grounds at the California School for Girls;

Also: Assembly Bill No. 335—An act appropriating money for the purpose of providing physicians and nurses at the Women's Relief Corps Home;

Also: Assembly Bill No. 304—An act appropriating money for plumbing repairs at the Mendocino State Hospital;

Also: Assembly Bill No. 305—An act appropriating money for the enlarging of operation room at the Mendocino State Hospital;

Also: Assembly Bill No. 389—An act appropriating money for the purchase and installation of a boiler at the Southern California State Hospital.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 449 read first time, and referred to Committee on Finance.

Assembly Bill No. 514 read first time, and referred to Committee on Finance.

Assembly Bill No. 518 read first time, and referred to Committee on Finance.

Assembly Bill No. 519 read first time, and referred to Committee on Finance.

Assembly Bill No. 335 read first time, and referred to Committee on Finance.

Assembly Bill No. 304 read first time, and referred to Committee on Finance.

Assembly Bill No. 305 read first time, and referred to Committee on Finance.

Assembly Bill No. 389 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 390—An act appropriating money for new wiring, old buildings and grounds at the Southern California State Hospital;

Also: Assembly Bill No. 392—An act appropriating money for the installation of pump, motor and connections, new well, at the Southern California State Hospital;

Also: Assembly Bill No. 1223—An act appropriating money for electric wiring at the Veterans' Home;

Also: Assembly Bill No. 1224—An act appropriating money for plumbing and repairs to plumbing at the Veterans' Home;

Also: Assembly Bill No. 1225—An act appropriating money for the purchase of dairy cows for the Veterans' Home;

Also: Assembly Bill No. 1228—An act appropriating money for the construction of a chapel on the grounds of the Veterans' Home;

Also: Assembly Bill No. 722—An act to provide for cooperation in the acquisition, construction and management of irrigation and drainage works between irrigation districts organized or existing under or by virtue of an act entitled "An act to provide for organization and government of irrigation districts and to provide for acquisition thereby of works for the irrigation of the lands embraced within such districts, and to provide for the distribution of water for irrigation purposes," approved March 31, 1897, and contiguous or adjoining districts in or organized under the laws of other states.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 390 read first time, and referred to Committee on Finance.

Assembly Bill No. 392 read first time, and referred to Committee on Finance.

Assembly Bill No. 1223 read first time, and referred to Committee on Finance.

Assembly Bill No. 1224 read first time, and referred to Committee on Finance.

Assembly Bill No. 1225 read first time, and referred to Committee on Finance.

Assembly Bill No. 1228 read first time, and referred to Committee on Finance.

Assembly Bill No. 722 read first time, and referred to Committee on Irrigation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 798—An act providing for the disposition, distribution, and use for the promotion of biological and medical science and for the discovery of new methods of treatment in medicine and surgery, and new methods in the study and treatment of the diseases of animals, of unclaimed animals in the public pounds and providing penalties for neglect or refusal to comply with the provisions of this act.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 798 read first time, and referred to Committee on Public Health and Quarantine.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 312—An act confirming and validating the organization of school districts.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 312 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 308—An act to add a new section to the Penal Code of the State of California, to be numbered 628*j*, relating to the protection of salt water eels—and respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 308—An act to add a new section to the Penal Code of the State of California, to be numbered 628*j*, relating to the protection of salt water eels.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER THREE HUNDRED EIGHT.

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the comma following the word "who" and insert in lieu thereof the words "in Fish and Game District Three,".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 308?

The roll was called, and Assembly amendment to Senate Bill No. 308 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, Luce, Lyon, Maddux, Nealon, Rigdon, Rush, Scott, Slater, Stuckenbruck, and Tyrrell—26.

NOES—None.

Senate Bill No. 308 ordered to enrollment.

SECRETARY CLIFTON E. BROOKS AT THE DESK.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 2, 1917.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 823—An act to repeal an act entitled "An act to establish a uniform system of mine bell signals, to be used in all the mines operated in the State of California, and for the protection of miners," approved March 8, 1893, and known as Chapter 74, Statutes of 1893—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

LYON, Chairman.

Senate Bill No. 823 ordered on file for second reading.

ON BANKING.

SENATE CHAMBER, SACRAMENTO, April 2, 1917.

MR. PRESIDENT: Your Committee on Banking, to which was referred Assembly Bill No. 366—An act to amend the Penal Code by amending section 561 thereof and by adding new sections to be numbered 561*a*, 561*b*, 561*c*, 561*d*, and 563*a* thereto, all relating to frauds in the management of banks and prescribing penalties for violations of the provisions of the act—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

HANS, Chairman.

Assembly Bill No. 366 ordered on file for second reading.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following resolutions were offered:

By Senator Scott: Senate Joint Resolution No. 12—Relative to memorialization of Congress to support the President during the present crisis.

Resolution ordered to print, and referred to Committee on Federal Relations.

By Senator Canepa: Senate Joint Resolution No. 13—Relative to the emancipation of Russia from autocratic rule.

Resolution ordered to print, and referred to Committee on Federal Relations.

By Senator Breed: Senate Joint Resolution No. 14—Relative to the Universal Military Training Bill before the United States Congress.

Resolution ordered to print, and referred to Committee on Federal Relations.

RE-REFERENCE OF ASSEMBLY BILLS—(OUT OF ORDER).

On motion of Senator Tyrrell, Assembly Bill No. 585 re-referred to Committee on Municipal Corporations.

Also: On motion of Senator Tyrrell, Assembly Bill No. 697 re-referred to Committee on Municipal Corporations.

RESOLUTIONS.

The following resolutions were offered:

By Committee on Contingent Expenses:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate for the sum of two hundred dollars for postage stamps, the same to be paid out of the contingent fund of the Senate, and the Treasurer is hereby directed to pay the same.

NEALON, Chairman.

Resolution read.

Senator Nealon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Chamberlin, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Luce, Lyon, Maddux, Nealon, Rigdon, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—None.

Also:

By Senator Luce:

Resolved, That Harry Ward be and he is hereby transferred from the position of Sergeant-at-Arms at $5.00 per diem to the position of Assistant History Clerk at $5.00 per diem.

Resolution read.

Senator Luce moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Chamberlin, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, Luce, Lyon, Maddux, Nealon, Purkitt, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—29.

NOES—None.

REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were presented:

By Senator Ballard:

SENATE CHAMBER, SACRAMENTO, April 2, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2 of Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act permitting daily payment into the county treasury of duplicate or excess payments of taxes made to the tax collector and providing for the refund of such payments.

Request referred to Committee on Rules.

By Senator Maddux:

MR. PRESIDENT: In accordance with the provisions of section 2 of Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend section 6 of an act entitled "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended.

Request referred to Committee on Rules.

By Senator Nealon:

MR. PRESIDENT: In accordance with the provisions of section 2 of Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend section 2 of an act entitled "An act to provide for the disposition of any money or other property accruing to or to be received by the State of California as its proportionate share of the returns from the holding of the Panama-Pacific International Exposition," approved January 11, 1916.

Request referred to Committee on Rules.

REPORT OF STANDING COMMITTEE — (OUT OF ORDER).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 30, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Johnson to introduce a bill entitled:

"An act providing for the taking over by the State of California of a certain road in Boulder creek township, county of Santa Cruz, and for the maintenance and improvement of the same as a state road under the supervision of the State Department of Engineering"—has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, Luce, Lyon, Maddux, Nealon, Rigdon, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrell—30.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS.

The following bill was introduced in accordance with the above report:

By Senator Johnson: Senate Bill No. 1173—An act providing for the taking over by the State of California of a certain road in Boulder Creek Township, county of Santa Cruz, and for the maintenance and improvement of the same as a state road under the supervision of the State Department of Engineering.

Bill read first time, and referred to Committee on Roads and Highways.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 90—An act to amend section 290½ of the Civil Code, relating to corporations.

On motion of Senator Jones, Senate Bill No. 90 ordered to unfinished business.

Senate Bill No. 1133—An act to amend section 4290 of the Political Code, relating to fees and salaries of county officers.

On motion of Senator Lyon, Senate Bill No. 1133 was passed on file.

Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of the State by adding a new section thereto, to be known as section 7½*a* of Article XI, relating to the consolidation of city and county government and to the framing of charters therefor and amendments to such charters.

On motion of Senator Breed, Senate Constitutional Amendment No. 13 was passed on file.

Senate Bill No. 458—An act to amend sections 2322, 2322*a*, 2322*c* and 2322*d* of the Political Code and to add new sections 2322*f*, 2322*g*, 2322*h*, 2322*i*, and 2322*j* to the Political Code, said sections relating to orchards, trees, vines or plants of any variety, infected or infested with diseases, scale or other insects of any kind injurious to fruit, fruit trees, vines or other plants or vegetables, or noxious weeds and to the extermination or the control of insects, ground squirrels, gopher or other

animal pests and plant diseases or noxious weeds, and to the appointment and removal of a county horticultural commissioner in the several counties of the State; prescribing his duties and powers and fixing his compensation and term of office, also providing for a State Board of Horticultural Examiners, prescribing the duties of said board, and providing for examination to be taken by persons desiring to qualify for position as county horticultural commissioner; providing for the dividing of the several counties of the State into districts by the respective county horticultural commissioners, and providing for the appointment of deputy commissioners, local inspectors, and quarantine guardians, prescribing their duties and powers and fixing their compensation.

On motion of Senator Benson, Senate Bill No. 458 was passed on file.

Senate Bill No. 843—An act making bonds of municipal improvement districts legal investments for certain purposes.

On motion of Senator Chamberlin, Senate Bill No. 843 was passed on file.

SENATOR CHANDLER IN THE CHAIR.

At twelve o'clock and fifteen minutes p.m., Senator Chandler of the Twenty-Sixth District was called to the chair.

Senate Bill No. 87—An act to empower the State Market Director of California to regulate and control the business of buying and selling fresh fish; to regulate the destruction of food fish; to create a state fish exchange; to license those engaged in marketing fish; to create a state fish exchange fund and a revolving fund; to provide penalties for violations of this act; to investigate and report on the fish industry; and to promote the sale of fish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 87 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Kehoe, Luce, Lyon, McDonald, Maddux, Nealon, Rigdon, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—Senators Ballard and Hans—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 121—An act providing for the organization of water districts by the board of supervisors of any county of the State upon petition therefor by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of said county in which the lands contained in said district are located; providing for the acquisition and construction by said district of water works, for the irrigation of the lands embraced therein and for the distribution of water for irrigation purposes and domestic use; providing for the payment of the debts thereof by a tax levied on the property embraced therein; providing for the issuance and sale of bonds thereby.

On motion of Senator Carr, W. J., Senate Bill No. 121 was passed on file.

RECESS.

The hour of twelve o'clock and thirty minutes p.m. having arrived, the acting President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m. the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1144—An act to amend section 629 of the Penal Code of the State of California, relative to placing and maintaining of screens over the inlets of pipes, flumes, ditches, canals and mill races, taking water from any rivers, creek, stream or lake in which fish have been placed or may exist.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 534—An act prohibiting an employer from discharging an employee for failure to patronize a boarding house or hotel owned or conducted by the employer, and prescribing penalties for violations of the provisions hereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 662—An act to require employers to pay the cost of bonds and photographs required of and furnished by employees or applicants for employment.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1025—An act prohibiting employers of labor from interfering with employees purchasing in open market any property the title or ownership of which vests in and remains with the employee and providing penalties for violations hereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 629—An act to amend section 1614 of the Penal Code, relating to rules and regulations for the performance of labor, credits for good behavior of prisoner confined in county jail or in city jail or in city and county jail.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 369—An act entitled "An act relating to the liquidation of banks by the Superintendent of Banks; empowering him to levy assessments against the members and stockholders of any bank in process of liquidation by him to an amount which he may determine to be necessary to promptly pay the creditors of such bank in full; to enforce such assessments by suit and empowering the superior court to determine the equities of the members and stockholders of any such bank to any surplus which may remain after the payment of the creditors of such bank in full and to award and distribute the same accordingly."

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 521—An act to amend section 2745 of the Political Code, relating to the formation of road divisions.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 25—An act to legalize the organization of permanent road divisions and validate all proceedings for the issuance of bonds of said divisions where authority for issuance of said bonds has already been given by a vote of at least two-thirds of the electors of any permanent road divisions.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1098—An act amending section 10 of an act entitled "An act providing for the laying out, constructing, straightening, improvement and repair of main public highways in any county, providing for the voting, issuing, and selling of county bonds and the acceptance of donations to pay for such work and improvements, providing for a highway commission to have charge of such work and improvements, and authorizing cities and towns to improve the portions of such highways within their corporate limits and to issue and sell bonds therefor," approved March 19, 1907, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 580—An act to amend section 2643 of the Political Code, relating to the powers of boards of supervisors respecting roads.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 31 of the printed bill, after the word "road" insert the following, "in excess of three miles in length".

Amendment adopted.

AMENDMENT NUMER TWO.

On page 3, line 3 of the printed bill, after the word "road" insert the following, "and if the cost of such new road when constructed, or the cost of grading, regrading, paving or macadamizing such existing road when completed, shall exceed five thousand dollars."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 33 of the printed bill, after the word "road" insert the following, "in excess of three miles in length".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS (OUT OF ORDER).

Senate Bill No. 235—An act to repeal sections 3664, 3665, 3666, 3667, 3668, 3669, 3670 and 3671 of the Political Code, and to re-enact said sections, and to add twenty-nine new sections to said code, to be numbered sections 3664*a*, 3664*b*, 3664*c*, 3664*d*, 3665*a*, 3665*b*, 3665*c*, 3666*a*, 3666*b*, 3666*c*, 3667*a*, 3667*b*, 3667*c*, 3668*a*, 3668*b*, 3668*c*, 3669*a*, 3669*b*, 3669*c*, 3669*d*, 3669*e*, 3670*a*, 3670*b*, 3670*c*, 3671*a*, 3671*b*, 3671*c*, 3671*d* and 3671*e*, all relating to taxation of public service and other corporations, banks and insurance companies for the benefit of the State.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE

On pages 1 and 2 of the printed bill, strike out all of the title after the comma following the word "Code" in line 7 thereof, and insert in lieu thereof the following: "and to add thirty-six new sections to said code, to be numbered 3664, 3664*a*, 3664*b*, 3664*c*, 3664*d*, 3665, 3665*a*, 3665*b*, 3665*c*, 3666, 3666*a*, 3666*b*, 3666*c*, 3667, 3667*a*, 3667*b*, 3667*c*, 3668, 3668*a*, 3668*b*, 3668*c*, 3669, 3669*a*, 3669*b*, 3669*c*, 3669*d*, 3669*e*, 3670, 3670*a*, 3670*b*, 3670*c*, 3671, 3671*a*, 3671*b*, 3671*c* and 3671*d*, all relating to taxation of public service and other corporations, banks and insurance companies for the benefit of the state."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out all of lines 1 to 26, inclusive, and all of the remainder of the printed bill, and insert in lieu thereof the following:

SECTION 1. Sections 3664, 3665, 3666, 3667, 3668, 3669, 3670 and 3671 of the Political Code as they existed January 1, 1917, are hereby repealed.

SEC. 2. A new section is hereby added to the Political Code, to be numbered 3664, and to read as follows:

3664. Taxes levied, assessed and collected as hereinafter provided upon railroads, including street railways, whether operated in one or more counties; sleeping car, dining car, drawing-room car and palace car companies, refrigerator, oil, stock, fruit, and other car-loaning and other car companies operating upon railroads in this state; companies doing express business on any railroad, steamboat, vessel, or stage line in this state; telegraph companies, telephone companies; companies engaged in the transmission or sale of gas or electricity; insurance companies; banks, banking associations, savings and loan societies, and trust companies; and taxes upon all franchises of every kind and nature, shall be entirely and exclusively for state purposes, and shall be assessed and levied by the state board of equalization, and collected in the manner hereinafter provided. The word "company" and the word "companies" as used in section fourteen of article thirteen of the constitution of this state and in the sections of this code enacted to carry the same into effect shall include persons, partnerships, joint stock associations, companies, and corporations.

SEC. 3. A new section is hereby added to the Political Code, to be numbered 3664*a*, and to read as follows:

3664*a*. 1. All railroad companies, including street railways, whether operated in one or more counties; all sleeping car, dining car, drawing-room car and palace car companies, all refrigerator, oil, stock, fruit, and other car-loaning, and other car companies, operating upon the railroads in this state; all companies doing express business on any railroad, steamboat, vessel, or stage line in this state; all telegraph and telephone companies; and all companies engaged in the transmission or sale of gas or electricity shall annually pay to the state a tax upon their franchises, roadways, roadbeds, rails, rolling stock, poles, wires, pipes, canals, conduits, rights of way, and other property, or any part thereof, used exclusively in the operation of their business in this state, computed as follows: Said tax shall be equal to the percentages hereinafter fixed upon the gross receipts from operation of such companies and each thereof within this state.

2. When such companies are operating partly within and partly without this state, the gross receipts within this state shall be deemed to be all receipts on business beginning and ending within this state, and a proportion, based upon the proportion of the mileage within this state to the entire mileage over which such business is done, of receipts on all business passing through, into, or out of this state.

3. The percentages above mentioned shall be as follows: On all railroad companies, including street railways, five and one-fourth per cent; on all sleeping car, dining car, drawing-room car, palace car companies, refrigerator, oil, stock, fruit, and other car-loaning, and other car companies, three and ninety five hundredths per cent; on all companies doing express business on any railroad, steamboat, vessel or stage line, nine-tenths of one per cent; on all telegraph and telephone companies, four and two-tenths per cent; on all companies engaged in the transmission or sale of gas or electricity, five and six-tenths per cent.

4. Such taxes shall be in lieu of all other taxes and licenses, state, county, and municipal, upon the property above enumerated of such companies except as otherwise provided in section fourteen of article thirteen of the constitution of this state.

5. The word "municipal" as used in section fourteen of article thirteen of the constitution of this state and in the sections of this code enacted to carry the same into effect shall apply to incorporated towns and cities formed under article eleven of the constitution of this state and to none other.

SEC. 4. A new section is hereby added to the Political Code, to be numbered 3664*b*, and to read as follows:

3664*b*. Every insurance company or association doing business in this state shall annually pay to the state a tax of two per cent upon the amount of the gross premiums received upon its business done in this state, less return premiums and reinsurance in companies or associations authorized to do business in this state; *provided*, that there shall be deducted from said two per cent upon the gross premiums the amount of any county and municipal taxes paid by such companies on real estate owned by them in this state. This tax shall be in lieu of all other taxes and licenses, state, county, and municipal, upon the property of such companies, except county and municipal taxes on real estate, and except as otherwise provided in the constitution of this state; *provided*, that when by the laws of any other state or country, any taxes, fines, penalties, licenses, fees, deposits of money, or of securities, or other obligations or prohibitions, are imposed on insurance companies of this state, doing business in such other state or country, or upon their agents therein, in excess of such taxes, fines, penalties, licenses, fees, deposits of money, or of securities, or other obligations or prohibitions, imposed upon insurance companies of such other state or country, so long as such laws continue in force, the same obligations and prohibitions of whatsoever kind must be imposed by the insurance commissioner upon insurance companies of such other state or country doing business in this state.

SEC. 5. A new section is hereby added to the Political Code, to be numbered 3664*c*, and to read as follows:

3664*c*. 1. The shares of capital stock of all banks, organized under the laws of this state, or of the United States, or of any other state and located in this state, shall be assessed and taxed to the owners or holders thereof by the state board of equalization, in the manner hereinafter provided, in the city or town where the bank is located and not elsewhere. There shall be levied and assessed upon such shares of capital stock an annual tax, payable to the state, of one and sixteen hundredths per centum upon the value thereof. The value of each share of stock in each bank, except such as are in liquidation, shall be taken to be the amount paid in thereon, together with its pro rata of the accumulated surplus and undivided profits. The value of each share of stock in each bank which is in liquidation shall be taken to be its pro rata of the actual assets of such bank.

2. This tax shall be in lieu of all other taxes and licenses, state, county, and municipal, upon such shares of stock and upon the property of such bank, except county and municipal taxes on real estate and except as otherwise provided in the constitution of this state.

3. In determining the value of the capital stock of any bank there shall be deducted from the value, as defined above, the value, as assessed for county taxes, of any real estate, other than mortgage interests therein, owned by such bank and taxed for county purposes.

4. The banks shall be liable to the state for this tax and the same shall be paid to the state by them on behalf of the stockholders in the manner and at the time hereinafter provided, and they shall have a lien upon the shares of stock and upon any dividends declared thereon to secure the amount so paid.

5. The moneyed capital, reserve, surplus, undivided profits, and all other property belonging to unincorporated banks or bankers of this state, or held by any bank located in this state which has no shares of capital stock, or employed in this state by any branches, agencies, or other representatives of any banks doing business outside of the State of California, shall be likewise assessed and taxed to such banks or bankers by the said board of equalization, in the same manner as above provided for incorporated banks, and taxed at the same rate that is levied upon the shares of capital stock of incorporated banks, as provided in the first paragraph of this section.

6. In the case of a branch, an agency, or other representative of any bank doing business outside of this state, the capital of said branch, agency, or representative used in this state shall be taken to be the average amount owed by the said branch, agency, or representative to the bank of which it is a branch, agency, or representative during the year ending the first Monday in March. The value of said property shall be determined by taking the entire property invested in such business, together with all reserve, surplus, and undivided profits, at their full cash value, and deducting therefrom the value as assessed for county taxes of any real estate, other than mortgage interests therein, owned by such bank or banker and taxed for county purposes. Such taxes shall be in lieu of all other taxes and licenses, state, county and municipal, upon the property of the banks and bankers mentioned in this section, except county and municipal taxes on real estate, and except as otherwise provided in the constitution of this state. All moneyed capital and property of the banks and bankers mentioned in this paragraph shall be assessed and taxed at the same rate as an incorporated bank, provided for in this section. In determining the value of the moneyed capital and property of the banks and bankers mentioned in this section, the said state board of equalization shall include and assess to such banks all property and everything of value owned or held by them which would go to make up the value of the capital stock of such banks and bankers, if the same were incorporated and had shares of capital stock.

7. The word "banks" as used in section fourteen of article thirteen of the constitution of this state and in the sections of this code enacted to carry the same into

effect shall include banking associations, unincorporated banks and bankers, branches, agencies or other representatives of any banks doing business outside of the State of California, savings and loan societies, and such trust companies, as conduct the business of receiving money on deposit, but shall not include building and loan associations.

SEC. 6. A new section is hereby added to the Political Code, to be numbered three thousand six hundred sixty-four *d*, and to read as follows:

3664*d*. All franchises, other than those of the companies mentioned in sections three thousand six hundred sixty-four *a*, three thousand six hundred sixty-four *b*, and three thousand six hundred sixty-four *c* of this code, shall be assessed at their actual cash value, after making due deduction for good will, in the manner hereinafter provided, and shall be taxed at the rate of one and two-tenths per centum each year, and the taxes collected thereon shall be exclusively for the benefit of the state. These franchises shall include the actual exercise of the right to be a corporation and to do business as a corporation under the laws of this state and the actual exercise of the right to do business as a corporation in this state when such right is exercised by a corporation incorporated under the laws of any other state or country, also the right, authority, privilege, or permission to maintain wharves, ferries, toll roads, and toll bridges, and to construct, maintain or operate, in, under, above, upon, through or along any streets, highways, public places, or waters, any mains, pipes, canals, ditches, tanks, conduits or other means for conducting water, oil, or other substances.

SEC. 7. A new section is hereby added to the Political Code, to be numbered three thousand six hundred sixty-five, and to read as follows:

3665. Nothing in any section of this code shall be construed to release any company from the payment of any amount agreed to be paid or required by law to be paid, now or hereafter, for any special privilege or franchise granted by any of the municipal authorities of this state.

SEC. 8. A new section is hereby added to the Political Code, to be numbered three thousand six hundred sixty-five *a*, and to read as follows:

3665*a*. 1. The term "gross receipts from operation" as used in section three thousand six hundred sixty-four *a* of this code is hereby defined to include all sums received from business done within this state, during the year ending the thirty-first day of December last preceding, including the company's proportion of gross receipts from any and all sources on account of business done by it within this state, in connection with other companies described in said section.

Any company claiming that the levy of the percentage fixed by section three thousand six hundred sixty-four *a* of this code on the total gross receipts of such company results in double taxation of the property of such company, may make application to the state board of equalization for a hearing on such matter. Said board shall have power to take evidence and determine the facts with respect to such claim and in event said board finds the claim of such company to be true, said board may authorize such company to deduct from its reported gross receipts that amount of such receipts which, if included in such total gross receipts, would cause such double taxation.

2. In case of companies operating partly within and partly without this state, the gross receipts within this state shall be deemed to be all receipts on business beginning and ending within this state, and the proportion based upon the proportion of the mileage within this state to the entire mileage over which such business is done, of receipts on all business passing through, into or out of this state.

3. No deduction shall be allowed from the gross receipts from operation for commissions, rebates, or other repayments, except only such refunds as arise from errors or overcharges; nor shall any deduction be allowed for payments from gross receipts to other companies for any purpose whatsoever, except such refunds as arise from errors or overcharges.

4. Income derived from property not defined in this section and in sections three thousand six hundred sixty-four *a*, three thousand six hundred sixty-five *b*, and three thousand six hundred sixty-five *c* of this code as operative property shall not be included in the gross receipts for the purpose of determining the tax on the property and franchises provided for in section three thousand six hundred sixty-four *a* of this code.

SEC. 9. A new section is hereby added to the Political Code, to be numbered three thousand six hundred sixty-five *b*, and to read as follows:

3665*b*. 1. The term "operative property" as used in any section of this code shall include:

(*a*) In the case of railroad companies, including street railways: The franchises, roadway, roadbed, rails, rolling stock, rights of way, sidings, spur tracks, switches, signal systems, cranes and structures used in loading and unloading cars, fences along the right of way, poles, wires, conduits, power lines, piers, used exclusively in the operation of the railroad business, depot grounds and buildings, ferryboats, tugs and car-floats used exclusively in the operation of the railroad business; machine shops, repair shops, round houses, car barns, power houses, substations, and other buildings, used in the operation of the railroad business and so much of the land

on which said shops, houses, barns, and other buildings are situate as may be required for the convenient use and occupation of said buildings.

(*b*) In the case of sleeping car, dining car, drawing-room car and palace car companies, refrigerator, oil, stock, fruit, and other car-loaning, and other car companies operating upon railroads in this state: The franchises, cars, and other rolling stock.

(*c*) In the case of companies doing express business on any railroad, steamboat, vessel, or stage line in this state: The franchises, cars, trucks, wagons, horses, harness, and safes.

(*d*) In the case of telegraph and telephone companies doing business in this state: The franchises, rights of way, poles, wires, pipes, conduits, cables, switchboards, telegraph and telephone instruments, batteries, generators, and other electrical appliances, and exchange and other buildings used in the telegraph and telephone business and so much of the land on which said buildings are situate as may be required for the convenient use and occupation of said buildings.

(*e*) In the case of companies engaged in the transmission or sale of gas or electricity: The franchises, towers, poles, wires, pipes, canals, tunnels, ditches, flumes, aqueducts, conduits, rights of way, dams, reservoirs, water and water rights used exclusively in the business of the transmission or sale of gas or electricity; transformers, substations, gas-holders, gas and electric generators, switches, switchboards, meters, electrical and gas appliances, oil tanks, power plants, power houses, and other buildings and structures used in the operation of the business of the transmission or sale of gas or electricity and so much of the land on which said buildings and structures are situate as may be required for the convenient use and operation of said buildings: *provided*, that the operative property of the companies enumerated in this section, shall also include any other property not above enumerated that may be reasonably necessary for use by said companies exclusively in the operation and conduct of the particular kinds of business enumerated in section three thousand six hundred sixty-four *a* of this code. The operative property mentioned in subdivisions (*a*), (*b*), (*c*), (*d*), and (*e*), of this section shall not be subject to taxation for county, municipal, or district purposes except as otherwise provided for in the constitution and laws of this state; *provided, however*, that when any piece or parcel of property in this state owned by any of the companies mentioned in section three thousand six hundred sixty-four *a* of this code is used partially by such company for any use reasonably necessary to the operation of any of the lines of business enumerated in said section and such property is also partially rented to or used by others or is partially used by the company for some other lines of business not among those so enumerated, or for purposes not reasonably necessary to the operation of any of said enumerated lines of business, it shall be considered operative property in that proportion only which that part of the property mentioned in this proviso used by the company in the operation of any of said enumerated lines of business bears to the whole of the property mentioned in this proviso.

2. Any property of the classes mentioned in this section owned by a company constructing a new railroad, street railway, telegraph or telephone system, or plant or system for the transmission or sale of gas or electricity, no part of which new road, line, plant, or system is in operation, and the same classes of property when held by an operating company solely for the construction of a new railroad or railway line, a new telegraph or telephone system, or a new plant or system for the transmission or sale of gas or electricity, and not to be used for betterments or additions to roads, lines, plants, or systems already under operation, shall not be considered operative property and shall be subject to assessment and taxation for county, municipal, and district purposes. Any part of such property of any company mentioned in this section shall be classed and assessed as operative property when the state board of equalization shall determine that such property is rendering a substantial public service.

3. The state board of equalization shall have power to make rules and issue instructions not inconsistent with the constitution and laws of this state for the guidance of assessors in determining what is operative property and what is non-operative property of companies named in this section.

SEC. 10. A new section is hereby added to the Political Code, to be numbered three thousand six hundred sixty-five *c*, and to read as follows:

3665*c*. Such person or officer, as the state board of equalization may designate, of each of the companies mentioned in section three thousand six hundred sixty-four *a* of this code, shall within ten days after the first Monday in March of each year, file with the said board a report signed and sworn to by one or more of said persons or officers, showing in detail for the year ending the thirty-first day of December last preceding, the various items as follows:

1. The name of the company, its nature, whether a person or persons, a partnership (with names of partners), an association, or corporation, and under the laws of what state, territory or country organized, the nature of its business, the location of its principal place of business, the names and post-office addresses of its president, secretary, auditor, treasurer, superintendent, and general manager, the location of

its principal place of business in this state, the name and post-office address of its chief officer or managing agent in this state, and the names and addresses of all subsidiary companies whose property and business are operated by it and the names and addresses of any company of which it may be subsidiary.

2. Each of the companies mentioned in said section shall report, in such detail as the state board of equalization shall prescribe, all of its property in this state which comes under the definition of operative property in section three thousand six hundred sixty-five *b* of this code. When any such company operates both within and without this state it shall report the mileage over which it operates both within and without this state. It shall also report the location of said property within this state by counties, cities and counties, municipalities, and districts, in such manner and in such detail as said board of equalization shall prescribe. It shall also, at the same time, furnish a duplicate of the report covering so much of said property as is located in any county, city and county, municipality, or district, to the assessor of the county, city and county, city, or district in which such property is located.

The state board of equalization may require the filing in its office of maps descriptive of all the operative property of any such companies, and may prescribe the form and size of such maps and the details to be shown therein, and may require that similar maps descriptive of the operative property within each county, city and county, municipality, or district, shall be filed in the assessor's office in each county, city and county, city, or district in which any of said property is located.

3. The amount of capital stock issued, and the amount of money received therefor, showing separately the capital stock issued and the money received therefor of the operating company and of each subsidiary company in this state.

4. The dividends paid during the year ending the thirty-first day of December last preceding, the surplus fund, if any, on said thirty-first day of December, or between such periods as the state board of equalization may determine, those of the operating company and of each subsidiary company in this state to be shown separately.

5. The funded and floating debts and the rate of interest thereon, showing separately the debts of the operating company and of each subsidiary company in this state, on the thirty-first day of December last preceding.

6. The market value of the stock and of the outstanding bonds, or, when said stock or bonds have no market value, the actual value thereof, for such periods and for such dates as the state board of equalization shall prescribe.

7. The amounts expended for improvements during the year ending the thirty-first day of December last preceding, how expended and the character of the improvements.

8. The gross receipts from operation within this state for the year ending the thirty-first day of December last preceding, the gross receipts from such classes of business as the state board of equalization may designate, to be reported separately; also, where the property and business are partly within and partly without this state, the gross receipts for said period on all business beginning and ending entirely within this state, and that proportion of the gross receipts from all business passing through, into, or out of this state, which the mileage within this state bears to the total mileage over which such interstate business is done as further defined in section three thousand six hundred sixty-five *a* of this code.

9. The operating and other expenses.

10. The balances of profit and loss, between such periods as the state board of equalization may determine.

11. Such other matters as the state board of equalization may deem necessary in order to enable it to assess and levy the taxes provided for in section fourteen of article thirteen of the constitution of this state.

Each such company shall include in its report the property and business of all subsidiary companies as that term is hereinafter defined in this section, whose property and business are operated by it, whether by virtue of a lease, an operating contract or agreement, or by virtue of control through the ownership of stock or otherwise, even though such subsidiary companies maintain an independent legal existence and separate accounts.

The term "subsidiary company" is hereby defined as applying to a company which is merged in the operating system of an operating company in any of the ways above stated, whose property and franchises would be taxable under section three thousand six hundred sixty-four *a* of this code if the same were operated independently. No separate report need be rendered by a subsidiary company whose property, franchises, and operations are fully and completely covered by the report of an operating company, unless the state board of equalization shall deem such a separate report necessary.

Each such company operating the property and business of a subsidiary company in some line of business to which a different percentage of the gross receipts is applied by said section from that applied by said section to the gross receipts of the operating company, shall report such receipts of the subsidiary company separately.

SEC. 11. A new section is hereby added to the Political Code, to be numbered three thousand six hundred sixty-six, and to read as follows:

3666. 1. If any assessor finds in the report of the operative property in his county, city and county, municipality, or district, furnished to him by any of the companies as required in section three thousand six hundred sixty five *c* of this code, any piece or parcel of property which he regards as nonoperative property, or partially operative and partially nonoperative, he shall, within thirty days after receiving such report, notify the state board of equalization thereof by mail, which notice shall contain a general description of the property and the assessor's reasons for regarding the same as nonoperative property. He shall also mail a copy of the notice to the company whose property is involved. The said board shall investigate the nature of the property and its use, and, if an agreement between the said board, the assessor, and the company as to the proper classification of such property can not be reached, then the said board shall, under such rules or notice as it may deem reasonable, set a date for a hearing, at which the assessor and the company may be present or represented. At such hearing the board shall, from the evidence presented and from the best information it can obtain decide the matter in dispute, and determine whether such property is operative or nonoperative or in what proportion operative and in what proportion nonoperative. The said board shall enter its decision in its minutes, and shall send a copy thereof to the county assessor and the company, and also to the proper officer of any municipality affected thereby. Said decision shall be binding upon all parties, the state, the county, city and county, municipality, or district, and the company, unless set aside by a court of competent jurisdiction, and each such assessor must note the decision on his assessment roll, and must assess such property accordingly.

2. If the state board of equalization shall find in the report of operative property furnished to said board by any company under the provisions of section three thousand six hundred sixty five *c* of this code, any piece or parcel of property which said board regards as nonoperative property, or partially operative and partially nonoperative, the board shall, within thirty days after receiving such report, notify said company thereof in writing, which notice shall contain a general description of the property and the reasons for regarding the same as nonoperative. It shall also mail a copy of the notice to any assessor in whose county, city and county, municipality, or district the property is located. If an agreement between the said board, the assessor, and the company as to the proper classification of such property can not be reached, then the said board shall, under such rules of notice as it may deem reasonable, set a date for a hearing, at which the assessor and the company may be present or represented. At such hearing the board shall, from the evidence presented and from the best information it can obtain, decide the matter in dispute and determine whether such property is operative or nonoperative, or in what proportion operative and in what proportion nonoperative. The said board shall enter its decision in its minutes, and shall send a copy thereof to the county assessor and the company, and also to the proper officer of any municipality affected thereby. Said decision shall be binding upon all parties, the state, the county, city and county, municipality, or district, and the company, unless set aside by a court of competent jurisdiction, and each such assessor must note the decision on his assessment roll and must assess the property accordingly.

SEC. 12. A new section is hereby added to the Political Code, to be numbered three thousand six hundred sixty six *a*, and to read as follows:

3666*a*. The insurance commissioner of this state must on or before the last day of March in each year make and file with the state board of equalization a report showing:

1. All companies, domestic and foreign, and all firms, associations, or persons, engaged in the business of insurance in this state.

2. The total amount of the gross premiums received from its business in this state by each of said companies, firms, associations, and persons during the year ending the thirty-first day of December last preceding.

3. The amount of return premiums paid on business done in this state and the amount of reinsurance on business done in this state paid to other insurance companies or associations authorized to do business in this state, by said companies, firms, associations, and persons, during said year.

4. The amount of any county and municipal taxes paid during said year by such companies on real estate owned by them in this state, and where said real estate is located.

In making this report he shall list separately all those companies, firms, associations, or persons, which, under the second proviso in subdivision (*b*) of section fourteen of article thirteen of the constitution and of section three thousand six hundred sixty-four *b* of this code, are subject to a tax at a rate higher than two per cent on their gross premiums, or to any additional tax or burden, and shall indicate in each case the amount and character of said tax or burden. Every company, firm, association, or person engaged in the business of insurance in this state shall file with the insurance commissioner on or before the first Monday in March in each year such statements in addition to, or in modification of, the statements required to be rendered under the provisions of article sixteen of chapter three of title one of part three of the Political Code as said insurance commissioner shall deem necessary to enable him to prepare the report required of him in this section and said statements

shall be verified in the same manner as is provided for the verification of other statements by insurance companies in section six hundred ten of the Political Code, except that, those filed by foreign companies shall be verified by the oath of the manager thereof residing within this state.

SEC. 13. A new section is hereby added to the Political Code, to be numbered three thousand six hundred sixty-six *b*, and to read as follows:

3666*b*. The president, secretary, treasurer, cashier, or such other officer as the state board of equalization may determine, of every bank referred to in section fourteen of article thirteen of the constitution of this state, shall on the first Monday in March or within ten days thereafter make and file with the state board of equalization a sworn statement showing the condition of said bank at the close of business on the first Monday in March, and showing the amount of its authorized capital stock, the number of shares issued and the par value thereof, the amount received for stock issued, the amount of its surplus and undivided profits, if any, a complete list of the names and residences of its stockholders and the number of shares held by each as of record on the books of the bank at the close of business on the first Monday in March; or, in the case of unincorporated banks and bankers, of banks having no capital stock and of branches, agencies, or other representatives of banks doing business outside of this state, the moneyed capital, reserve, surplus, undivided profits, and other taxable property, as further defined in section fourteen of article thirteen of the constitution of this state, used by them in the banking business in this state, also a description of the real estate, other than mortgage interests therein, and the value of each piece thereof as assessed for the purpose of county taxation for the then current fiscal year.

Branches, agencies, or other representatives of banks doing business outside of this state, shall report the average amount owed by said branches, agencies, or other representatives, to the banks of which they are branches, agencies, or representatives, during the year ending the first Monday in March, also a description of the real estate other than mortgage interests therein, and the value of each piece thereof as assessed for the purpose of county taxation for the then current fiscal year.

The state board of equalization shall prescribe the form of reports, the manner of their verification, and may require the submission of tax receipts, or copies thereof certified to be correct by any notary public, in order to verify the statements as to the assessed value of the real estate, and may require such further information or statements as said board may deem necessary.

SEC. 14. A new section is hereby added to the Political Code, to be numbered three thousand six hundred sixty-six *c*, and to read as follows:

3666*c*. The secretary of state shall daily report to the state board of equalization the name, corporate number, principal place of business, date of incorporation, term of existence, funded debt, if any, authorized capital stock, and post-office address of all corporations, whether formed under the laws of this state or of any other state or country, a copy of the articles of incorporation of which is filed in his office and corporations which are authorized to do business in this state. He shall also report at said time all certificates of increase or decrease of capital stock or funded debt, dissolution, or other termination of corporate existence, change of name, consolidation and mergers, change of principal place of business, and such other information regarding corporations as said state board may require to assist it in making the assessments and levying the taxes as provided in section fourteen of article thirteen of the constitution of this state.

SEC. 15. A new section is hereby added to the Political Code, to be numbered 3667, and to read as follows:

3667. The owner or holder of every franchise subject to taxation as provided in section 3664*d* of this code, shall within ten days after the first Monday in March in each year make a written report to the state board of equalization, signed and sworn to by the holder or owner himself, if an individual, or by one of the copartners if such owner or holder is a copartnership, or by the president or vice president and the treasurer or secretary if the owner is a corporation, containing such a concise statement or description of every franchise possessed or enjoyed on said day by such owner or holder, as the state board of equalization may prescribe, a copy of the law, grant, ordinance, or contract under which the same is held, or if possessed or enjoyed under a general law, a reference to such law, a statement of any condition, obligation, or burden imposed upon such franchise, or under which the same is enjoyed, and containing also:

1. The name of the company, its nature, whether a person or persons, a partnership (with names of partners), an association, or corporation, and under the laws of what state, territory, or country organized, the nature of its business, the location of its principal place of business, the names and post office addresses of its president, secretary, auditor, treasurer, superintendent, and general manager, the location of its principal place of business in this state, the name and post office address of its chief officer or managing agent in this state, and the names and addresses of all subsidiary companies whose property and business are operated by it.

2. The amount of its authorized capital stock, the amount thereof issued and outstanding on the first Monday in March, and the amount paid in thereon or the value of the property received therefor.

3. The funded and floating debts and the interest paid thereon showing separately the debts of the operating company and of any subsidiary companies in this state on the thirty-first day of December last preceding.

4. The market value of the stock and of the outstanding bonds, or, when said stock or bonds have no market value, the actual value thereof, for such periods and for such dates as the state board of equalization shall prescribe.

5. The assessed value of its property as shown by the last completed assessment roll in each county, city and county, and city in the state for the purposes of taxation, and if any property of such corporation be assessed and taxed outside of the State of California the place where assessed, the amount of such assessment and taxes there paid the current fiscal year.

6. The market and actual value of all nonassessable real and personal property owned by such company.

7. The amount and actual value of all of said real and personal property referred to in the last two preceding subdivisions of this section that is owned and possessed by the company at the date of its report; also, the amount and actual value of any other and additional real or personal property owned by the company at the date of said report.

8. The dividends paid during the year ending the thirty-first day of December last preceding, the surplus fund, if any, on said thirty-first day of December, or between such periods as the state board of equalization may determine. Those of the operating company and of each subsidiary company in this state to be shown separately.

9. The gross receipts from all sources for the year ending the thirty-first day of December last preceding, from the entire property and business, the gross receipts from such classes of business as the state board may designate, to be reported separately; also, the total gross receipts from all such business and from interstate business so far as the same relate to this state, the same to be separately stated.

10. The operating and other expenses.

11. The balances of profit and loss, between such periods as the state board of equalization may determine.

12. Such other matters as the state board of equalization may deem necessary in order to enable it to assess and levy the taxes provided for in section fourteen of article thirteen of the constitution of this state. The state board of equalization shall ascertain and determine from the foregoing reports or from the best information it can obtain the actual cash value on the first Monday in March of each such franchise, and shall assess and levy the taxes thereon in accordance with the provisions of subdivision (*d*) of section fourteen of article thirteen of the constitution of this state.

SEC. 16. A new section is hereby added to the Political Code, to be numbered 3667*a*, and to read as follows:

3667*a*. Every assessor or auditor shall, in the manner, at the times, and for the year required by the state board of equalization, report to said board upon such forms as may be prescribed by said board the valuation placed by him upon the property of any company subject to an assessment upon its franchise under the provisions of sections 3664*d* and 3667 of this code.

SEC. 17. A new section is hereby added to the Political Code, to be numbered 3667*b*, and to read as follows:

3667*b*. If any company mentioned in section 3664 of this code shall fail or refuse to furnish to the state board of equalization within the time prescribed by law the verified report provided for by law, the state board of equalization must note such failure or refusal in the record of assessments for state taxes provided for in section 3668*a* of this code, and must make an estimate of the amount of the gross receipts, gross premiums, value of the shares of capital stock, or value of the franchises, of such company and must assess the same at the amount thus estimated, which assessment shall be the assessment upon which the taxes upon the property or franchise of the company for such year shall be levied and collected. And if in the succeeding year any such company shall again fail or refuse to furnish the verified report required by law, the state board shall make an estimate of the amount of the gross receipts, gross premiums, value of the shares of capital stock, or value of the franchise of such company, which estimate shall not be less than twice the amount of the estimate made by said board in the previous year, and shall note such failure or refusal as above provided, and the said estimate so made shall be the assessment upon which the taxes upon the property or franchise of the company for such year shall be levied and collected. In case of each succeeding consecutive failure or refusal the said board shall follow the same procedure until a true statement shall be furnished.

Any company failing or refusing to make and furnish any report prescribed by law to be made to the state board of equalization, or rendering a false or fraudulent report shall be guilty of a misdemeanor and subject to a fine of not less than three hundred dollars and not exceeding five thousand dollars for each such offense.

Any person required to make, render, sign, or verify any report, as aforesaid, who makes any false or fraudulent report, with intent to defeat or evade the assessment required by law to be made, shall be guilty of a misdemeanor, and shall for each such offense be fined not less than three hundred dollars and not more than five

thousand dollars, or be imprisoned not exceeding one year in the county jail of the county where said report was verified, or be subject to both said fine and imprisonment, at the discretion of the court.

SEC. 18. A new section is hereby added to the Political Code, to be numbered 3667*c*, and to read as follows:

3667*c*. The state board of equalization may, for good cause shown, by order entered upon its minutes, extend for not exceeding thirty days, the time fixed for filing any report required by said board.

SEC. 19. A new section is hereby added to the Political Code to be numbered three thousand six hundred sixty-eight and to read as follows:

3668. The state board of equalization must meet at the state capitol on the first Monday in March of each year, and continue in open session from day to day, Sundays and holidays excepted, until the first Monday in July. Between the first Monday in March and the third Monday before the first Monday in July the board must assess and levy the taxes as and in the manner provided for in section fourteen of article thirteen of the constitution of this state, and sections of this code enacted to carry the same into effect.

The assessments must be made to the company, person or association owning or operating the property subject to said tax, or, in the case of banks, banking associations, savings and loan societies and trust companies, to the stockholders therein; *provided, however*, that in the case of banks in liquidation the assessment shall be made to the receiver, trustee or officer in charge of such liquidation, as the case may be, as the representative of the stockholders thereof.

If the name of the owner is unknown to the board, such assessment must be made to unknown owners.

Clerical errors occurring or appearing in the name of any company, person, association, or stockholder whose property is correctly assessed, or in the making, or extension of any assessment upon the records of the state board of equalization, which do not affect the substantial rights of the taxpayer, shall not invalidate the assessment.

Provided, however, that if any bank shall by resolution of its board of directors, request the state board of equalization to assess to and in the name of such bank so requesting, the entire taxable value of all the shares of the capital stock of such bank, as determined by said state board, instead of assessing such shares to and in the name of the individual stockholders or share holders owning the same, and if such bank shall promise that it will, upon being notified by said state board, of such assessment thereof to said bank, and of the amount of taxes to be paid upon such assessment, pay such taxes at the times when taxes assessed and levied under the provisions of section fourteen of article thirteen of the constitution of this state and sections of this code enacted to carry the same into effect are due and payable, which request to assess said bank and promise to pay said tax shall be in substantially the following form:

The state board of equalization is hereby instructed to assess in the name of this bank and not to the individual stockholders or shareholders therein, the taxable value of all the shares of capital stock in this bank and such bank hereby promises to pay to the state treasurer the amount of the tax levied upon such assessment when such taxes are due and payable under the laws of this state.

By (here insert title of official signing.)

Then the state board may assess the capital stock to and in the name of such bank and said promise to pay the taxes shall be binding upon such bank and collection of such taxes from such bank may be enforced in the manner and by the same method as is provided for the collection of other taxes assessed and levied under the provisions of section fourteen of article thirteen of the constitution of this state and sections of this code enacted to carry the same into effect.

On the third Monday before the first Monday in July the said board shall publish a notice in one daily newspaper of general circulation published at the state capital, in one daily newspaper of general circulation published in the city and county of San Francisco, and in one daily newspaper of general circulation published in the city of Los Angeles, that the assessment of property for state taxes has been completed, and that the record of assessments for state taxes will be delivered to the controller on the first Monday in July, and that if any company, person, or association is dissatisfied with the assessment made by the board, it may, at any time before the taxes thereon shall become due and payable, apply to the board to have the same corrected in any particular. The board shall have power at any time on or before the first Monday in July to correct the record of assessments for state taxes and may increase or decrease any assessment therein if in its judgment the evidence presented or obtained warrants such action.

SEC. 20. A new section is hereby added to the Political Code, to be numbered three thousand six hundred sixty-eight *a*, and to read as follows:

3668*a*. The state board of equalization must prepare each year a book, in one or more volumes, to be called the "record of assessments for state taxes," in which must be entered, either in writing or printing, or by both writing and printing, each assessment and levy made by said board upon the property and franchises mentioned

in section three thousand six hundred sixty-four of this code, describing the property assessed, and such assessments shall be classified and entered, in such separate parts of said record as the board shall prescribe. On the first Monday in July the secretary of the state board of equalization must deliver to the controller of state the record of assessments for state taxes, certified to by the chairman and secretary of the board, which certificate shall be substantially as follows: "We, _____, chairman, and _____, secretary, of the state board of equalization of the State of California do hereby certify that between the first Monday in March and the first Monday in July, 19 , the state board of equalization made diligent inquiry and examination to ascertain all property and companies subject to assessment and taxation for state purposes, as required by the constitution of this state, that said board has faithfully complied with all the duties imposed upon it by the constitution and laws of the State of California; that said board has not imposed any unjust or double assessment through malice or ill-will, or otherwise; nor allowed any company or property to escape a just assessment through favor or reward, or otherwise."

But the failure to subscribe such certificate to such record of assessments for state taxes, or any certificate, shall not in any manner affect the validity of any assessment. Such record of assessments shall constitute the warrant for the controller to collect the taxes assessed and levied upon the property and franchises mentioned in section three thousand six hundred sixty-four of this code.

SEC. 21. A new section is hereby added to the Political Code, to be numbered three thousand six hundred sixty-eight *b*, and to read as follows:

3668*b*. The taxes assessed and levied as provided in section fourteen of article thirteen of the constitution of this state, and in and by the provisions of this code enacted to carry the same into effect, shall be due and payable on the first Monday in July in each year, and one-half thereof shall be delinquent on the sixth Monday after said first Monday in July at six o'clock p.m., and unless paid prior thereto, fifteen per cent shall be added to the amount thereof, and unless paid prior to the first Monday in February next thereafter at six o'clock p.m., an additional five per cent shall be added to the amount thereof, and the unpaid portion, or the remaining one-half of said taxes shall become delinquent on the first Monday in February next succeeding the day upon which they became due and payable, at six o'clock p.m.; and if not paid prior thereto five per cent shall be added to the amount thereof; *provided*, that all taxes provided for or levied under said section fourteen of article thirteen of the constitution of this state and the provisions of this code enacted to carry the same into effect which are not fully secured by real property are due and payable at the time the assessment is made. When in the opinion of the state board of equalization any of the taxes provided for in this section are not a lien upon real property sufficient to secure the payment of the taxes, said board may direct the controller, or his duly authorized representative, to collect the same at any time before the first Monday in August thereafter, and the controller may collect the taxes by seizure and sale of any property owned by the company against whom the tax is assessed.

The sale of any property so seized shall be made at public auction and of a sufficient amount of the property to pay the taxes, penalties and costs, and be made after one week's notice of the time and place of such sale given by publication in a newspaper of general circulation published in the county where the property seized is situate, or if there be no newspaper of general circulation published in such county, then by posting of such notice in three public places in such county.

Said notice shall contain a description of the property to be sold together with a statement of the amount of the taxes, penalties and costs due thereon and the name of the owner of said property and a further statement that unless the taxes, penalties and costs are paid on or before the day fixed in said notice for such sale of said property, or so much thereof as may be necessary to pay said taxes, penalties and costs, said property will be sold in accordance with law and said notice.

On payment of the price bid for any property sold, the delivery thereof with bill of sale executed by the controller vests the title in the purchaser. The unsold portion of any property so seized, may be left at the place of sale at the risk of the owner. All of the proceeds of any such sale in excess of the taxes, penalties, and costs, must be returned to the owner of the property sold, and until claimed must be deposited with the state treasurer, as trustee for such owner, and subject to the order of the owner thereof, his heirs, or assigns.

Within ten days after the receipt of the record of assessments for state taxes, the controller must begin the publication of a notice to appear daily for two weeks, in one daily newspaper of general circulation published at the state capital, in one daily newspaper of general circulation published in the city and county of San Francisco, and in one daily newspaper of general circulation published in the city of Los Angeles, specifying:

1. That he has received from the state board of equalization the record of assessments for state taxes.

2. That the taxes therein assessed are due and payable on the first Monday in July and that one-half thereof will be delinquent on the sixth Monday after the

first Monday in July at six o'clock p.m., and that unless paid to the state treasurer at the capital prior thereto, fifteen per cent will be added to the amount thereof, and unless paid prior to the first Monday in February next thereafter at six o'clock p.m., an additional five per cent will be added to the amount thereof; and that the remaining one-half of said taxes will become delinquent on the first Monday in February next succeeding the day upon which they became due and payable, at six o'clock p.m.; and if not paid to the state treasurer at the capital prior thereto, five per cent will be added to the amount thereof.

SEC. 22. A new section is hereby added to the Political Code, to be numbered three thousand six hundred sixty-eight *c*, and to read as follows:

3668c. The taxes levied under the provisions of section fourteen of article thirteen of the constitution of this state and sections of this code enacted to carry the same into effect shall constitute a lien upon all the property and franchises of every kind and nature belonging to the companies subject to taxation for state purposes, which lien shall attach on the first Monday in March of each year. Every tax herein provided for has the effect of a judgment against the company, and every lien created by the constitutional and statutory provisions aforesaid has the effect of an execution duly levied against all property of the delinquent; the judgment is not satisfied nor the lien removed until such taxes, penalties, and costs are paid, or the property sold for the payment thereof. No final discharge in bankruptcy or decree of dissolution shall be made and entered by any court, nor shall the county clerk of any county or the secretary of state file any such discharge or decree, or file any other document by which the term of existence of any corporation shall be reduced or terminated until all taxes, penalties, and costs due on assessments made under the constitutional and statutory provisions aforesaid shall have been paid and discharged.

SEC. 23. A new section is hereby added to the Political Code, to be numbered three thousand six hundred sixty-nine, and to read as follows:

3669. 1. All taxes assessed and levied under the provisions of section fourteen of article thirteen of the constitution of this state and sections of this code enacted to carry the same into effect shall be paid to the state treasurer, upon the order of the controller, without deduction for any taxes assessed and levied to pay the principal and interest of any bonded indebtedness mentioned in subdivision (*c*) of section fourteen of article thirteen of the constitution of this state, and the amount due to the cities, cities and counties, counties, towns, townships, and districts on account of said taxes assessed and levied for such bonded indebtedness shall be paid to said cities, cities and counties, counties, towns, townships, or districts in the manner provided by law. The controller must mark the date of payment of any tax on the record of assessments for state taxes.

2. The controller must give a receipt to the person paying any tax, or any part of any tax, specifying the amount of the assessment and the tax, or part of tax, paid, and the amount remaining unpaid, if any, with a description of the property assessed; *provided*, that the receipt for the second half of the taxes may refer, by number or in any other intelligible manner, to the receipt given for the first half of said taxes, in lieu of a description of the property assessed.

3. Whenever any taxes, penalties, or costs collected and paid to the state treasurer as hereinbefore provided, shall have been paid more than once, or shall have been erroneously or illegally collected, or when any taxes shall have been collected and paid pursuant to said provisions of law upon a computation erroneously made by reason of clerical mistake of the officers or employees of the state board of equalization, or shall have been computed in a manner contrary to law, the state board of equalization shall certify to the state board of control the amount of such taxes, penalties, or costs, collected in excess of what was legally due, from whom they were collected or by whom paid, and if approved by said board of control, the same shall be credited to the company or person to whom it rightfully belongs, at the time of the next payment of taxes. No claim for such credit shall be so audited, approved, allowed, or paid unless presented within one year after the payment sought to be refunded.

4. In case the assessment of any property or any company is duplicated upon the record of assessments for state taxes, or there appears thereon the assessment of any company whose charter has been forfeited or right to do business in this state has been forfeited, or the assessment of any company which, for any reason, could not be legally assessed, the state board of equalization or the controller shall certify such fact to the state board of control and said board of control shall authorize the cancellation of such assessment.

SEC. 24. A new section is hereby added to the Political Code, to be numbered three thousand six hundred sixty-nine *a*, and to read as follows:

3669*a*. 1. Any company, person or association claiming and protesting as herein provided that the assessment made against him or it by the state board of equalization is void in whole or in part may bring an action against the state treasurer for the recovery of the whole or any part of such tax, penalties or costs paid on such assessment upon the grounds stated in such protest, but no such action may be brought later than the third Monday in February next following the day on which the taxes were due, nor unless such company, person or association shall have filed

with the state controller at the time of payment of such taxes a written protest stating whether the whole assessment is claimed to be void, or if a part only, what part, and the grounds upon which such claim is founded; and when so paid under protest the payment shall in no case be regarded as voluntary.

2. Whenever under the provisions of this section an action is commenced against the state treasurer, a copy of the complaint and of the summons must be served upon the treasurer, or his deputy. At the time the treasurer demurs or answers, he may demand that the action be tried in the superior court of the county of Sacramento, which demand must be granted. The attorney general must defend the action. The provisions of the Code of Civil Procedure relating to pleadings, proofs, trials, and appeals are applicable to the proceedings herein provided for. A failure to begin such action within the time herein specified shall be a bar against the recovery of such taxes. In any such action the court shall have power to render judgment for plaintiff for any part or portion of the tax, penalties or costs found to be void and so paid by plaintiff upon such assessment.

3. In no case shall any judgment be rendered in favor of plaintiff in any action brought against the state treasurer to recover any tax, when said action is brought by or in the name of an assignee of the person, company or corporation paying said tax, or by any person, company or corporation other than the person, company or corporation that has paid said tax.

SEC. 25. A new section is hereby added to the Political Code, to be numbered three thousand six hundred sixty-nine *b*, and to read as follows:

3669*b*. 1. Every assessment of property made after November 8, 1910, under the provisions of section fourteen, article thirteen of the constitution and under the provisions of any law enacted to carry into effect said section of the constitution which is, or may hereafter be adjudged to be invalid by reason of any illegality, invalidity, or irregularity, declared or existing, in the assessment of such property, or in the mode provided for the assessment thereof, shall be remade and the property reassessed and equalized for each year for which such assessment is invalid as aforesaid, and for the year for which the assessment of such property was invalid as aforesaid, and such reassessment and equalization shall be made by the same officers and boards, at the same time or times, as are prescribed by law for the assessment and equalization of property, of the same classes or kinds as the property which hereby is required to be reassessed. The assessment and equalized assessment of such property shall be entered on the several assessment rolls or books in the same manner that assessments of such property are or were required by law to be entered for the year or years for which such reassessments shall be made. And there is hereby levied for state purposes the same rates of taxation for each of such respective years as were levied upon such property for each of said years for said state purposes.

2. All property herein and hereby authorized to be reassessed shall be reassessed and equalized by the proper officers and boards at the value to which and to the person or corporation to whom or to which such property ought, for each of such years, to have been assessed, under such rules of notice and at the times and in the modes as are prescribed for the assessment and equalization of like classes of property; and the assessment and equalization thereof, and the levy and collection of taxes thereunder, shall be made by the proper officers at the time, upon like notice and in the manner now or hereafter provided by law for making assessments and equalizing the same, and for the levy and collection of taxes on like classes of property; and if the taxes so relevied shall become delinquent, there shall be added thereto and the amount thereof the same percentage as a penalty for such delinquency as is added to other delinquent taxes on like classes of property; and such delinquent taxes and penalties added thereto shall be collected by the proper officers in the manner now or hereafter provided by law for the collection of delinquent taxes and penalties upon like classes of property, the collectors of such taxes to allow as credits thereon all payments theretofore made on the tax as first levied.

3. There shall be no limitation or limitations as to the time in which actions for the collections of taxes levied under this section may be commenced, and all the provisions of law now or hereafter provided in respect to assessments, equalization, levy, and collection of taxes shall, where applicable, apply to reassessments, equalization, and relevies and collections of taxes made under the provisions of this section.

SEC. 26. A new section is hereby added to the Political Code, to be numbered three thousand six hundred sixty-nine *c*, and to read as follows:

3669*c*. 1. Within ten days after the first Monday in February, the controller shall send by mail to the last known address of any company whose taxes are delinquent a notice of the amount of said taxes, penalties, and costs, and that if the said taxes, penalties, and costs are not paid on or before the Saturday preceding the first Monday in March next thereafter at six o'clock p.m. of said day, the corporate powers, rights and privileges of such delinquent company, if it be a domestic corporation, will be at that time suspended and thereafter incapable of exercise, and that if the delinquent company be a foreign corporation it will thereupon forfeit its right to do intrastate business in this state. If the taxes, penalties, and costs are not paid within the time specified in said notice, the controller shall, on said Saturday

preceding the first Monday in March at six o'clock p.m. of said day, mark on the record of assessments for state taxes opposite the assessment of the delinquent corporation the words "corporate powers suspended," if the delinquent corporation be a domestic corporation, and thereupon said corporate powers shall be suspended and incapable of exercise until restored as hereinafter provided; and if the delinquent corporation be a foreign corporation the controller shall mark on the record of assessments for state taxes opposite the assessment of such delinquent corporation the words "right to do intrastate business forfeited" and thereupon said right to do such business shall be so forfeited. He shall at once report to the secretary of state the name and number of charter of each corporation whose corporate powers have been suspended or right to do business has been forfeited for nonpayment of taxes.

On or before the first Monday in April of each year the controller shall make a list of all corporations subject to the tax imposed under sections 3664*a*, 3664*b*, 3664*c*, and 3664*d* of this code and which have failed to pay the same and transmit a certified copy thereof to each county clerk and county recorder in this state. Said county clerks and county recorders shall file such certified copies in their respective offices in such manner that the same shall be preserved in the form of a permanent record of such office and easily identified by and available to the public. Said copies so certified by the controller and filed as herein provided shall in the case of each corporation state whether such corporation is a domestic or foreign corporation and specify the penalty which each corporation has incurred for failure to pay the tax imposed by this act. Such certified copies so filed with either of said county officers, or any copy thereof certified by the controller shall be received in evidence in any court in lieu of the original record on file with the controller and shall be prima facie evidence of the truth of all statements contained therein.

2. After six o'clock p.m. of the Saturday preceding the first Monday in March in any year, the corporate rights, privileges and powers of every domestic corporation which has failed to pay said tax and money penalty shall, from and after said hour of said day, be suspended, and incapable of being exercised for any purpose or in any manner, except to defend any action brought in any court against such corporation, until said tax with all accrued penalties, and all taxes and charges due the state under the corporation license act are paid as hereinafter provided. The right and privilege of every foreign corporation to transact intrastate business in this state shall, for failure to pay said tax and money penalty, be forfeited at said hour of said day, and the controller shall make a record of such forfeiture. In the case of foreign corporations such forfeiture may be relieved and the corporation's privilege to transact intrastate business in this state restored in the manner hereinafter provided. After said hour of said day and until such taxes, penalties and charges are paid, every person who attempts or purports to exercise any of the rights, privileges or powers of any delinquent corporation, or, who transacts or attempts to transact any intrastate business in this state in behalf of any forfeited foreign corporation, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than two hundred fifty dollars and not exceeding one thousand dollars, or by imprisonment in the county jail not less than fifty days or more than five hundred days, or by both such fine and imprisonment. The jurisdiction of such offense shall be held to be in any county in which any part of such attempted exercise of such powers, or any part of such transaction of business was had or occurred. Every contract made in violation of this section is hereby declared to be void.

3. All corporate powers, rights and privileges suspended, or forfeited may be revived and restored to full force and effect by the payment of all accrued taxes and penalties due to the state under sections 3664*a*, 3664*b*, 3664*c*, and 3664*d* of this code and the corporation license act. In case the application for such revivor and restoration is not made during the year in which such suspension or forfeiture occurred, such application shall not be granted nor a certificate of revivor issued to such corporation until there is paid to the controller in addition to said tax and money penalty due the state under said sections of this code for the year in which such suspension or forfeiture occurred, a sum of money equal to the tax, without penalty, imposed under the provisions of said sections of this code during the year in which such suspension or forfeiture occurred, for each year succeeding said year in which such suspension or forfeiture occurred. Upon payment of all such taxes and penalties, and upon payment of all other taxes due the state under the corporation license act of this state, the state controller shall issue a certificate under his seal evidencing such payment and restoration, which certificate, when recorded in the office of any county recorder shall constitute a release of all existing liens for such taxes upon the property of such corporation. Each county recorder shall keep an index of all such controller's certificates recorded by him. Upon presentation of such controller's certificate of revivor to any county clerk said officer shall make a record thereof in his office in a book kept for such purpose. The record so made by said county clerk shall be prima facie evidence of the restoration to such corporation of all previously suspended or forfeited rights, powers and privileges unless it appears from the records in the office of such county clerk or of the secretary of state that subsequent to the date of such certificate of revivor the powers of said corporation have been suspended or its rights to do intrastate business forfeited.

4. Whenever the tax due to the state levied under section 3664*a*, 3664*b*, 3664*c* or 3664*d* of this code amounts to two hundred dollars or more, the controller may, on or before the thirtieth day of April next following said delinquency and suspension or forfeiture, bring an action in a court of competent jurisdiction in the county of Sacramento in the name of the people of the State of California, to collect such delinquent taxes, together with any penalties, or costs, which have not been paid in accordance with the provisions of this code and appearing delinquent upon the record of assessments for state taxes hereinbefore mentioned.

The attorney general must prosecute such action, and the provisions of the Code of Civil Procedure relating to service of summons, pleadings, proofs, trials, and appeals are applicable to the proceedings herein provided for. In such action a writ of attachment may be issued, and no bond or affidavit previous to the issuing of said attachment is required.

In the case of companies whose right to do business has been forfeited or corporate powers suspended, service of summons may be made upon the persons provided for by law to be served as agents or officers of any of such companies and such persons shall be deemed to be the agents of such companies for all purposes necessary in order to prosecute such action. In the case of corporations whose powers have been suspended, the persons constituting the board of directors thereof shall have the power and right to defend such action. Payment of the taxes and penalties, or amount of the judgment recovered in such action must be made to the state treasurer. In such actions the record of assessments for state taxes, or a copy of so much thereof as is applicable in said action, duly certified by the controller, or by the secretary of the state board of equalization, showing unpaid taxes against any company, person or association assessed by the state board of equalization, is prima facie evidence of the assessment upon the property and franchises, the delinquency, the amount of the taxes, penalties, and costs due and unpaid to the state, and that the company, person, or association is indebted to the people of the State of California in the amount of taxes and penalties therein appearing unpaid, and that all the forms of law in relation to the assessment and levy of such taxes have been complied with.

SEC. 27. A new section is hereby added to the Political Code, to be numbered three thousand six hundred sixty-nine *d*, and to read as follows:

3669*d*. 1. Any corporation which has heretofore failed to pay any tax and penalty imposed under the provisions of section fourteen, article thirteen, of the constitution, and chapter three hundred thirty-five, Statutes 1911 and amendments thereof, and for such nonpayment suffered a forfeiture of the charter of such corporation or of its right to do business in this state, may be relieved of such forfeiture, or may be restored to its right to do business in this state, upon making application therefor in writing and paying the tax and penalties for nonpayment of which such forfeiture occurred. Application for restoration under the provisions of this section, shall be made in writing, shall be signed by four fifths of the surviving trustees or directors of said corporation, duly verified by said trustees or directors, and filed with the state controller. In case such application for revivor is made in any year other than the year in which such forfeiture occurred then upon payment of twice the amount of the tax and penalty due the state for the year in which such forfeiture occurred, together with the amount of the license fee due the state under the corporation license tax act for the year in which such forfeiture occurred and for the year in which such revivor is sought, the state controller shall issue a certificate of revivor to such corporation, and thereupon such corporation is revived and its powers restored to full force and effect.

The revivor of a corporation under the provisions of this section shall be without prejudice to any action or proceeding, defense or right, which has occurred by reason of the original forfeiture.

2. In case the name of any corporation which has suffered a forfeiture under the provisions of chapter three hundred thirty-five, Statutes of 1911 or amendments thereof, has been adopted by any other corporation since the date of said forfeiture, or in case any corporation has adopted subsequent to such forfeiture any name so closely resembling the name of such reviving corporation as will tend to deceive, then such reviving corporation shall be entitled to a certificate of revivor pursuant to the terms of this section only upon the adopting by such corporation seeking revivor of a new name, and in such case nothing in this section contained shall be construed as permitting such reviving corporation to carry on any business under its former name. Such reviving corporation shall have the right to use its former name or take such new name only upon filing an application therefor with the secretary of state, and upon the issuing of a certificate to such corporation by the secretary of state, setting forth the right of such corporation to take such new name or use its former name as the case may be. The secretary of state shall not issue any certificate permitting any corporation to take or use the name of any corporation heretofore organized in this state and which has not suffered a forfeiture under either of the acts in this section first above mentioned, or to take or use a name so closely resembling the name of any corporation heretofore organized in this state as will tend to deceive.

The provisions of title nine, part three of the Code of Civil Procedure, in so far as they conflict with this section of this code are not applicable to corporations seeking revivor under this section.

SEC. 28. A new section is hereby added to the Political Code, to be numbered three thousand six hundred sixty-nine *c*, and to read as follows:

3669*c*. In addition to the powers and duties prescribed elsewhere in this code, it is the duty of the state board of equalization, and the said board shall have power, for carrying into effect the provisions for assessments under section fourteen of article thirteen of the constitution of this state:

1. To prescribe the forms upon which the reports required by sections three thousand six hundred sixty-five *c*, three thousand six hundred sixty-six *b* and three thousand six hundred sixty-seven of this code shall be made.

2. Whenever deemed necessary, to visit as a board, or by the individual members thereof, or to send its secretary or duly appointed representative to any portion of this state for the purpose of inspecting property and learning the value thereof, and of collecting information to enable it to justly assess and levy the taxes provided for as aforesaid.

3. To call before it, or any member thereof, or before its secretary or duly appointed representative on such visit, any public official, and to require him to produce any public record, papers or documents in his custody.

4. To issue subpoenas for the attendance of witnesses or the production of books before the board, or any member thereof; which subpoenas must be signed by a member of the board and may be served by any person.

5. To require any person having knowledge of the business of any of the companies mentioned in section fourteen of article thirteen of the constitution of this state, or having the custody of the books and accounts of such companies, to attend before the board or any member thereof, or before the secretary or the duly appointed representative of said board and bring with him for inspection any books, or papers, of such company in his possession or under his control, and to testify under oath touching any matter relating to the assessment to be made under the provisions of the constitution aforesaid. A member of the board, its secretary, or duly appointed representative is authorized to administer such oath.

6. Said board of equalization is hereby authorized and empowered to examine the books and accounts of all companies required by law to report to it and to employ an expert accountant or accountants to assist in the examination of the books and accounts of any such companies when in the judgment of said board the exigencies of the case may so require.

7. It shall be unlawful for any member or ex-member of the state board of equalization, or for any agent employed by it, or for the controller, or ex-controller, or for any person employed by him or for any person who may at any time have obtained such knowledge from any of the foregoing officers or persons, to divulge or make known in any manner whatever not provided by law, any of the following items of information concerning the business affairs of companies reporting to the said board:

(a) Any information concerning the business affairs of any company which is gained during an examination of its books and accounts or in any other manner, and which information is not required to be reported to the state board of equalization in the reports or statements provided for in paragraphs numbered one to twelve of section three thousand six hundred sixty-five *c* and paragraphs numbered one to ten of section three thousand six hundred sixty-seven of this code.

(b) Any information, other than the assessment and the amount of taxes levied, obtained by the state board of equalization in accordance with the provisions of sections three thousand six hundred sixty-five *c* and three thousand six hundred sixty-seven of this code, from any company other than any of those enumerated in sections three thousand six hundred sixty-four *a*, three thousand six hundred sixty-four *b* and three thousand six hundred sixty-four *c* of this code.

(c) Any particular item or items of information relating to the disposition of its earnings contained in the report of a quasi-public corporation which any such corporation may, by written communication specifying the items and presented at the time when it files its report, request shall be treated as confidential.

Provided, however, that the governor may authorize examination of such reports by other state officers, in which event the information obtained by such officer shall not be made public, and he may also direct that any of the information herein referred to be made public, in which event it shall no longer be unlawful to divulge or make known the same.

Any violation of the provisions of subdivision seven of this section shall be a misdemeanor and shall be punished by a fine not exceeding five hundred dollars, or by imprisonment not exceeding six months, or both, at the discretion of the court.

SEC. 29. A new section is hereby added to the Political Code, to be numbered three thousand six hundred seventy, and to read as follows:

3670. On the second Monday in August of each year the auditor of each county must report to the state board of equalization, in addition to the items required to be so reported by him under section three thousand seven hundred twenty-eight of this code, the value of each piece of real estate other than mortgage interests therein belonging to each bank in his county as assessed and equalized for purposes of county taxation.

Whenever the state board of equalization is satisfied after investigation that any county assessor, or board of equalization, has assessed any real estate belonging to

any bank above its full cash value and has thereby unjustly reduced the amount of taxes due the state from said bank, said state board shall, under such rules of notice to the clerk of the board of supervisors of the county affected thereby as the said state board shall deem reasonable, equalize the assessed value of such real estate and shall upon completion of said equalization issue an order to said assessor or board of equalization and to the county auditor of the county in which said real estate is located, fixing the assessed value of said real estate.

The value so equalized and fixed, and no other, shall be deemed the value, as assessed for county taxes, of such real estate, and the sole basis of taxation upon such real estate for county taxes.

A copy of the order certified by the secretary of the state board of equalization shall be prima facie evidence of the regularity of all proceedings of the board resulting in the action which is the subject matter of the order.

SEC. 30. A new section is hereby added to the Political Code, to be numbered three thousand six hundred seventy *a*, and to read as follows:

3670*a*. The state board of equalization shall immediately after the county and city assessments have been completed, ascertain the value of any real estate belonging to any insurance company as assessed and equalized for purposes of county and of city taxation.

Whenever the state board of equalization is satisfied after investigation that any county, city and county, city, or district assessor, or board of equalization, has assessed any real estate belonging to any insurance company above its full cash value and has thereby unjustly reduced the amount of taxes due the state from said insurance company, said state board shall, under such rules of notice to the clerk of the board of supervisors of the county or the proper officer of the city affected as the board shall deem reasonable, equalize the assessed value of such real estate and shall upon the completion of said equalization, issue an order to said assessor or board of equalization and to the county, city and county, city or district auditor or clerk of the county, city and county, city, or district in which said real estate is located, fixing the assessed value of said real estate.

The value so equalized and fixed, and no other, shall be deemed the value, as assessed for county, city and county, city, or district taxes, of such real estate, and the sole basis of taxation upon such real estate, for county, municipal and district taxes.

A copy of the order certified by the secretary of the state board of equalization shall be prima facie evidence of the regularity of all proceedings of the board resulting in the action which is the subject matter of the order.

SEC. 31. A new section is hereby added to the Political Code, to be numbered three thousand six hundred seventy *b*, and to read as follows:

3670*b*. Each county, city and county, city, and district assessor must segregate on his assessment roll, as directed by the state board of equalization:

1. The assessments made by the state board of equalization, and apportioned to the county, city and county, city, town, township, or district, upon the franchises, roadway, roadbed, rails and rolling stock of all railroads operated in more than one county in this state under the provisions of the Political Code as the same existed and were in force on the seventh day of November in the year one thousand nine hundred ten; and

2. The assessments made by said assessors of any other property enumerated in subdivisions (*a*), (*b*), and (*d*) of section fourteen of article thirteen of the constitution of this state, which is located in the county, or city and county, or any city, town, township, or district in which it is subject to taxation for paying the principal and interest of any bonded indebtedness created and outstanding by any city, city and county, county, town, township, or district prior to the eighth day of November in the year one thousand nine hundred ten, as provided in subdivision (*c*) of section fourteen of article thirteen of the constitution of this state.

Immediately upon completion of the assessment and equalization of property for the purposes of taxation in each year the auditor or clerk of each county, city and county, city, town, or district must transmit to the state board of equalization a duplicate of that part of the assessment roll containing the assessments and apportionments referred to in paragraphs one and two of this section.

Whenever the state board of equalization is satisfied after investigation that any county, city, or other assessor, or board of equalization, has assessed for taxation to pay the principal and interest of any bonded indebtedness created and outstanding by any county, city and county, city, town, township, or district prior to the eighth day of November in the year one thousand nine hundred ten, as provided in subdivision (*c*) of section fourteen of article thirteen of the constitution of this state, any of the property taxed exclusively for state purposes as provided in subdivisions (*a*), (*b*) and (*d*) of section fourteen of article thirteen of the constitution of this state, or has assessed for purposes of county, city and county, city, or district taxation the property other than the franchise of any company taxable for a franchise under subdivision (*d*) of said section and article of the constitution, above its full cash value and has thereby unjustly reduced the amount of taxes due the state on such property, said state board shall, under such rules of notice to the clerk of the

board of supervisors of the county, or city and county, or to the city clerk of the city, affected thereby as the board shall deem reasonable, equalize the assessed value of such property, and shall issue an order to said assessor or board of equalization and to the county or city auditor or clerk of the county, city and county, or city in which the property is located, fixing the assessed value of such property.

The value so equalized and assessed, and no other, shall be deemed the value of said property, and its assessment for taxes levied to pay the principal and interest of any such outstanding bonded indebtedness, and in the case of companies taxable for a franchise under said subdivision (d) of said section and article of the constitution shall be deemed the value of the said property, and its assessment for taxes for county, city and county, municipal and district purposes.

When making the tax levy and fixing the rates of taxation for county, city and county, city, town, township, or district purposes, the board of supervisors of any county, or city and county, and the corresponding authority in any city, having bonded indebtedness issued and outstanding on the eighth day of November in the year one thousand nine hundred ten, shall fix the tax rate for such bonded indebtedness separate and apart from all other tax rates, whether for subsequent bonded indebtedness or for other purposes.

The county, city and county, or city auditor or clerk shall extend on the assessment roll against the assessments segregated as herein provided, the taxes necessary to pay the principal and interest of said bonded indebtedness at the same rate as said taxes for payment of principal and interest of said outstanding bonded indebtedness shall be levied upon the other classes of property within the same county, city and county, city, town, township, or district, and the amount of each such taxes shall be certified by said auditor or clerk to the controller and the amount so certified shall then be credited by the controller to the county, city and county, city, town, township, or district to which it is due; and said amount shall be paid by said controller to the treasurer of such county, or city and county as provided in section three thousand six hundred seventy-e of this code, and upon such payment said treasurer shall forthwith certify such fact to the tax collector who shall thereupon mark upon the assessment roll the date of payment and the words "paid by the state treasurer." The city clerk or auditor shall in the certificate mentioned in this paragraph also state the date when taxes in such city shall become delinquent.

SEC. 32. A new section is hereby added to the Political Code, to be numbered three thousand six hundred seventy-e, and to read as follows:

3670e. 1. The controller shall out of the taxes collected by him under the provisions of section fourteen of article thirteen of the constitution of this state and the provisions of the sections of this code applicable thereto, credit to the fund created by an act of the thirty-ninth session of the legislature entitled: "An act appropriating money for the purpose of payment of that part of the principal and interest of any bonded indebtedness created and outstanding by any city, city and county, county, town, township or district on the eighth day of November in the year one thousand nine hundred ten, which is provided for in section fourteen of article thirteen of the constitution of this state, and as provided in an act of the thirty-ninth session of the legislature entitled 'An act to carry into effect the provisions of section fourteen of article thirteen of the constitution of the State of California as said constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations for the benefit of the state, all relating to revenue and taxation,'" or any act or acts amendatory thereof or supplementary thereto, the money due to each county, city and county, city, town, township, or district on account of taxes to pay the principal and interest of any bonded indebtedness created and outstanding by any city, city and county, county, town, township or district, on the eighth day of November in the year one thousand nine hundred ten.

2. The controller shall in the months of October and March in each year settle with the treasurer of each county and city and county for the money collected by said controller under this section, for the moneys due said county or city and county and the townships and districts within such county or city and county, in the same manner as settlements are made between the county or city and county treasurers and the controller as provided for in section three thousand eight hundred sixty-six of this code.

3. The controller shall at the same times, settle with each city and town for the moneys due such city or town for the purposes mentioned in this section, and when made for such settlement shall notify the city or town treasurer of the amount of money due the city or town for said purposes, and that upon receipt of proper authority so to do, he will forward to said city or town treasurer a warrant for the amount thereof: *provided, however*, that upon receipt of notice from any such city or town treasurer that any bond issue matures for principal or interest before the date of such settlement which notice shall state the amount thereof due from the state and the date of maturity, and that said amount due from the state is required in order to pay the same, the said controller must, before said date of maturity, forward his warrant to such city or town treasurer in the manner above provided for the amount ascertained by him to be due. The treasurer of the county or city and county

shall forthwith, upon receipt by him of the moneys so hereinbefore directed to be paid by said controller, credit the amount so received by him to the county, city and county, township or district, respectively entitled thereto, and pay the same in the manner provided by law.

4. Any excess paid by the controller to a county, city and county, city, town, or to a county or city and county or any township or district, over and above the state's share of the amount actually expended by such county, city and county, city, town, township or district, to pay the interest and principal of said bonded indebtedness in any year, shall be repaid to the state in such manner as the controller shall direct.

SEC. 33. A new section is hereby added to the Political Code, to be numbered three thousand six hundred seventy-one, and to read as follows:

3671. Until the year one thousand nine hundred eighteen the state shall reimburse any and all counties which sustain loss of revenue by the withdrawal of railroad property from county taxation for the net loss in county revenue occasioned by the withdrawal of railroad property from county taxation in the manner, at the times, and in the amounts specified in an act of the thirty-ninth session of the legislature entitled "An act to provide for the reimbursement of counties in this state which sustain net loss of revenue by the withdrawal of railroad property from county taxation, under the provisions of section fourteen of article thirteen of the constitution of this state," or any act or acts amendatory thereof or supplementary thereto.

SEC. 34. A new section is hereby added to the Political Code, to be numbered three thousand six hundred seventy-one *a*, and to read as follows:

3671*a*. The provisions of section three thousand eight hundred seventy-six of the Political Code shall not apply to the settlements made with the state treasurer under sections three thousand six hundred seventy *c* and three thousand six hundred seventy-one of this code, but the county board of supervisors may if it deem necessary allow the county treasurer the actual expenses incurred in collecting the money due the county from the state.

SEC. 35. A new section is hereby added to the Political Code, to be numbered three thousand six hundred seventy-one *b*, and to read as follows:

3671*b*. The board of supervisors of each county shall in the month of September of each year determine the amount of loss to each district in the county where loss is occasioned in such district by the withdrawal from local taxation of property taxed for state purposes only, and in the month of December next thereafter shall reimburse such district from the general funds of the county for one-half of such loss, and in the month of May next thereafter shall reimburse such district from the general fund of the county for the remaining one-half of such loss.

SEC. 36. A new section is hereby added to the Political Code, to be numbered three thousand six hundred seventy-one *c*, and to read as follows:

3671*c*. Any tax required to be levied for state purposes as provided in subdivision (*c*) of section fourteen of article thirteen of the constitution as amended the eighth day of November in the year one thousand nine hundred ten, to meet any deficiency in the state revenue shall be assessed, levied and collected on all property in the state, not exempt from taxation including the classes of property enumerated in section fourteen of article thirteen of the constitution of this state, under the provisions of the Political Code relating to the assessment, levy and collection of state and county taxes as said provisions were in force on the seventh day of November in the year one thousand nine hundred ten.

SEC. 37. A new section is hereby added to the Political Code, to be numbered three thousand six hundred seventy-one *d*, and to read as follows:

3671*d*. All laws in force prior to the eighth day of November in the year one thousand nine hundred ten, relating to taxation, in so far as said laws may be necessary for the assessment, levy, and collection of state, county, city and county, municipal or district taxes, or in so far as said laws may be necessary for the assessment, levy and collection of the taxes for state purposes, on all the property in the state, not exempt from taxation, to meet a deficiency in the revenues for the support of the state government, or to pay the principal and interest of any bonded indebtedness created and outstanding by any city, city and county, county, town, township, or district, both as provided in subdivision (*c*) of section fourteen of article thirteen of the constitution as amended on the eighth day of November in the year one thousand nine hundred ten shall be and remain, for such purposes, in full force and effect.

SEC. 38. This act is a revision of and substitute for the act entitled "An act to carry into effect the provisions of section fourteen of article thirteen of the constitution of the State of California as said constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the state, all relating to revenue and taxation," approved April 1, 1911, and amendments thereof; *provided, however*, that nothing herein contained shall affect any tax heretofore levied or assessed in accordance with the provisions of said act and amendments thereof; *and provided, further*, that all laws in force prior to the taking effect of this act and providing for the levy and collection of such taxes shall, for the purpose of the collection of such taxes, remain in full force and effect.

SEC. 39. This act, inasmuch as it provides for a tax levy, shall, under the provisions of section one of article four of the constitution, take effect immediately.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 850—An act to amend an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for non-compliance," approved May 10, 1915, by amending sections 1, 4, 7, 9, 10, 11, 12, 13, 14 and 15 thereof, all relating to the terms and conditions upon which corporations may transact business in this State.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 14, of the printed bill, strike out the comma and insert in lieu thereof a period; also in said line 14, strike out the words "and every" and insert in lieu thereof the following:

With such certified copy of its articles of incorporation, charter, or legislative, executive or governmental act creating it, such corporation shall also file with the secretary of state an affidavit sworn to by the president or secretary of such corporation, which shall state the amount of such corporation's authorized capital stock at or within fifteen days prior to such filing. Every

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 20, of the printed bill, insert after the comma the following: "and foreign nonprofit corporations."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3 of the printed bill, strike out all of line 18 after the word "but", all of lines 19 to 22 inclusive, and all of line 23 down to and including the word "section", and insert in lieu the following:

any corporation created by or under the laws of any foreign state or country and that has not complied with this section is not entitled to the benefit thereof, nor can any such foreign corporation maintain or defend any action or proceeding concerning its property in this state or any intrastate business or transaction, in any court of this state or acquire or convey any legal title to any real property within this state

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4 of the printed bill, strike out lines 20 to 38 inclusive, all of pages 5, 6, 7, 8, 9, 10 and 11, inclusive, and insert in lieu thereof the following:

SEC. 3. Except those corporations hereinafter specified, every corporation incorporated under the laws of this state, and every corporation incorporated under the laws of any other state, territory, or foreign country now doing intrastate business within this state, or which shall hereafter engage in intrastate business in this state, shall procure annually from the secretary of state a license authorizing the transaction of such business in this state, and pay therefor the license tax prescribed herein.

For the purpose of measuring said tax the secretary of state shall examine all articles of incorporation and all documents on file in his office relating to an increase or decrease in the authorized capital stock of corporations which are subject to said tax, and determine the amount due from each corporation by the following rule:

When the authorized capital stock of the corporation does not exceed ten thousand dollars, the tax shall be ten dollars; when the authorized capital stock exceeds ten thousand dollars, but does not exceed twenty thousand dollars, the tax shall be fifteen dollars; when the authorized capital stock exceeds twenty thousand dollars but does not exceed fifty thousand dollars, the tax shall be twenty dollars; when the authorized capital stock exceeds fifty thousand dollars but does not exceed one hundred thousand dollars, the tax shall be twenty-five dollars; when

the authorized capital stock exceeds one hundred thousand dollars but does not exceed two hundred fifty thousand dollars, the tax shall be fifty dollars; when the authorized capital stock exceeds two hundred fifty thousand dollars but does not exceed five hundred thousand dollars, the tax shall be seventy-five dollars; when the authorized capital stock exceeds five hundred thousand dollars but does not exceed one million dollars, the tax shall be one hundred dollars; when the authorized capital stock exceeds one million dollars but does not exceed three million dollars, the tax shall be two hundred dollars; when the authorized capital stock exceeds three million dollars but does not exceed five million dollars, the tax shall be three hundred fifty dollars; when the authorized capital stock exceeds five million dollars but does not exceed seven million five hundred thousand dollars, the tax shall be five hundred fifty dollars; when the authorized capital stock exceeds seven million five hundred thousand dollars but does not exceed ten million dollars, the tax shall be eight hundred dollars; when the authorized capital stock exceeds ten million dollars, the tax shall be one thousand dollars; when the capital stock of any corporation has no par value the tax shall be one hundred dollars; when part of the capital stock of any corporation has a par value and a part of such stock has no par value, the tax shall be computed upon such par value stock in accordance with the admeasurement schedule herein established, to which sum shall be added the sum of fifty dollars.

All corporations having no capital stock, but organized for profit, shall pay an annual tax of ten dollars. Said license tax shall be due and payable to the secretary of state on the first day of January of each and every year. Such license tax shall be paid on or before the hour of six o'clock p.m. of the first Monday of February of each year and if not so paid shall at said hour become delinquent and there shall thereupon be added thereto as a penalty for such delinquency the sum of ten dollars.

Sec. 4. The license hereby provided authorizes the domestic corporations holding the same to transact business in this state, and authorizes foreign corporations to transact intrastate business in this state, during the year or any fractional part of such year for which such license is issued. "Year" within the meaning of this act, means from and including the first day of January to and including the thirty first day of December next thereafter.

Sec. 5. At the time any corporation subject to the license tax provided herein shall file certified copy of articles of incorporation, or charter, or statute or statutes, or legislative, or executive or governmental act or acts creating a corporation, when filed between the first day of January and the thirty first day of December, inclusive, in any year, there shall be paid to the secretary of state, in addition to all other fees required by law, that proportion of the license tax specified in section three of this act which the unexpired number of months of such year bears to the entire year including the month in which such filing occurs, and thereupon the secretary of state shall issue a license for such fractional part of the then current year.

Sec. 6. Corporations organized and conducted solely and exclusively for educational, religious, scientific or charitable purposes, corporations which are not organized or conducted for profit, corporations organized under the laws of any other state, territory or foreign country doing solely and exclusively an interstate or foreign business, and those corporations taxed under subdivisions (a), (b) and (c) of section fourteen of article thirteen of the constitution, are exempt from payment of the tax provided by section three of this act.

Sec. 7. The secretary of state, state controller and members of the state board of control shall be and are hereby constituted the "corporation license tax exemption board." Except in cases where articles of incorporation are filed in the month of December, every corporation claiming exemption from the payment of the annual license tax prescribed by this statute must file with said board, at least thirty days before such license tax becomes due and payable, a written protest in which shall be set forth all facts and reasons upon which such exemption claim is made. Such protest shall contain a concise statement of the nature, character and manner of doing business by such corporation, together with any other data illustrating the method of doing such business and the places in which such business is transacted within this state. Such corporation shall furnish to said board such other or additional information as may be required by said board. Such application shall be sworn to by the president, secretary or general manager, or authorized agent of such corporation. Failure to protest in the manner and within the time herein prescribed shall constitute a waiver of all rights of exemption from said tax; *provided, however*, that the corporation license tax exemption board shall have the power, irrespective of such protests to grant such exemption in the case of corporations mentioned in section six of this act.

The provisions of this section with respect to filing written claim of exemption, shall not apply to educational, religious, scientific or charitable corporations, specified in section six of this act nor to corporations taxed under subdivisions (a), (b) and (c) of section fourteen, article twelve of the constitution of this state.

Sec. 8. Before filing a certified copy of the articles of incorporation of any domestic corporation in the office of the secretary of state, and before any foreign corporation files with the secretary of state the document or documents required by section one of this act, said articles of incorporation or said documents shall be submitted to said corporation license tax exemption board, which board shall determine

the question of whether such corporation is exempt, under any of the provisions of this act, from the license tax imposed hereby.

All claims or applications for exemption, under this and the preceding section together with all evidence and proofs submitted therewith, shall be considered by such license tax exemption board, which shall determine the question of such exemption. The determination of such corporation license tax exemption board upon all questions of fact, with respect to such claims of exemption, shall be final and conclusive.

Sec. 9. On or before the first day of December of each year the secretary of state shall mail a notice to every corporation subject to the tax imposed by this act, notifying such corporations of the time when such tax shall be due and payable, when delinquent, and of the penalties for delinquency and nonpayment. Immediately after the first Monday in February of each year the secretary of state shall mail a notice to every corporation subject to the tax imposed by this act and which has failed to pay the same, notifying such corporation of its delinquency and the penalties therefor. Within ten days after the Saturday preceding the first Monday in March of each year the secretary of state shall, by registered mail, notify every corporation subject to the tax imposed by this act and which has failed to pay the same, that such corporation has been recorded by him as a "suspended" or "forfeited" corporation in accordance with the provisions of this act, and that such suspension or forfeiture may be removed by complying with the provisions of this act. Mailing by the secretary of state to any corporation of any of the notices required by this section shall not be a jurisdictional prerequisite to the accrual of any forfeiture provided by this act, or to the suspension of the corporate powers of any delinquent corporation and the officers thereof hereinafter provided, nor be held to be an essential prerequisite to the imposition of such or any other penalties for delinquency and nonpayment.

Sec. 10. The license tax due from any corporation subject to the provisions of this act is a lien upon the real property of such corporation from and after the first day of January of each year and until paid or until the property is sold for the payment thereof. On or before the first Monday in April of each year the secretary of state shall make a list of all corporations subject to the tax imposed by or that should have been paid under this act and which have failed to pay the same, and transmit a certified copy thereof to each county clerk and county recorder in this state. Said county clerks and county recorders shall file such certified copies in their respective offices in such manner that the same shall be preserved in the form of a permanent record of such office and easily identified by and available to the public. Said copies so certified by the secretary of state and filed as herein provided shall, in the case of each corporation, state whether such corporation is a domestic or foreign corporation and specify the tax and penalties which each corporation has incurred for failure to pay the tax imposed by this act. Such certified copies so filed with either of said county officers, or any copy thereof certified by the secretary of state, shall be received in evidence in any court in lieu of the original record on file with the secretary of state and shall be prima facie evidence of the truth of all statements contained therein.

Sec. 11. After six o'clock p.m. of the Saturday preceding the first Monday in March in any year, the corporate rights, privileges and powers of every domestic corporation which has failed to pay the tax and money penalty for nonpayment thereof imposed by this act shall, from and after said hour of said day, be suspended, and incapable of being exercised for any purpose or in any manner, except to execute and deliver deeds to real property in pursuance of contracts therefor made prior to such time, and to defend in court any action brought against such corporation, until said tax with all accrued penalties, taxes and charges due to the state under this act and subdivision (d) of section fourteen, article thirteen of the constitution are paid as hereinafter provided. The right and privilege of every foreign corporation, subject to the provisions of this act, to transact intrastate business in this state shall, for failure to pay the tax and money penalty for nonpayment thereof imposed by this act, be forfeited at said hour of said day, and the secretary of state shall make a record of such forfeiture. In the case of foreign corporations such forfeiture may be relieved and the corporation's privilege to transact intrastate business in this state restored in the manner hereinafter provided. After said hour of said day and until such taxes, penalties and charges are paid, every person who attempts or purports to exercise any of the rights, privileges or powers of any delinquent domestic corporation except as permitted by this act, or, who transacts or attempts to transact any intrastate business in this state in behalf of any forfeited foreign corporation, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than two hundred fifty dollars and not exceeding one thousand dollars, or by imprisonment in the county jail not less than fifty days or more than five hundred days, or by both such fine and imprisonment. The jurisdiction of such offense shall be held to be in any county in which any part of such attempted exercise of such powers, or any part of such transaction of business was had or occurred. Every contract made in violation of this section is hereby declared to be void.

Sec. 12. All corporate powers, rights and privileges, suspended or forfeited under the provisions of this act may be revived and restored to full force and effect upon

application therefor by any stockholder or creditor thereof and upon payment of all accrued taxes and penalties due to the state under this act and subdivision (d) of section fourteen, article thirteen of the constitution. In case the application for such revivor and restoration is not made during the year in which such suspension or forfeiture occurred, such application shall not be granted nor a certificate of revivor issued to such corporation until there is paid to the secretary of state in addition to the tax and money penalty due or that should have been paid the state under this act and subdivision (d) of section fourteen, article thirteen of the constitution for the year in which such suspension or forfeiture occurred, a sum of money, equal to the tax, without penalty, imposed or that should have been paid under this act during the year in which such suspension or forfeiture occurred, for each year succeeding said year in which such suspension or forfeiture occurred. Upon payment of all such taxes and penalties, and upon payment of all other taxes due the state under subdivision (d) of section fourteen, article thirteen of the constitution, the state controller shall issue a certificate under his seal evidencing such payment and restoration, which certificate, when recorded in the office of any county recorder shall constitute a release of all existing liens for such taxes upon the property of such corporation. Each county recorder shall keep an index of all such controller's certificates recorded by him. Upon presentation of such controller's certificate of revivor to any county clerk said officer shall make a record thereof in his office in a book kept for such purpose. The record so made by said county clerk shall be prima facie evidence of the restoration to such corporation of all previously suspended or forfeited rights, powers and privileges unless it appears from the records in the office of such county clerk or of the controller or secretary of state that subsequent to the date of such certificate of revivor the powers of said corporation have been again suspended or its right to do intrastate business again forfeited.

Sec. 13. No court shall have jurisdiction to make or enter any decree of dissolution of any domestic corporation until all taxes and penalties due under this act shall have been paid.

Sec. 14. Any corporation which has heretofore failed to pay any license tax and penalty imposed under the provisions of chapter three hundred eighty-six, Statutes 1905 and amendments thereof, or under chapter one hundred ninety, Statutes 1915, and for such nonpayment suffered a forfeiture of the charter of such corporation or of the right to do business in this state, may be relieved of such forfeiture, or may be restored to its right to do business in this state, upon making application therefor in writing and paying the license tax and penalties prescribed by said act, for nonpayment of which such forfeiture occurred. Application for restoration under the provisions of this section shall be made in writing, shall be signed by four-fifths of the surviving trustees or directors of said corporation, duly verified by said trustees or directors and filed with the state controller. Upon payment of the moneys due this state under the provisions of said act for the one year in which such forfeiture occurred, together with any tax levied in such year under subdivision (d) of section fourteen, article thirteen of the constitution by the state board of equalization, and the license tax due under the provisions of this act, the state controller shall issue a certificate of revivor to such corporation, and thereupon such corporation is revived and its powers restored to full force and effect.

The revivor of a corporation, under the provisions of this section, shall be without prejudice to any action or proceeding, defense or right, which has accrued by reason of the original forfeiture.

In case the name of any corporation which has suffered the forfeiture prescribed by either of said acts first in this section above mentioned, has been adopted by any other corporation since the date of said forfeiture, or in case any corporation has adopted subsequent to such forfeiture any name so closely resembling the name of such reviving corporation as will tend to deceive, then such reviving corporation shall be entitled to a certificate of revivor pursuant to the terms of this section only upon the adoption by such corporation seeking revivor of a new name, and in such case nothing in this section contained shall be construed as permitting such reviving corporation to carry on any business under its former name. Such reviving corporation shall have the right to use its former name or take such new name only upon filing an application therefor with the secretary of state, and upon the issuing of a certificate to such corporation by the secretary of state, setting forth the right of such corporation to take such new name or use its former name as the case may be. The secretary of state shall not issue any certificate permitting any corporation to take or use the name of any corporation heretofore organized in this state and which has not suffered a forfeiture under either of the acts in this section first above mentioned, or to take or use a name so closely resembling the name of any corporation heretofore organized in this state as will tend to deceive.

The provisions of title nine, part three of the Code of Civil Procedure, in so far as they conflict with this section of this act are not applicable to corporations seeking revivor under this act.

Sec. 15. Any foreign corporation may surrender its right to engage in intrastate business in this state by filing with the corporation license tax exemption board an affidavit, sworn to by the president of such corporation, which shall contain a concise statement of the nature, character and manner of doing any business of any kind that such corporation may thereafter intend to transact in this state.

Said corporation shall furnish such other or additional information as may be required by said board. Said board shall consider such application and the order of such board approving the same shall terminate the right of such corporation to transact intrastate business in this state. Any person transacting any intrastate business in this state in behalf of such corporation after approval of such application to surrender such privilege shall be guilty of a misdemeanor and punishable as provided in section eleven of this act.

Sec. 16. Any false statement contained in any of the affidavits herein required shall constitute perjury, and shall be punishable as such.

Sec. 17. All moneys herein required to be paid shall, upon collection, be immediately paid into the state treasury.

Sec. 18. Nothing in this act shall be construed as affecting or repealing any statute of this state respecting the assessment of franchises and levying of taxes thereon, as required by section fourteen, article thirteen, of the constitution, and chapter three hundred thirty-five of Statutes of 1911 of this state and amendments thereof.

Sec. 19. This act shall be known as the "corporation license act."

SEC. 2. This act, inasmuch as it provides for a tax levy, shall, under the provisions of section one of article four of the constitution, take effect immediately.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 851—An act to amend section 400 of the Civil Code, and to repeal sections 405, 406, 408, 409 and 410 of said code, relating to corporations.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, line 7, after the comma following the word "corporation" strike out all of said line and all of lines 8, 9 and 10 and insert in lieu thereof the following: "collect and pay outstanding debts, sell the assets thereof in such manner as the court shall direct, and distribute the proceeds of such sales and all other assets to the stockholders. Such trustees shall have authority to sue for and recover the debts and property of the corporation, and shall be jointly and severally personally liable to its creditors and stockholders or members, to the extent of its property and effects that shall come into their hands. Death, resignation or failure or inability to act shall constitute a vacancy in the position of trustee, which vacancy shall be filled by appointment by the superior court upon petition of any person or creditor interested in the property of such corporation. Such trustees may be sued in any court in this state by any person having a claim against such corporation or its property. Trustees of corporations heretofore dissolved or whose charters have heretofore been forfeited by law shall have and discharge in the same manner and under the same obligations, all the powers and duties herein prescribed. Vacancies in the office of trustees of such corporations shall be filled as hereinbefore provided."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 854—An act to amend section 341 of the Code of Civil Procedure, relating to time for commencement of actions.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, line 17, after the word "corporation" insert the words "heretofore or hereafter".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 825—An act to repeal an act entitled "An act to provide for temporary floors in buildings more than three stories high in the course of construction and for the protection of life and limb of workmen employed in such buildings from falling joists or girders and from falling bricks, rivets, etc.," approved March 6, 1909, and known as Chapter 107, Statutes of 1909.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1141—An act to add a new section to the Penal Code, to be numbered 1202*a*, relating to imprisonment in the state prison.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 430—An act to provide for the establishment within municipalities of districts or zones within which the use of property, height or improvements and proportional area of the lot which may be lawfully covered by improvements, may be regulated by ordinance.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 4 of the title strike out the words "proportional area of the lot which may", also in line 5, strike out the words "be lawfully covered by improvements," and insert in lieu thereof the following: "required open spaces for light and ventilation of such buildings,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 8, after the word "construct" insert a comma, also the word "alter".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 13, after the comma after the word "callings" insert the words "the location of".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 31, after the word "welfare," strike out the words "including so far as conditions may permit," and insert in lieu thereof the words "and to secure"; also strike out the last letter "s" in the word "provisions" in the same line.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, strike out all of lines 28 and 29.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 404—An act to repeal an act entitled "An act to provide for the reporting of occupational diseases," approved April 21, 1911.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 405—An act providing for the inspection of all institutions treating syphilis and gonococcus infections, and defining the powers and duties of the State Board of Health in relation thereto.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 558.—An act to amend sections 1 and 2 of an act entitled "An act to prevent the supply of water dangerous to health for domestic purposes and to provide for the installation of sanitary water system," approved June 13, 1913, so as to prevent the supply of water impure, unwholesome, unpotable or polluted for domestic purposes and to compel the furnishing of pure, wholesome and potable water supplies for domestic purposes.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 559.—An act to amend sections 2 and 3 of an act entitled "An act for the preservation of the public health of the people of the State of California and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907, amended April 1, 1911, June 13, 1913, so as to prevent the maintenance of sewer farms or the making of any addition or modification in sewage works, plant, place or manner of disposal without a permit from the State Board of Health and to prevent the creation of nuisance by said works or disposal.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 870.—An act to add two new sections, to be numbered 1617*c* and 1543*b*, to the Political Code, providing for the cooperative purchase of staple apparatus and supplies by trustees of common school districts and certain high school boards through the office of the county purchasing agent or the superintendent of schools.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 6, between the word "purchase" and the word "school" insert the following: "directly or through the county purchasing agent".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 7, strike out the words "and such other things" and insert in lieu thereof the following words: "books and such other articles".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 8, immediately following the word "that" insert the following words: "they may and".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 10, strike out the word "shall" and insert in lieu thereof the word "must".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 4, strike out the words "globes, maps and other apparatus, books," and insert in lieu thereof the following words: "desks, chairs, globes, maps and other apparatus,".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 5, after the last word in the line "such" insert the words "books and".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 8, following the period after the word "year" insert the following: "This provision shall not be construed in such manner as to prohibit local boards, with the approval of the superintendent of schools, from purchasing any supplies, the need for which could not have been foreseen when the order for the year's supplies was made."

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, lines 19 and 20, following the word "*provided*" in line 19, strike out the words "that the county superintendent of schools shall have the power to modify any order" and insert in lieu thereof the following: "that in case there is a county purchasing agent he shall submit the orders of the various districts to the county superintendent of schools who shall have the authority to modify the order of any district submitted to him either directly or through the county purchasing agent".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 22, strike out the words "board in his county" and insert in lieu thereof the following: "district in his county subject to the provisions of this act".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3, line 25, following the word "figure" strike out the period and insert in lieu thereof a semicolon and the following words: "*and provided, further*, that should the lowest bid for any item or items be considered unreasonably high the county board of education shall refuse to award the contract or contracts for such item or items, whereupon the county purchasing agent or the county superintendent of schools, as the case may be, shall go into the open market and purchase such supplies in the manner provided above for the purchase of supplies where the total amount of the order for the county does not exceed $500."

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 4, line 31, strike out the words "warrant upon" and substitute in lieu thereof the following: "requisition upon the county auditor and against".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 5, line 1, strike out the words "warrant upon" and substitute in lieu thereof "requisition upon the county auditor and against".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 5, line 3, immediately following the word "purchased" insert the following: "by him or by the county purchasing agent".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 413—An act to amend section 273*h* of the Penal Code, relating to work of convicts on roads, and payment therefor.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill in line 3 after the word "had," strike out the word "and".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill in line 3 strike out the word "where" and insert in lieu thereof, the word "when".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 769—An act to amend sections 2, 4, 5, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, 27, 31, 33, 36, 37, 38, 40, 41, 42, 43, 44, 46, 47, 48 and 49 of an act entitled "An act establishing and creating a department of the State Mining Bureau for the protection of the natural resources of petroleum and gas from waste and destruction through improper operations in production; providing for the appointment of a state oil and gas supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act," approved June 10, 1915, and to add two new sections thereto, to be numbered 21*a* and 49*a*.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 3 of the title, after the word "twelve," insert the word "thirteen,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, in the first line of the title on said page, strike out the word "two" and insert in lieu thereof the word "a", and strike out the letter "s" at the end of the word "sections".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, in line 2 of the title on said page, strike out all after "twenty-one *a*" and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out all of lines 17 to 33 inclusive, and strike out all of pages 3 to 22 inclusive, and insert in lieu thereof the following:

Sec. 2. For his services in the general supervision of said department, the state mineralogist shall receive as compensation one thousand four hundred dollars annually

which shall be in addition to his compensation fixed in section two of the act of June 16, 1913, relating to the state mining bureau.

The secretary of the state mining bureau shall receive for his services in connection with the department of petroleum and gas, a sum not to exceed six hundred dollars annually, which sum shall be in addition to his compensation paid from the funds of the state mining bureau.

The supervisor shall receive an annual salary of six thousand dollars, and shall be allowed his necessary traveling expenses. The state mineralogist may, at the request of the state oil and gas supervisor, and subject to the civil service laws of the state, appoint one chief clerk at a salary of not to exceed one thousand eight hundred dollars annually; twelve office assistants or stenographers each at a salary not to exceed one thousand two hundred dollars annually; four geological draftsmen each at a salary not to exceed one thousand five hundred dollars annually; four petroleum engineers each at a salary not to exceed two thousand four hundred dollars annually; twelve inspectors each at a salary not to exceed one thousand eight hundred dollars annually.

The additional salary herein authorized to be paid to the state mineralogist and the secretary of the state mining bureau and the salaries of the supervisor and of the deputies, clerks, stenographers, assistants and other employees shall be paid out of the funds hereinafter provided for at the times and in the manner that salaries of other state officers and employees are paid.

SEC. 2. Section four of said act, approved June 10, 1915, is hereby amended to read as follows:

SEC. 4. It shall be the duty of the state oil and gas supervisor to appoint one chief deputy and five field deputies, one for each of the districts hereinafter provided for and prescribe their duties and fix their compensation, which shall not exceed four thousand dollars per annum for the chief deputy and not to exceed three thousand six hundred dollars per annum for each field deputy. Such deputies shall serve during the pleasure of the supervisor. He shall also employ an attorney at a compensation not exceeding three thousand dollars per year, payable out of said fund, who shall also be attorney for each district board of commissioners; such commissioners may allow additional compensation to such attorney in actual litigation. The supervisor, the deputies and the attorney shall not be subject to the civil service act.

SEC. 3. Section five of said act, approved June 10, 1915, is hereby amended to read as follows:

SEC. 5. Each deputy appointed by the supervisor shall be a competent engineer or geologist, experienced in the development and production of petroleum. At the time said deputy is appointed, notice of such appointment shall be transmitted in writing to the board of commissioners of the district for which said deputy is appointed. Said notice shall be given either personally or by mailing a notice of said appointment to the post office address of each commissioner. No appointment shall be final until a period of ten (10) days shall have elapsed from the mailing of said notice to said commissioners. In the event the majority of the commissioners notify said oil and gas supervisor in writing before the expiration of ten days from the date of said notice that the appointment of said field deputy is disapproved by them, then and in that event said field deputy shall not be appointed but said oil and gas supervisor must appoint some other individual as in this section provided. Each field deputy shall maintain an office in the district for which he is appointed, convenient of access to the petroleum and gas operators therein. The office shall be open and the deputy shall be present at certain specified times which shall be posted at such office.

SEC. 4. Section seven of said act, approved June 10, 1915, is hereby amended to read as follows:

SEC. 7. The records of any and all operators, when filed with the deputy supervisor as hereinafter provided, shall be open to inspection to those authorized in writing by such operators, to the state officers, and to the board of commissioners hereinafter provided for. Such records shall in no case other than those hereinafter and in this section provided, be available as evidence in court proceedings and no officer or employee or member of any board of commissioners shall be allowed to give testimony as to the contents of said records, except at such court proceedings as are hereinafter provided for in the review of the decision of the state oil and gas supervisor, or a board of commissioners, or in any proceedings initiated for the enforcement of an order of the supervisor, or any proceeding initiated for the enforcement of a lien created by this act, or any proceeding for the collection of the assessment levied under and pursuant to the provisions of this act or in criminal proceedings arising out of such records, or the statements upon which they are based.

SEC. 5. Section eight of said act, approved June 10, 1915, is hereby amended to read as follows:

SEC. 8. It shall be the duty of the supervisor to order such tests or remedial work as in his judgment are necessary to protect the petroleum and gas deposits from damage by underground water, to the best interests of the neighboring property owners, and the public at large.

The order shall be in written form, signed by the supervisor, and shall be served upon the owner of the well, or the local agent appointed by such owner, either personally or by mailing a copy of said order to the post-office address given at the

time the local agent is designated, or if no such local agent has been designated, by mailing a copy of said order to the last known post-office address of said owner, or if the owner be unknown by posting a copy of said order in a conspicuous place upon the property, and publishing the same in some newspaper of general circulation throughout the county in which said well is located, once a week for two successive weeks.

Said order shall specify the condition sought to be remedied and the work necessary to protect such deposits from damage from underground waters. For this purpose each operator or owner shall designate an agent, giving his post-office address, who resides within the county where the well or wells are located, upon whom all orders and notices provided for in this act may be served.

SEC. 6. Section nine of said act, approved June 10, 1915, is hereby amended to read as follows:

SEC. 9. The well owner or his local agent may within ten days from the date of service of any order from the supervisor, file with the supervisor or his deputy in the district where the property is located, a statement that the supervisor's order is not acceptable and that appeal from said order is taken to the board of commissioners. Such appeal shall operate as a stay of any order issued under or pursuant to the provisions of this act.

SEC. 7. Section ten of said act, approved June 10, 1915, is hereby amended to read as follows:

SEC. 10. For the purposes of this act the state shall be divided into five districts, as follows:

District No. 1, including the counties of Los Angeles, Riverside, Orange, San Diego, Imperial and San Bernardino.

District No. 2, the county of Ventura.

District No. 3, including the counties of Santa Barbara, San Luis Obispo, Monterey, Santa Cruz, San Benito, Santa Clara, Contra Costa, San Mateo, Alameda and San Francisco.

District No. 4, including the counties of Tulare, Inyo and Kern.

District No. 5, including the counties of Fresno, Madera, Kings, Mono, Mariposa, Merced and all other counties in California not included in any of said other districts.

There shall be elected at the times and in the manner hereinafter provided, district oil and gas commissioners for each such district, as follows:

For District No. 1, five; for District No. 2, five; for District No. 3, five; for District No. 4, seven; for District No. 5, five.

Said district oil and gas commissioners shall be elected by vote of the companies, individuals, copartnerships or associations, who shall have been assessed, and whose names shall appear upon the last record of assessments (next preceding such election) for and on account of the fund in this act provided to be raised, within districts respectively, said vote to be taken at a meeting to be held in each of said districts respectively, and on the third Monday in September of each year, such place and the time and details of such meeting to be fixed by the state oil and gas supervisor, and of which meeting at least two weeks' previous notice shall have been given by letter addressed to each of said persons, corporations, copartnerships and associations, entitled to vote as aforesaid, at his or its postoffice address or principal place of business.

At said meeting each of those entitled to vote as herein provided may be represented by one person holding the written authority of such voter to act for him at such meeting.

At said meeting each voter shall be entitled to one vote for each member of the board of district oil and gas commissioners who are required to be selected for such district. In addition thereto, in each district in which five commissioners are to be elected, each voter shall be entitled, for each one hundred dollars, or fraction thereof, which said voter shall have paid in accordance with his last assessment hereunder, to cast one vote for the two commissioners who are elected for three years; and in each district in which seven commissioners are to be elected, each voter shall be entitled, for each one hundred dollars, or fraction thereof, which said voter shall have paid in accordance with his last assessment hereunder, to cast one vote for the three commissioners who are elected for three years. In all subsequent elections the qualification of voters in the election of a commissioner shall be the same as in the election of the commissioner whose successor in office is being elected.

Said meeting shall select by ballot, by a majority vote of the votes represented, the number of persons as hereinbefore specified to act as district oil and gas commissioners for such district.

In any district entitled to seven commissioners, two shall be chosen for a term of one year, two for two years and three for three years. In any district entitled to five commissioners, one shall be chosen for a term of one year, two for two years and two for three years.

The chairman and secretary of the meeting shall issue a written certificate to the state oil and gas supervisor, setting forth the result of such election, and the name and address of each of the persons elected at said meeting as the district oil and gas commissioners for said district and the term for which each has been elected.

No person shall be eligible as a district oil and gas commissioner who is not a resident of the district for which he is elected, nor shall any person be eligible for such position who is not actually engaged in the business of oil or gas development or production, within the district.

Upon receipt of the certificate so made by the chairman and secretary of any such meeting, the state oil and gas supervisor shall issue a certificate of election to the respective persons in said certificate named as the district oil and gas commissioners for said district, and for the periods of one, two or three years from and after the first Monday in October, 1917, as shall be shown in such certificate, and until their respective successors shall have been elected.

Within thirty days after their appointment by the state oil and gas supervisor, the district oil and gas commissioners for each district shall meet at a time and place within the district to be designated by the state oil and gas supervisor, and shall thereupon select one of their number as chairman.

The deputy supervisor of the district shall be ex officio secretary of said board, and shall keep a record of its proceedings, and his office shall be the office of the commissioners.

Said commissioners shall serve without compensation, except their necessary traveling expenses. The traveling expenses of said commissioners and all actual expenses incurred by or under order of said commissioners in the hearing and determination and carrying out of orders appealed to them, shall be certified to said state supervisor, and when audited by him and by the state board of control shall be paid from said fund.

On the third Tuesday in September of each year at an hour and places in said respective districts to be fixed by the state oil and gas supervisor, and of which notices shall have been given as hereinbefore specified, the successor of each of the district oil and gas commissioners whose term of appointment shall expire that year, shall be elected and qualified in the manner and subject to the provisions hereinbefore set forth, and the term of each shall be for a period of three years from and after the first Monday in October next succeeding.

All, either or any of the district oil and gas commissioners elected in any district may be recalled by the votes of a majority of the qualified votes of the district entitled to vote as to such commissioners respectively. In case there shall be filed in the office of the state oil and gas supervisor, a written petition, signed by not less than forty per cent of those entitled to vote as to the election of any commissioner or commissioners, asking the recall of such commissioner or commissioners, said state oil and gas supervisor shall, within ten days thereafter, order and give notice of, a special election in such district to fill the office or offices of the commissioner or commissioners named in said petition for recall and shall cause notice to be given of said election in the manner, and for the time required for regular election, and said notice shall fix the time and place of such election.

At such election, the commissioner or commissioners named in such petition for recall shall be voted upon as though candidates for election for the unexpired portion of the term for which they, respectively, were originally elected, and any other candidate or candidates may, at the same time, be voted upon. It shall require a majority of all the qualified votes entitled to vote for such commissioners, respectively, to constitute an election. In case less than a majority of all qualified votes shall be cast for any candidate, said recall shall be deemed to have failed as to the commissioner concerning whose office such vote was taken; and in case such commissioner himself shall receive a majority of the votes, said recall shall be deemed to have failed, and in either of such cases, such commissioner shall continue to serve until the expiration of his term as though no such special election had been held. But in case any person other than such commissioner shall receive a majority of the votes for such unexpired term, then such recall shall become effective, and the office of the commissioner so recalled shall be vacant and upon written certificate of such election being filed with the state oil and gas supervisor, the person so chosen and elected for such unexpired term shall become the successor of the commissioner so recalled, and a certificate of his election for such unexpired term shall be issued and transmitted to him by the state oil and gas supervisor. And like proceedings shall be had in case more than one commissioner shall be included in said petition for recall.

In all recall elections, qualifications for voters and the number of votes which they will be entitled to cast shall be the same as they respectively were in the election of the commissioner as to whom such recall election is being held.

In case of vacancy caused by the death, resignation or removal from district or ceasing to be engaged in the business of development or production of oil or gas in the district as to the office of any commissioner, such vacancy shall be filled until the next annual election by the state oil and gas supervisor, who shall appoint to fill such vacancy an eligible person, nominated in writing by the remaining commissioners of such district.

Upon any subject in which any commissioner is personally interested, or upon which any corporation, copartnership, association or individual by whom he is employed is directly interested as a party, such commissioner shall not be entitled to sit or vote.

The board of commissioners shall be entitled to call upon the supervisor for advice, and written report upon any matter referred to the board of commissioners, and the supervisor shall be entitled to call meetings of the commissioners at the office of the field supervisor, upon five days' written notice, to obtain their written advice upon any matters relating to his work within their district.

SEC. 8. Section eleven of said act, approved June 10, 1915, is hereby amended to read as follows:

Sec. 11. Upon receipt by the supervisor or deputy supervisor of a written complaint specifically setting forth the condition complained against, signed by a person, firm, corporation or association owning land or operating wells within a radius of one mile of any well or group of wells complained against, or upon the written complaint specifically setting forth the condition complained against, signed by any one of the board of commissioners for the district in which said well or group of wells complained against is situated, the supervisor must make an investigation of said well or wells and render a written report stating the work required to repair the damage complained of, or stating that no work is required. A copy of said order must be delivered to the complainant, or if more than one, each of said complainants, and if the supervisor order the damage repaired, a copy of such order shall be delivered to each of the owners, operators or agents having in charge the well or wells upon which the work is to be done. Said order shall contain a statement of the conditions sought to be remedied or repaired and a statement of the work required by the supervisor to repair such condition. Service of such copies shall be made by mailing to such persons at the post-office address given.

SEC. 9. Section twelve of said act, approved June 10, 1915, is hereby amended to read as follows:

Sec. 12. In any proceeding before the board of commissioners as herein provided, or in any other proceeding or proceedings instituted by the supervisor for the purpose of enforcing or carrying out the provisions of this act, or for the purpose of holding an investigation to ascertain the condition of any well or wells complained of, or which in the opinion of the supervisor may reasonably be presumed to be improperly drilled, operated, maintained or conducted, the supervisor and the chairman of the board of commissioners shall have the power to administer oaths and may apply to a judge of the superior court of the State of California, in and for the county in which said proceeding or investigation is pending, for a subpœna for witnesses to attend at said proceeding or investigation. Upon said application of said supervisor or said chairman of said board of commissioners, said judge of said superior court must issue a subpœna directing said witness to attend said proceeding or investigation; *provided, however*, that no person shall be required to attend upon such proceeding, either with or without such books, papers, documents or accounts unless residing within the same county or within thirty miles of the place of attendance. But the supervisor or the chairman of the board of commissioners may in such case cause the depositions of witnesses residing within or without the state to be taken in the manner prescribed by law for like depositions in civil actions in superior courts of this state, and to that end may, upon application to a judge of the superior court of the county within which said proceeding or investigation is pending, obtain a subpœna compelling the attendance of witnesses and the production of books, papers and documents at such places as he may designate within the limits hereinbefore prescribed. Witnesses shall be entitled to receive the fees and mileage fixed by law in civil causes, payable from the fund hereinafter created. In case of failure or neglect on the part of any person to comply with any order of the supervisor as hereinbefore provided, or any subpœna, or upon the refusal of any witness to testify to any matter regarding which he may lawfully be interrogated, or upon refusal or neglect to appear and attend at any proceeding or hearing on the day specified, after having received a written notice of not less than ten days prior to such proceeding or hearing, or upon his failure, refusal or neglect to produce books, papers or documents as demanded in said order or subpœna upon such day, such failure, refusal or neglect shall constitute a misdemeanor and each day's further failure, refusal or neglect shall be and be deemed to be a separate and distinct offense and it is hereby made the duty of the district attorney of the county in which said proceeding, hearing or investigation is to be held, to prosecute all persons guilty of violating this section by continuous prosecution until such person appears or attends or produces such books, papers or documents or complies with said subpœna or order of the supervisor or chairman of the board of commissioners.

SEC. 10. Section thirteen of said act, approved June 10, 1915, is hereby amended to read as follows:

Sec. 13. Within ten days after hearing the evidence, the board of commissioners must make a written decision with respect to the order appealed from and in case the same is affirmed or modified, shall retain jurisdiction thereof until such time as the work ordered to be done by such order shall be finally completed. This written decision shall be served upon the owner or his agent and shall supersede the previous order of the supervisor. In case no written decision be made by said board of commissioners within thirty days after the date of notice by the supervisor as provided in section ten hereof, the order of the supervisor shall be effective and subject only

to review by writ of certiorari from the superior court as provided in section fourteen hereof.

SEC. 11. Section fourteen of said act, approved June 10, 1915, is hereby amended to read as follows:

Sec. 14. On or before thirty days after the date of serving an order of the supervisor, provided for in section eight hereof, or in case of appeal to the board of commissioners, on or before thirty days after date of serving the decision of the board, as provided in sections twelve and thirteen hereof, or in the event review be taken of the order of the board of commissioners within ten days after affirmance of such order, the owner shall commence in good faith the work ordered and continue until completion. If the work has not been so commenced and continued to completion, the supervisor shall appoint agents as he deems necessary who shall enter the premises and perform the work. Accurate account of such expenditures shall be kept and the amount paid from the fund hereinafter created upon the warrant of the state controller. Any amount so expended shall constitute a lien against the property upon which the work is done. The decision of the board of commissioners in such case may be reviewed by writ of certiorari from the superior court of the county in which the district is situated, if taken within ten days after the service of the order upon said owner, operator or agent of said owner or operator as herein provided; or within ten days after decision by the board of commissioners upon petitions by the supervisor. Such writ shall be made returnable not later than ten days after the issuance thereof and shall direct the district board of oil and gas commissioners to certify their record in the cause to such court. On the return day the cause shall be heard by the court unless for good cause the same be continued, but no continuance shall be permitted for a longer period than thirty days. No new or additional evidence shall be introduced in the court before the cause shall be heard upon the record of the district board of oil and gas commissioners. The review shall not be extended further than to determine whether or not

1. The commission acted without or in excess of its jurisdiction.
2. The order, decision or award was procured by fraud.
3. The order, decision, rule or regulation is unreasonable.
4. The order, decision, regulation or award is clearly unsupported by the evidence.

If no review be taken within ten days, or if taken in case the decision of the board is affirmed, the lien upon the property shall be enforced in the same manner as the other liens on real property are enforced, and shall first be enforced against the owner of the well, against the operator and against the personal property and fixtures used in the construction or operation thereof, and then if there be any deficiency against the land upon which the work is done, upon the request of the supervisor, the state controller must, in the manner provided in section forty-four of this act, bring an action for the enforcement of said lien.

SEC. 12. Section fifteen of said act, approved June 10, 1915, is hereby amended to read as follows:

Sec. 15. It shall be the duty of the owner of any well now drilled, or that may be drilled in the State of California, on lands producing or reasonably presumed to contain petroleum or gas, to properly case such well or wells with metal casing, in accordance with methods approved by the supervisor, and to use every effort and endeavor in accordance with the most approved methods to effectually shut off all water overlying or underlying the oil or gas-bearing strata, and to effectually prevent any water from penetrating such oil or gas-bearing strata.

Whenever it appears to the supervisor that any water is penetrating oil or gas-bearing strata, he may order a test of water shut-off and designate a day upon which the same shall be held. Said order shall be in written form and served upon the owner of said well at least ten days prior to the day designated in said order as the day upon which said shut-off test shall be held. Upon the receipt of such order it shall be the duty of the owner to hold said test in the manner and at the time prescribed in said order.

SEC. 13. Section sixteen of said act, approved June 10, 1915, is hereby amended to read as follows:

Sec. 16. It shall be the duty of the owner of any well referred to in this act, before abandoning the same, or before removing the rig, derrick or other operating structure therefrom, or removing any portion of the casing therefrom, to use every effort and endeavor in accordance with methods approved by the supervisor, to shut off and exclude all water from entering oil-bearing strata encountered in the well. Before any well is abandoned the owner shall give written notice to the supervisor, or his local deputy, of his intention to abandon such well and of his intention to remove the derrick or any portion of the casing from such well and the date upon which such work of abandonment or removal shall begin. The notice shall be given to the supervisor, or his local deputy, at least five days before such proposed abandonment or removal. The owner shall furnish the supervisor, or his deputy with such information as he may request showing the condition of the well and proposed method of abandonment or removal. The supervisor, or his deputy, shall before the proposed date of abandonment or removal, furnish the owner with a written

order of approval of his proposal or a written order stating what work will be necessary before approval, to abandon or remove will be given. If the supervisor shall fail within the specified time to give the owner a written order such failure shall be considered as an approval of the owner's proposal to abandon the well, or to remove the rig or casing therefrom.

SEC. 14. Section seventeen of said act, approved June 10, 1915, is hereby amended to read as follows:

SEC. 17. The owner or operator of any well referred to in this act shall, before commencing the work of drilling an oil or gas well, file with the supervisor, or his local deputy, a written notice of intention to commence drilling. Such notice shall also contain the following information: (1) Statement of location and elevation above sea level of the floor of the proposed derrick and drill rig; (2) the number or other designation by which such well shall be known, which number or designation shall not be changed after filing the notice provided for in this section, without the written consent of the supervisor being obtained therefor; (3) the owner's or operator's estimate of the depth of the point at which water will be shut off, together with the method by which such shut-off is intended to be made and the size and weight of casing to be used; (4) the owner's or operator's estimate of the depth at which oil or gas-producing sand or formation will be encountered.

After the completion of any well the provisions of this section shall also apply, as far as may be, to the deepening or redrilling of any well, or any operation involving the plugging of any well or any operations permanently altering in any manner the casing of any well; and *provided, further*, that the number or designation by which any well heretofore drilled has been known, shall not be changed without first obtaining a written consent of the supervisor.

SEC. 15. Section eighteen of said act, approved June 10, 1915, is hereby amended to read as follows:

SEC. 18. It shall be the duty of the owner or operator of any well referred to in this act, to keep a careful and accurate log of the drilling of such well, such log to show the character and depth of the formation passed through or encountered in the drilling of such well, and particularly to show the location and depth of the water-bearing strata, together with the character of the water encountered from time to time (so far as ascertained) and to show at what point such water was shut off, if at all, and if not, to so state in such log, and show completely the amounts, kinds and size of casing used, and show the depth at which oil-bearing strata are encountered, the depth and character of same, and whether all water overlying and underlying such oil bearing strata was successfully and permanently shut off so as to prevent the percolation or penetration into such oil-bearing strata; such log shall be kept in the local office of the owner or operator, and together with the tour reports of said owner or operator, shall be subject, during business hours, to the inspection of the supervisor, or any of his deputies, or any of the commissioners of the district, except in the case of a prospect well as hereinafter defined. Upon the completion of any well, or upon the suspension of operations upon any well, for a period of six months if it be a prospect well, or for thirty days, if it be in proven territory, a copy of said log in duplicate, and in such form as the supervisor may direct, shall be filed within ten days after such completion, or after the expiration of said thirty-day period, with the field supervisor, and a like copy shall be filed upon the completion of any additional work in the deepening of any such well.

The state oil and gas supervisor shall determine and designate what wells are prospect wells within the meaning of this act and no reports shall be required from such prospect wells until six months after the completion thereof.

The owner or operator of any well drilled previous to the enactment of this act shall furnish to the supervisor or his deputy a complete and correct log in duplicate and in such form as the supervisor may direct, or his deputy, of such well, so far as may be possible, together with a statement of the present condition of said well.

SEC. 16. Section nineteen of said act, approved June 10, 1915, is hereby amended to read as follows:

SEC. 19. It shall be the duty of the owner or operator of any well referred to in this act to notify the deputy supervisor of the time at which the owner or operator shall test the shut off of water in any such well. Such notice shall be given at least five days before such test. The deputy supervisor or an inspector designated by the supervisor shall be present at such test and shall render a report in writing of the result thereof to the supervisor, a duplicate of which shall be delivered to the owner. If any test shall be unsatisfactory to the supervisor he shall so notify the owner or operator in said report and shall within five days after the completion of such test, order additional tests of such work as he deems necessary to properly shut off the water in such well and in such order shall designate a day upon which the owner or operator shall again test the shut off of water in any such well, which day may, upon the application of the owner, be changed from time to time in the discretion of the deputy supervisor.

SEC. 17. Section twenty of said act, approved June 10, 1915, is hereby amended to read as follows:

SEC. 20. It shall be the duty of every person, association or corporation producing oil in the State of California, to file with the supervisor, at his request but

not oftener than once in each month, a statement showing amount of oil produced during the period indicated from each well, together with its gravity and the amount of water produced from each well, estimated in accordance with methods approved by the supervisor, and the number of days during which fluid was produced from each well, the number of wells drilling, producing, idle or abandoned, owned or operated by said person, association or corporation, provided that, upon request and satisfactory showing a longer interval may be fixed by the state oil and gas supervisor as to such reports in the case of any specific owner or operator.

This information shall be in such form as the supervisor may designate.

SEC. 18. There is hereby added to said act, approved June 10, 1915, a new section to be numbered twenty-one *a* and to read as follows:

SEC. 21*a*. The charges hereinafter provided for are directed to be levied by the State of California as necessary in the exercise of its police power and to provide a means by which to supervise and protect deposits of petroleum and gas within the State of California, in which deposits the people of the State of California are hereby declared to have a primary and supreme interest.

SEC. 19. Section twenty-two of said act, approved June 10, 1915, is hereby amended to read as follows:

Sec. 22. Charges levied, assessed and collected as hereinafter provided upon the properties of every person, firm, corporation or association operating any well or wells for the production of petroleum in this state, or operating any well or wells for the production of natural gas in this state which gas wells are situate on lands situate within two miles, as near as may be, of any petroleum or gas well the production of which is chargeable under this act, shall be used exclusively for the support and maintenance of the department of petroleum and gas heretofore created, and shall be assessed and levied by the state mineralogist, and collected in the manner hereinafter provided.

SEC. 20. Section twenty-four of said act, approved June 10, 1915, is hereby amended to read as follows:

Sec. 24. Every person, firm, corporation or association operating any gas well or wells in this state shall annually pay a charge to the state treasurer based upon the amount of gas sold in the preceding calendar year, at a fixed rate per thousand cubic feet, at the times and in the manner hereinafter provided, based upon a verified report as herein provided.

SEC. 21. Section twenty-seven of said act, approved June 10, 1915, is hereby amended to read as follows:

Sec. 27. The state mineralogist shall annually, on or before the first Monday in March, acting in conjunction with the state board of control, make an estimate of the amount of moneys which shall be required to carry out the provisions of this act.

At the time of making such estimate, the state mineralogist shall report to the state board of control the amount of money in the petroleum and gas fund on the day such estimate is made, less the amount of money necessary for the support of the department of petroleum and gas for the remainder of the fiscal year, and the amount of such estimate shall in no event exceed the difference between the amount thus determined as remaining in the petroleum and gas fund at the end of the fiscal year and the sum of one hundred fifty thousand dollars.

SEC. 22. Section thirty-one of said act, approved June 10, 1915, is hereby amended to read as follows:

Sec. 31. Any person, firm, corporation or association failing or refusing to make or furnish any report which may be required pursuant to the provisions of this act, or who wilfully renders a false or fraudulent report, shall be guilty of a misdemeanor and subject to a fine of not less than three hundred dollars, nor more than one thousand dollars, or by imprisonment in the county jail not exceeding six months, or both such fine and imprisonment for each such offense.

SEC. 23. Section thirty-three of said act, approved June 10, 1915, is hereby amended to read as follows:

Sec. 33. On or before the third Monday before the first Monday in July of each year, the state mineralogist shall determine the rate or rates which shall produce the sums necessary to be raised as provided in section 27 of this act. Within the same time the said state mineralogist shall extend into the proper column of the record of assessments hereinafter provided for, the amount of charges due from each person, firm, corporation or association.

SEC. 24. Section thirty-six of said act, approved June 10, 1915, is hereby amended to read as follows:

Sec. 36. On the third Monday before the first Monday in July of each year the state mineralogist shall cause to be published a notice, one or more times, in a daily, or weekly, or semi-weekly newspaper of general circulation published in the counties of Fresno, Kern, Los Angeles, Orange, Ventura and Santa Barbara, and such other counties as may contain lands or produce oil or gas charged under and pursuant to the terms and provisions of this act, if one be published therein, otherwise in a newspaper of general circulation published in the county nearest to such county designated herein in which no such paper is published, that the assessment of property and levy of charges under and in pursuance of this act has been completed and that the records of assessments containing the charges due will be delivered

to the state controller on the first Monday in July, and that if any person, firm, corporation or association is dissatisfied with the assessment made or charge fixed by the state mineralogist, he or it may, at any time before said first Monday in July, apply to said board of review, correction and equalization to have the same corrected in any particular. The said board shall have the power at any time before said first Monday in July to correct the record of assessments and may increase or decrease any assessment or charge therein if in its judgment the evidence presented or obtained warrants such action. Costs of such publication in any county shall be paid from the petroleum and gas fund; *provided, however*, that the omission to publish said notice as hereinbefore and in this section provided, shall not affect the validity of any assessment levied under or pursuant to the provisions of this act.

SEC. 25. Section thirty-seven of said act, approved June 10, 1915, is hereby amended to read as follows:

SEC. 37. The state mineralogist must prepare each year a book in one or more volumes, to be called the "Record of assessments and charges for the petroleum and gas fund," in which must be entered, either in writing or printing, or both writing and printing, each assessment and levy or charge made by him upon the property provided to be assessed and charged under this act, describing the property assessed, and such assessments may be classified and entered in such separate parts of said record as said state mineralogist shall prescribe.

SEC. 26. Section thirty-eight of said act, approved June 10, 1915, is hereby amended to read as follows:

SEC. 38. On the first Monday in July the state mineralogist must deliver to the state controller the record of assessments and charges for the petroleum and gas fund, certified to by said state mineralogist, which certificate shall be substantially as follows: "I, ... , state mineralogist, do hereby certify that between the first Monday in March and the first Monday in July, 19 .. I made diligent inquiry and examination to ascertain all property and persons, firms, corporations and associations subject to assessment for the purpose of the petroleum and gas fund as required by the provisions of the act of legislature approved June 10, 1915, providing for the assessment and collection of charges for oil protection; that I have faithfully complied with all the duties imposed upon me by law; that I have not imposed any unjust or double assessment through malice or ill will, or otherwise; nor allowed any person, firm, corporation or association or property to escape a just assessment or charge through favor or regard, or otherwise." But the failure to subscribe such certificate to such record of assessments and charges for oil protection, or any certificate, shall not in any manner affect the validity of any assessment or charge.

SEC. 27. Section forty of said act, approved June 10, 1915, is hereby amended to read as follows:

SEC. 40. Within ten days after the receipt of the record of assessments and charges for oil protection, the state controller must begin the publication of a notice to appear daily for five days, in one daily newspaper of general circulation published in each of the counties of Fresno, Kern, Los Angeles, Orange, Ventura and Santa Barbara, and such other counties as may contain lands or produce oil or gas charged under or pursuant to the terms and provisions of this act, if one be published therein, otherwise for at least two times in a weekly or semi-weekly paper of general circulation published therein, or if there be neither a daily nor weekly nor semi-weekly paper of general circulation published in any one of such counties, then the publication of the notice for such county shall be made in a similar manner in a newspaper of general circulation published in the county nearest such county, specifying: (1) That he has received from the state mineralogist the record of assessments and charges for oil protection; (2) that the charges therein assessed and levied are due and payable on the first Monday in July and that one-half thereof will be delinquent on the sixth Monday after the first Monday in July at six o'clock p.m., and that unless paid to the state treasurer at the capital prior thereto, fifteen per cent will be added to the amount thereof, and unless paid prior to the first Monday in February next thereafter at six o'clock p.m., an additional five per cent will be added to the amount thereof; and that the remaining one-half of said charges will become delinquent on the first Monday in February next succeeding the day upon which they become due and payable, at six o'clock p.m. and if not paid to the state treasurer at the capitol prior thereto, five per cent will be added to the amount thereof. Costs of such publication in any county shall be paid from the petroleum and gas fund.

SEC. 28. Section forty-one of said act, approved June 10, 1915, is hereby amended to read as follows:

SEC. 41. The assessments and charges levied under the provisions of this act shall constitute a lien upon all the property of every kind and nature belonging to the persons, firms, corporations and associations assessed under the provisions hereof, which lien shall attach on the first Monday in March of each year. Such lien shall be enforced and said charges collected by an action by the state controller as provided in section forty-four of this act.

SEC. 29. Section forty-two of said act, approved June 10, 1915, is hereby amended to read as follows:

SEC. 42. All charges assessed and levied under the provisions of this act shall be paid to the state treasurer upon the order of the state controller. The controller must mark the date of payment of any charge on the record of assessments for the petroleum and gas fund and shall give a receipt for such payment in such form as the controller may prescribe. Errors appearing upon the face of any assessment on said record of assessments or overcharges may be corrected by the controller by and with the consent of the state board of control, in such manner and at such time as said controller and said board shall agree upon.

SEC. 30. Section forty-three of said act, approved June 10, 1915, is hereby amended to read as follows:

SEC. 43. Any person, firm, corporation or association claiming and protesting as herein provided that the assessment made or charges assessed against him or it by the state mineralogist is void, in whole or in part, may bring an action against the state treasurer for the recovery of the whole or any part of such charges, penalties or costs paid on such assessment, upon the ground stated in said protest, but no action may be brought later than the third Monday in February next following the day upon which the charges were due, nor unless such person, firm, corporation or association shall have filed with the state controller at the time of payment of such charges, a written protest stating whether the whole assessment or charge is claimed to be void, or if a part only, what part, and the grounds upon which such claim is founded, and when so paid under protest the payment shall in no case be regarded as voluntary.

Whenever, under the provisions of this section, an action is commenced against the state treasurer, a copy of the complaint and of the summons must be served upon the treasurer, or his deputy. At the time the treasurer demurs or answers, he may demand that the action be tried in the superior court of the county of Sacramento, which demand must be granted. The attorney employed by the state oil and gas supervisor must defend such action; *provided, however*, the said mineralogist may at the request of the said oil and gas supervisor employ additional counsel, the expense of which employment shall be paid from the petroleum and gas fund. The provisions of the Code of Civil Procedure relating to pleadings, proofs, trials and appeals are applicable to the proceedings herein provided for.

A failure to begin such action within the time herein specified shall be a bar against the recovery of such charges. In any such action the court shall have the power to render judgment for the plaintiff for any part or portion of the charge, penalties, or costs found to be void and so paid by plaintiff upon such assessment.

SEC. 31. Section forty-four of said act, approved June 10, 1915, is hereby amended to read as follows:

SEC. 44. The state controller shall, on or before the thirtieth day of May next following the delinquency of any charge as provided in this act, bring an action in a court of competent jurisdiction, in the name of the people of the State of California, in the county in which the property assessed is situated, to collect any delinquent charges or assessments, together with any penalties or costs, which have not been paid in accordance with the provisions of this act and appearing delinquent upon the records of assessments and charges for the petroleum and gas fund in this action provided for.

The attorney for the state oil and gas supervisor shall commence and prosecute such action to final judgment and the provisions of the Code of Civil Procedure relating to service of summons, pleadings, proofs, trials and appeals are applicable to the proceedings herein provided for. The state mineralogist may employ additional counsel to assist the attorney for the state oil and gas supervisor, and the expense of such employment shall be paid from the petroleum and gas fund.

Payments of the penalties and charges, or amount of the judgment recovered in such action must be made to the state treasurer. In such actions the record of assessment and charges for oil protection, or a copy of so much thereof as is applicable in said action, duly certified by the controller showing unpaid charges against any person, firm, corporation or association assessed by the state mineralogist is prima facie evidence of the assessment upon the property, the delinquency, the amount of charges, penalties, and costs due and unpaid to the state, and that the person, firm, corporation or association is indebted to the people of the State of California in the amount of charges and penalties therein appearing unpaid and that all the forms of law in relation to the assessment of such charges have been complied with.

SEC. 32. Section forty-six of said act, approved June 10, 1915, is hereby amended to read as follows:

SEC. 46. All the moneys heretofore paid to the state treasurer under or pursuant to the provisions of this act and deposited to the credit of the oil protection fund, shall be withdrawn from said fund, which is hereby abolished, and deposited to the credit of the petroleum and gas fund which is hereby created. All of the moneys hereafter paid to the state treasurer under or pursuant to the provisions of this act shall be deposited to the credit of the petroleum and gas fund. All moneys in such fund shall be expended under the direction of the state mineralogist, drawn from such fund for the purpose of this act upon warrants drawn by the controller of the state, upon demands made by the state mineralogist, and audited by the state board

[illegible] (2) [illegible] [illegible] [illegible]

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Rominger, Rush, Scott, Shearer, Slater, Stuckenbruck, and Thompson—31.

NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Nealon to introduce a bill entitled "An act to amend section 2 of an act entitled 'An act to provide for the disposition of any money or other property accruing to or to be received by the State of California as its proportionate share of the returns from the holding of the Panama-Pacific International Exposition,' approved January 11, 1916" has had the same under consideration and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(OUT OF ORDER).

The following bills were introduced, in accordance with the above reports:

By Senator Maddux: Senate Bill No. 1174—An act to amend section 6 of an act entitled "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended.

Bill read first time, and referred to Committee on Judiciary.

By Senator Ballard: Senate Bill No. 1175—An act permitting daily payment into the county treasury of duplicate or excess payments of taxes made to the tax collector and providing for the refund of such payments.

Bill read first time, and referred to Committee on Judiciary.

By Senator Nealon: Senate Bill No. 1176—An act to amend section 2 of an act entitled "An act to provide for the disposition of any money or other property accruing to or to be received by the State of California as its proportionate share of the returns from the holding of the Panama-Pacific International Exposition," approved January 11, 1916.

Bill read first time, and referred to Committee on Finance.

SECOND READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 307—An act to amend sections 3607, 3608, 3617, 3627, 3628, 3629, 3641, 3643, 3650, 3663, 3678, 3679, 3701, 3728, 3734 and 3753 of the Political Code, and to repeal sections 3609, 3610, 3719, 3757, 3769*a*, 3839, 3840, 3841, 3842, 3843, 3844, 3845, 3846, 3847, 3848, 3849,

3850, 3851, 3852, 3853, 3854, 3855, 3856, 3857, 3858, 3859, 3860, 3861 and 3862.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 2 to 14, inclusive, of the title and insert in lieu thereof the following: "To amend sections three thousand six hundred seven, three thousand six hundred eight, three thousand six hundred twenty-seven, three thousand six hundred twenty-eight, three thousand six hundred twenty-nine, three thousand six hundred forty-three, three thousand six hundred sixty-three, three thousand six hundred seventy-eight, three thousand seven hundred one, three thousand seven hundred twenty-eight, three thousand seven hundred thirty-four and three thousand seven hundred fifty-three of the Political Code, and to repeal sections three thousand six hundred nine, three thousand six hundred ten, three thousand six hundred forty-one, three thousand six hundred seventy-nine, three thousand".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out all of lines 9 to 22, inclusive, and all of the remainder of the bill, being pages 3 to 12, inclusive, and insert in lieu thereof the following:

3608. Shares of stock in corporations possess no intrinsic value over and above the actual value of the property of the corporation which they stand for and represent. The assessment and taxation of such shares, and also of all corporate property would be double taxation. All property belonging to corporations shall be assessed and taxed, in the manner provided by law; but no assessment shall be made of shares of stock in any corporation except as prescribed in the constitution of this state and the laws enacted pursuant to such provisions of the constitution.

SEC. 3. Section three thousand six hundred nine of the Political Code is hereby repealed.

SEC. 4. Section three thousand six hundred ten of the Political Code is hereby repealed.

SEC. 5. Section three thousand six hundred twenty-seven of the Political Code is hereby amended to read as follows:

3627. All taxable property must be assessed at its full cash value. Land and improvements thereon shall be separately assessed. Cultivated and uncultivated land, of the same quality, and similarly situated, shall be assessed at the same value.

SEC. 6. Section three thousand six hundred twenty-eight of the Political Code is hereby amended to read as follows:

3628. Except as otherwise provided in the constitution of this state all taxable property shall be assessed in the county, city, city and county, town, township, or district in which it is situated. Land shall be assessed in parcels, or subdivisions, not exceeding six hundred forty acres each; and tracts of land containing more than six hundred forty acres, which have been sectionized by the United States government, shall be assessed by sections or fractions of sections. Land sold by the state for which no patent has been issued, shall be assessed the same as other land, but the owner shall be entitled to a deduction from such assessed valuation in the amount due the state as principal upon the purchase price. The assessor must, between the first Mondays in March and July of each year, ascertain the names of all taxable inhabitants, and all the property in his county subject to taxation, except such as is required to be assessed by the state board of equalization and must assess such property to the persons by whom it was owned or claimed, or in whose possession or control it was, at twelve o'clock meridian of the first Monday in March next preceding; but no mistake in the name of the owner or supposed owner of real property shall render the assessment thereof invalid. In assessing solvent credits, not secured by mortgage or trust deed on real estate, a deduction therefrom shall be made of debts due to bona fide residents of this state.

SEC. 7. Section three thousand six hundred twenty-nine of the Political Code is hereby amended to read as follows:

3629. The assessor must exact from each person a statement, under oath, setting forth specifically all the real and personal property owned by such person, or in his possession, or under his control, at twelve o'clock m. on the first Monday in March. Such statement shall be in writing, showing separately:

1. All property belonging to, claimed by, or in the possession or under the control or management of such person.

2. All property belonging to, claimed by, or in the possession or under the control or management of any firm of which such person is a member.

3. All property belonging to, claimed by, or in the possession or under the control or management of any corporation of which such person is president, secretary, cashier, or managing agent.

4. The county in which such property is situated, or in which it is liable to taxation, and, if liable to taxation in the county in which the statement is made, also the city, town, township, school district, road district, or other revenue districts in which it is situated.

5. An exact description of all lands, in parcels or subdivisions, not exceeding six hundred forty acres each, and the sections and fractional sections of all tracts of land containing more than six hundred forty acres, which have been sectionized by the United States government, improvements and personal property, including all vessels, steamers, and other watercraft; and all taxable state, county, city, or other municipal or public bonds, and the taxable bonds of any person, firm, or corporation, and deposits of money, gold dust, or other valuables, and the names of the persons with whom such deposits are made, and the places in which they may be found.

6. All solvent credits, unsecured by deed of trust, mortgage, or other lien on real or personal property, due or owing to such person, or any firm of which he is a member, or due or owing to any corporation of which he is president, secretary, cashier, or managing agent, deducting from the sum total of such credits such debts only, unsecured by trust deed, mortgage, or other lien on real or personal property, as may be owing by such person, firm, or corporation to bona fide residents of this state. No debts shall be so deducted unless the statement shows the amount of such debt as stated under oath in aggregate. Whenever one member of a firm, or one of the proper officers of a corporation, has made a statement showing the property of the firm or corporation, another member of the firm, or another officer, need not include such property in the statement made by him; but his statement must show the name of the person or officer who made the statement in which such property is included.

SEC. 8. Section three thousand six hundred forty-one of the Political Code is hereby repealed.

SEC. 9. Section three thousand six hundred forty-three of the Political Code is hereby amended to read as follows:

3643. A ferry boat is a vessel traversing across any of the waters of the state, between two constant points, regularly employed for the transfer of passengers and freight, authorized by law so to do. Where ferries connect more than one county, the wharves, storehouses, and all stationary property belonging to or connected with such ferries, must be assessed, and the taxes paid, in the county where located. The value of all watercraft, and of all toll bridges connecting more than one county, must be assessed in equal proportions in the counties connected by such ferries or toll bridges.

SEC. 10. Section three thousand six hundred sixty-three of the Political Code is hereby amended to read as follows:

3663. Water ditches constructed for mining, manufacturing, or irrigation purposes, and wagon and turnpike toll roads, must be assessed the same as real estate by the assessor of the county, at a rate per mile for that portion of such property as lies within his county.

SEC. 11. Section three thousand six hundred seventy-eight of the Political Code is hereby amended to read as follows:

3678. To assist the assessor in the performance of his duties, the auditor must annually transmit to the assessor, within ten days after the first Monday in March of each year, a complete and true statement of all property which has been redeemed under or by virtue of any sale made to the state for delinquent taxes, together with a complete and true statement of all property sold to the state and remaining unredeemed.

SEC. 12. Section three thousand six hundred seventy-nine of the Political Code is hereby repealed.

SEC. 13. Section three thousand seven hundred one of the Political Code is hereby amended to read as follows:

3701. It shall be the duty of the secretary to keep an accurate record of the proceedings of the board in a book specially provided for such purpose. When required by the board or the chairman he shall visit the several counties and collect data and information relative to the assessment of property therein, or the railway property therein, and consult and advise with all officers charged with enforcement of the revenue laws, and report such data and information to the board. To prepare, biennially, the report of the board to the governor, and when printed, to distribute such report, as required by law and as directed by the board. To do and perform all other acts and things enjoined by law or required by the board. The secretary is a civil executive officer and is authorized to administer and certify oaths in any county in the state.

SEC. 14. A new section is hereby added to the Political Code, numbered three thousand seven hundred fourteen *a*, to read as follows:

3714*a*. When the board of supervisors of each county, and city and county shall have fixed the rate of county, or city and county taxation, the clerk of the board of supervisors must, within three days after such rate has been fixed, transmit by

mail, postage paid, to the controller, in such form as the controller shall direct, a statement of the rate of taxation levied by the board of supervisors for county, or city and county taxation. If the clerk fails to transmit such statement in the time herein provided for, he shall forfeit to the state one thousand dollars, to be recovered in an action brought by the attorney general, in the name of the controller.

SEC. 15. Section three thousand seven hundred nineteen of the Political Code is hereby repealed.

SEC. 16. Section three thousand seven hundred twenty-eight of the Political Code is hereby amended to read as follows:

3728. The auditor must, on or before the second Monday in August in each year, prepare from the "assessment book" of such year, as corrected by the board of supervisors, duplicate statements, showing in separate columns—

1. The number of acres of land.
2. The total value of all property.
3. The value of real estate.
4. The value of improvements thereon.
5. The value of personal property, exclusive of money.
6. The amount of money.
7. Such other information as the state board of equalization may require.

SEC. 17. Section three thousand seven hundred thirty-four of the Political Code is hereby amended to read as follows:

3734. On delivering the assessment book to the tax collector, the auditor must charge the tax collector with the full amount of the taxes levied, and forthwith transmit by mail to the controller of state, in such form as the controller may prescribe, a statement of the amount so charged. Any auditor failing to forward such statement to the controller within ten days after the roll has been delivered to the tax collector, forfeits to the state one thousand dollars, to be recovered in an action brought by the attorney general, in the name of the controller.

SEC. 18. Section three thousand seven hundred fifty-three of the Political Code is hereby amended to read as follows:

3753. On the first Monday in each month the tax collector must settle with the auditor for all moneys collected for the state or county, and pay the same to the county treasurer, and on the same day must deliver to and file in the office of the auditor a statement under oath, showing:

1. An itemized account of all his transactions and receipts since his last settlement, which account must show the amount collected for each fund or district extended on the assessment book.

2. That all money collected by him as tax collector has been so paid to the county treasurer.

SEC. 19. Section three thousand seven hundred fifty-seven of the Political Code is hereby repealed.

SEC. 20. Section three thousand seven hundred sixty-nine *a* of the Political Code is hereby repealed.

SEC. 21. Sections three thousand eight hundred thirty-nine, three thousand eight hundred forty, three thousand eight hundred forty-one, three thousand eight hundred forty-two, three thousand eight hundred forty-three, three thousand eight hundred forty-four, three thousand eight hundred forty-five, three thousand eight hundred forty-six, three thousand eight hundred forty-seven, three thousand eight hundred forty-eight, three thousand eight hundred forty-nine, three thousand eight hundred fifty, three thousand eight hundred fifty-one, three thousand eight hundred fifty-two, three thousand eight hundred fifty-three, three thousand eight hundred fifty-four, three thousand eight hundred fifty-five, three thousand eight hundred fifty-six, three thousand eight hundred fifty-seven, three thousand eight hundred fifty-eight, three thousand eight hundred fifty-nine, three thousand eight hundred sixty, three thousand eight hundred sixty-one, and three thousand eight hundred sixty-two, of the Political Code are hereby repealed.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 32—An act to amend sections 190, 192, 193, 194, 195, 201 and 246 of the Code of Civil Procedure, relating to jurors.

Bill read third time, previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Duncan moved to refer Senate Bill No. 32 to Senator Shearer as a Special Committee of One, to amend as follows:

On page 2, line 27, of the printed bill, strike out the period and insert in lieu thereof a semicolon and the following: "*provided*, that any woman who shall, during the month of January of any year, file with the county clerk a written request to be excused from jury duty, must be excused from such duty during the year in which said request is filed."

Motion lost.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 32 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, Luce, Lyon, Nealon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—Senators Ballard, Burnett, Chandler, Duncan, Irwin, McDonald, Maddux, Purkitt, Rigdon, and Shearer—10.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER.

Senator Rominger moved to reconsider the vote whereby Senate Bill No. 414 was refused passage.

The roll was called, and reconsideration granted by the following vote:

AYES—Senators Benson, Breed, Brown, Carr, W. J., Chamberlin, Chandler, Duncan, Evans, Gates, Ingram, Irwin, Jones, Kehoe, Luce, Maddux, Purkitt, Rigdon, Rominger, Rush, Slater, Stuckenbruck, Thompson, and Tyrrell—23.

NOES—Senators Ballard, Burnett, Canepa, Crowley, Flaherty, Hans, Inman, Lyon, McDonald, Nealon, Scott, Sharkey, and Shearer—13.

Senate Bill No. 414—"An act regulating the traffic in alcohol and alcoholic liquors, and prohibiting, except in certain places and in certain cases and under certain conditions, the keeping, selling, serving, bartering, giving away, shipment, transporting, delivery or receiving of alcohol or alcoholic liquors, or of vinous or malt liquors which contain certain percentages or more of alcohol or which contain distilled spirits; prohibiting (except under certain conditions and in certain cases and in respect of certain vinous or malt liquors) the sale, serving or bartering of alcoholic liquors for beverage purposes for consumption on the premises where sold, served or bartered, or the keeping, maintaining or conducting of any drinking saloon, bar, barroom or other place where (except under said conditions and in said cases and in respect of said vinous or malt liquors) any alcoholic liquors are sold, served or bartered for beverage purposes for consumption on the premises where sold, served or bartered; prescribing the maximum number of licenses or permits which may be issued by any town, city or city and county for the sale of liquor in sealed packages for consumption elsewhere than on the premises where sold; making unlawful and declaring to be penal offenses various acts in respect of, and various dealings in, alcohol, alcoholic liquors or particular kinds of such liquors, and prescribing penalties for and providing for the punishment of such offenses."

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 414 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Gates, Ingram, Irwin, Jones, Kehoe, King, Luce, Maddux, Purkitt, Rigdon, Rominger, Slater, Stuckenbruck, and Thompson—22.

NOES—Senators Ballard, Burnett, Canepa, Chamberlin, Crowley, Flaherty, Hans, Inman, Johnson, Lyon, McDonald, Nealon, Rush, Scott, Sharkey, Shearer, and Tyrrell—17.

Title read and approved.

Bill ordered transmitted to the Assembly.

POSTPONEMENT OF CONSIDERATION.

On motion of Senator Lyon, the motion to reconsider the vote by which Senate Bill No. 101 was refused passage, was continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 980—An act relating to and regulating the carrying, possession, sale or other disposition of firearms capable of being concealed upon the person; prohibiting the sale to or carrying of concealed weapons by persons under the age of eighteen years; prohibiting the possession, carrying, manufacturing and sale of certain other dangerous weapons and the giving, transferring and disposition thereof to other persons within this State; providing for the registering of the sales of firearms; prohibiting the carrying or possession of concealed weapons in municipal corporations; providing for the destruction of certain dangerous weapons as nuisances and making it a felony to use or attempt to use certain dangerous weapons against another.

Bill read third time.

PROPOSED AMENDMENTS TO ASSEMBLY BILL NUMBER NINE HUNDRED EIGHTY.

On motion of Senator Scott, the following proposed amendments to Assembly Bill No. 980 were ordered printed in the Journal, and the further consideration of the bill and the proposed amendments continued until the next legislative day.

AMENDMENT NUMBER ONE.

Commencing on line 4 of the title of the printed bill strike out the words "prohibiting the sale to or carrying of concealed weapons by persons under the age of eighteen years".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out "Section 1*a*".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out lines 1 to 5, inclusive.

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, line 6, strike out the number "2" and insert in lieu thereof the number "1".

AMENDMENT NUMBER FIVE.

On page 2, line 14 of the printed bill, strike out the number "3" and insert in lieu thereof the number "2".

AMENDMENT NUMBER SIX.

On page 2, line 21 of the printed bill, strike out the number "4" and insert in lieu thereof the number "3".

AMENDMENT NUMBER SEVEN.

On page 2, line 31 of the printed bill, strike out the words "one (a)" and insert in lieu thereof the word "one".

AMENDMENT NUMBER EIGHT.

On page 2, line 31 of the printed bill, strike out the word "four" and insert in lieu thereof the word "three".

AMENDMENT NUMBER NINE.

On page 3, line 35 of the printed bill, strike out the words "*provided, however,* that no such license shall be issued".

AMENDMENT NUMBER TEN.

On page 4, line 1 of the printed bill, strike out the word "further" and insert in lieu thereof the word "however".

AMENDMENT NUMBER ELEVEN.

On page 3, line 36 of the printed bill, strike out the words "to any person under the age of eighteen years; and".

AMENDMENT NUMBER TWELVE.

On page 2, line 29 of the printed bill, strike out the number "5" and insert in lieu thereof the number "4".

AMENDMENT NUMBER THIRTEEN.

On page 3, line 13 of the printed bill, strike out the number "6" and insert in lieu thereof the number "5".

AMENDMENT NUMBER FOURTEEN.

On page 3, line 27 of the printed bill, strike out the number "7" and insert in lieu thereof the number "6".

AMENDMENT NUMBER FIFTEEN.

On page 4, line 7 of the printed bill, strike out the number "8" and insert in lieu thereof the number "7".

AMENDMENT NUMBER SIXTEEN.

On page 6, line 30 of the printed bill, strike out the number "9" and insert in lieu thereof the number "8".

AMENDMENT NUMBER SEVENTEEN.

On page 7, line 9 of the printed bill, strike out the number "10" and insert in lieu thereof the number "9".

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senate Constitutional Amendment No. 15—Resolution to propose to the people of the State of California an amendment to section 34, of Article IV, of the Constitution of the State of California, in relation to special appropriation bills.

Resolution read.

AMENDMENTS FROM FLOOR.

During reading of the resolution, the following amendments were offered, and their adoption moved by Senator Chandler:

AMENDMENT NUMBER ONE.

On page 1, line 8, after the comma, strike out the remainder of the line; also on line 9, strike out the following words: "officers, their deputies or clerks,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 11, after the word "controller" insert the following: "and the lieutenant governor as ex officio member".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 12, strike out the word "tenth" and insert in lieu thereof the word "twenty".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 2, after the word "with" insert "each house of".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 3, after the word "legislature" strike out "in committee of the whole".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 4, after the word "consideration" insert the following: "and may participate in the debate thereon".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 4, after the word "consideration" strike out the remainder of the line, also all of lines 5 and 6, up to and including the word "members".

Amendment adopted.

Resolution ordered to print, and engrossment.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 2, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 715—An act to regulate and control the business of making personal loans and to regulate the assignment of wages when given as security for any such loan;

Also: Senate Bill No. 452—An act providing for the establishment of public rating bureaus and defining their powers and methods of conducting business; providing for inquiries into such rating bureaus by the Insurance Commissioner; providing for review of rates by Insurance Commissioner; providing against unfair discrimination in rates; providing for chief examiners for rating bureaus and prescribing their duties; providing for filing with Insurance Commissioner by insurance companies of schedules of rates; providing for inspection of risks by rating bureaus; providing entire act not to be affected by unconstitutionality of part thereof; providing for penalty for violation of act by insurance companies; providing for penalty for violation of act by agent or other representative; repealing laws in conflict with this act;

Also: Senate Bill No. 617—An act to amend section 591 of the Political Code, relating to the maintenance of the office of the Insurance Commissioner;

Also: Senate Bill No. 112—An act to amend the Penal Code by adding thereto a new section, to be numbered 1168, relating to indeterminate sentences of persons convicted of criminal offenses, and to provide for the determination of such sentences and the release of such persons from custody;

And reports that the same have been correctly re-engrossed.

CANEPA, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 864—An act to appropriate money for the payment of compensation benefits accruing by reason of personal injury resulting from accident to state officers and employees while performing services accruing out of and incidental to their employment;

Also: Senate Bill No. 627—An act to amend the title and sections 1, 2 and 14 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities therein; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition and construction of such improvements," approved April 20, 1915;

Also: Senate Bill No. 431—An act authorizing and empowering municipalities to provide a procedure for the fixing and establishing of setback lines on private property bordering on the whole or part of any street, avenue or highway, to prohibit the erection of buildings, fences or other structures between such setback lines and the lines of any such street, avenue or highway, and to condemn any and all property necessary or convenient for that purpose;

Also: Senate Bill No. 213—An act to amend sections 850, 852, 855, 869, 871, 879, 880, and 890 of the Code of Civil Procedure, and to repeal sections 854, 857, 858, and 872 thereof, all relating to civil actions in justices' courts;

Also: Senate Bill No. 215—An act to amend section 430 of the Code of Civil Procedure, relating to the demurrer to the complaint;

Also: Senate Bill No. 216—An act to amend section 1054 of the Code of Civil Procedure, relating to the extension of time within which an act is to be done;

Also: Senate Bill No. 343—An act to amend section 628a of the Penal Code, relating to the protection of fish and game;

Also: Senate Bill No. 250—An act to amend section 628c of the Penal Code, relating to the protection of fish and game;

Also: Senate Bill No. 763—An act to amend section 626g of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 767—An act to license canners, curers, preservers and packers of fish and handlers of crustaceans and mollusks, and providing a revenue therefrom for the conservation, propagation and restoration of fish in the State of California, and providing for a record of fish caught or received, and providing penalties for the violations of the provisions thereof, and repealing all acts and parts of acts in conflict therewith;

Also: Senate Bill No. 825—An act to repeal an act entitled "An act to provide for temporary floors in buildings more than three stories high in the course of construction and for the protection of the life and limb of workmen employed in such buildings from falling joists or girders and from falling bricks, rivets, etc.," approved March 6, 1909, and known as chapter 107, Statutes of 1909;

Also: Senate Bill No. 1141—An act to add a new section to the Penal Code to be numbered 1202a, relating to imprisonment in the state prison;

Also: Senate Bill No. 404—An act to repeal an act entitled "An act to provide for the reporting of occupational diseases," approved April 21, 1911;

Also: Senate Bill No. 405—An act providing for the inspection of all institutions treating syphilis and gonococcus infections, and defining the powers and duties of the State Board of Health in relation thereto;

Also: Senate Bill No. 558—An act to amend sections 1 and 2 of an act entitled "An act to prevent the supply of water dangerous to health for domestic purposes and to provide for the installation of sanitary water systems," approved June 13, 1913, so as to prevent the supply of water impure, unwholesome, unpotable or polluted for domestic purposes and to compel the furnishing of pure, wholesome and potable water supplies for domestic purposes;

Also: Senate Bill No. 559—An act to amend sections 2 and 3 of an act entitled "An act for the preservation of the public health of the people of the State of California and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907, amended April 1, 1911, June 13, 1913, so as to prevent the maintenance of sewer farms or the making of any addition or modification in sewage works, plant, place or manner of disposal without a permit from the State Board of Health and to prevent the creation of nuisance by said works or disposal;

And reports that the same have been correctly engrossed.

CANEPA, Chairman.

ADJOURNMENT.

At five o'clock and ten minutes p.m., on motion of Senator Crowley, the President pro tempore declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Tuesday, April 3, 1917.

The Senate met at ten o'clock a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—39.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal, of Monday, April 2, 1917, its further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Ballard, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Miss Dorothy Hanna of Stanford University.

On request of Senator Rush, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to the Hon. F. L. Coombs of Napa, who was twice Speaker of the Assembly, Congressman, and later United States Minister to Japan.

On request of Senator Scott, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mrs. L. O. Macomber of Stockton.

PETITION.

The following petition was presented and ordered printed in the Journal:

To Hon. Lyman M. King and Hon. Crombie Allen, Members of State Legislature, Sacramento, California:

The undersigned employees of the Atolia Mining Company hereby protest against the passage of Assembly Bills Nos. 172 and 800 and Senate Bill No. 69, providing for "Sunday closing" and urge you to use all honorable means to prevent their passage:

Frank Robison, G. A. Mansbrough, W. Cloud, L. Cunningham, G. Gomez, John Obert, M. Alvarez, V. Sanchez, V. Minxir, P. Martinez, Joe Venuti, Charles Foca, Franco Herena, Frank Gonzalez, Juan Garcia, Emilio Tono, A. Rueda, E. Pueyo, Pat Vaddens, Pedro Ortez, L. D. Dayes, G. W. Beamer, Martin Badostain, W. C. Schaonmaker, A. A. Moore, E. W. Johnson, W. E. Barker, John Dundon, Walter Scott, Bert Dancey, G. W. Stiles, Tom Peroglio, Elmer Imes, Anton Davito, John Miner, Angel Garcia, Jerofin Griard, Nik Granp, Joi V. Ellena, V. Larada, J. O. McGrugan, F. G. Boone, Lester Scott, K. K. Bowsher, T. Sanchez, M. Mingews, Barney Gabriel, T. Domend, Y. Soto, Joe Bertino, N. R. Miller, F. Blanco, C. Portilla, Chas. Shearer, Angel Veci, W. Letisby, Ross Scott,

R. F. Barry, Charles Post, Frank Daugherty, N. F. Hohmann, O. J. De Lee, Fred L. Rish, J. F. Van Rey, B. F. Hughes, Pete Biyando, A. B. Day, G. V. Hopkins, E. M. Weaver, Chas. M. Darr, Pete Bertino, Charlie B. True, Owen Clark, F. G. Boxall, E. H. Hughes, M. C. Goss, E. C. McIntyre, Jay Shaw, N. Janhe, N. Fraser, and Chas. S. Taylor.

MESSAGE FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 974—An act to amend section 54 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, designated the "bank act," relating to the definition and regulation of banking;

Also: Senate Bill No. 523—An act to amend sections 4115 and 4146 of the Political Code and to add a new section to said code, to be numbered 4146a, all relating to the duties of coroners and treasurers with reference to the disposition of property belonging to certain deceased persons;

Also: Senate Bill No. 14—An act to carry into effect the provisions of subdivisions 6 and 7 of section 8½ of Article XI of the Constitution of the State of California; and also to provide for the alteration of the boundaries of and for the annexation of territory located in the county of San Mateo to the city and county of San Francisco, for the incorporation of such annexed territory in and as a part thereof, and for the government of such annexed territory as an integral part of such city and county of San Francisco;

And respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 974 ordered to unfinished business.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 14—An act to carry into effect the provisions of subdivisions 6 and 7 of section 8½ of Article XI of the Constitution of the State of California as the said section of said article was amended on the third day of November in the year 1914; and also to provide for the alteration of the boundaries of and for the annexation of territory located in the county of San Mateo to the city and county of San Francisco, for the incorporation of such annexed territory in and as a part thereof, and for the government of such annexed territory as an integral part of such city and county of San Francisco.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FOURTEEN.

AMENDMENT NUMBER ONE.

Amend the title. On line 4 thereof strike out all after the word "California" and strike out all of line 5, and all before the semicolon in line 6.

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 14?"

The roll was called, and Assembly amendment to Senate Bill No. 14 was concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, F. M., Carr, W. J., Duncan, Evans, Flaherty, Gates, Irwin, Johnson, King, Lyon, Maddux, Nealon, Rush, Shearer, Slater, Stuckenbruck, and Thompson—22.

NOES—None.

Senate Bill No. 14 ordered to enrollment.

Also:

The Senate took up for consideration Assembly amendment to Senate Bill No. 523—An act to amend sections 4115 and 4146 of the Political Code of the State of California, relating to the duties of coroners and treasurers and to add a new section to the said code, to be known and designated as section 4146*a*, relating to the disposition of property belonging to certain deceased persons.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FIVE HUNDRED TWENTY-THREE.

AMENDMENT NUMBER ONE.

On page 1, line 6 of the title insert after the word "Treasurers" the following: "with reference to".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 523?"

The roll was called, and Assembly amendment to Senate Bill No. 523 was concurred in by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Carr, F. M., Carr, W. J., Duncan, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, King, Luce, Lyon, Maddux, Nealon, Rigdon, Rush, Shearer, Slater, Stockenbruck, and Thompson—24.

NOES—None.

Senate Bill No. 523 ordered to enrollment.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 681—An act to determine and to declare the effect of state land patents in certain cases;

Also: Senate Bill No. 879—An act relating to bank transactions after twelve o'clock noon on Saturdays;

Also: Senate Bill No. 212—An act to amend section 398 of the Code of Civil Procedure, relating to the transfer of actions in the superior court;

Also: Senate Bill No. 58—An act to add a new section to the Civil Code, to be numbered 1716, relating to negligence and the enforcement of claims against municipal corporations because of negligence in certain cases.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 681, 879, 212 and 58 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 502—An act to amend section 4041 of the Political Code, relating to the general powers of board of supervisors;

Also: Assembly Bill No. 584—An act to repeal section 1324 of the Penal Code, relating to the testimony of witnesses refusing to answer on the ground that such answer will incriminate himself;

Also: Assembly Bill No. 781—An act to amend section 602 of the Penal Code, prescribing a penalty for malicious injury to real property.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 502 read first time, and referred to Committee on County Government.

Assembly Bill No. 584 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 781 read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, April 3, 1917.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Assembly Bill No. 198—An act to amend section 50 of the "Public Utilities Act," approved April 23, 1915;

Also: Assembly Bill No. 309—An act to amend section 467 of the Civil Code of the State of California, relating to powers of railroad corporations;

Also: Assembly Bill No. 936—An act to amend section 17 of the act known as the "Public Utilities Act," approved April 23, 1915;

Also: Assembly Bill No. 1006—An act to prevent fraud upon the traveling public by adding a new section to the Penal Code to be numbered 483, making it a misdemeanor to sell, transfer or deliver to another for the use of any person, other than the person entitled by the terms thereof to use the same, any ticket, scrip, mileage or commutation book, coupon, or other instrument for passage upon any common carrier;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

CARR, W. J., Chairman.

Assembly Bills Nos. 198, 309, 936 and 1006 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Assembly Bill No. 458—An act to amend section 20 of the act known as the "Water Commission Act," approved June 16, 1913—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Irrigation.

CARR, W. J., Chairman.

Senate Bill No. 458 re-referred to Committee on Irrigation.

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 3, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred Senate Concurrent Resolution No. 24—Relative to leaves of absence of the Governor, and the members of the Senate and Assembly of the forty-second session of the Legislature of the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

BREED, Chairman.

Senate Concurrent Resolution No. 24 ordered on file.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 458—An act to amend sections 2322, 2322*a*, 2322*c* and 2322*d* of the Political Code and to add new sections 2322*f*, 2322*g*, 2322*h*, 2322*i* and 2322*j* to the Political Code, said sections relating to orchards, trees, vines or plants of any variety, infected or infested with diseases, scale or other insects of any kind injurious to fruit, fruit trees, vines or other plants or vegetables, or noxious weeds and to the extermination or the control of insects, ground squirrels, gopher or other animal pests and plant diseases or noxious weeds, and to the appointment and removal of a county horticultural commissioner in the several counties of the State; prescribing his duties and powers and fixing his compensation and term of office, also providing for a state board of horticultural examiners, prescribing the duties of said board, and providing for examination to be taken by persons desiring to qualify for position as county horticultural commissioner; providing for the dividing of the several counties of

the State into districts by the respective county horticultural commissioners, and providing for the appointment of deputy commissioners, local inspectors, and quarantine guardians, prescribing their duties and powers and fixing their compensation.

On motion of Senator Benson, Senate Bill No. 458 was passed on file.

Senate Bill No. 843—An act making bonds of municipal improvement districts legal investments for certain purposes.

In the absence of the author, Senate Bill No. 843 was ordered passed, to retain its place on the file.

Senate Bill No. 121—An act providing for the organization of water districts by the board of supervisors of any county of the State upon petition therefor by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of said county in which the lands contained in said district are located; providing for the acquisition and construction by said district of water works, for the irrigation of the lands embraced therein and for the distribution of water for irrigation purposes and domestic use; providing for the payment of the debts thereof by a tax levied on the property embraced therein; providing for the issuance and sale of bonds thereby.

On motion of Senator Carr, W. J., Senate Bill No. 121 was passed on file.

Senate Bill No. 630—An act to add a new section to the Civil Code, to be numbered section 2767, relating to the disposition by the beneficiary of his interest under a policy of life insurance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 630 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Burnett, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Kehoe, Luce, Lyon, Maddux, Nealon, Rigdon, Rominger, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 635—An act to amend section 596*a* of the Political Code, relating to legal advice upon certain action by the Insurance Commissioner.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 635 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Chandler, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, Luce, Lyon, Maddux, Nealon, Rigdon, Rominger, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 452—An act providing for the establishing of public rating bureaus and defining their powers and methods of conducting

business; providing for inquiries into such rating bureaus by the Insurance Commissioner; providing for review of rates by Insurance Commissioner; providing against unfair discrimination in rates; providing for chief examiners for rating bureaus and prescribing their duties; providing for filing with Insurance Commissioner by insurance companies of schedules of rates; providing for inspection of risks rated by rating bureaus; providing for filing with Insurance Commissioner of short rate tables for cancellation of schedules of commissions to be paid agents, solicitors and brokers; providing against demoralization of business; providing entire act not to be affected by unconstitutionality of part thereof; providing for penalty for violation of act by insurance companies; providing for penalty for violation of act by agent or other representative; repealing laws in conflict with this act.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 452 passed by the following vote:

AYES—Senators Benton, Breed, Brown, Burnett, Chandler, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, Luce, Maddux, Rigdon, Rominger, Rush, Sharkey, Shearer, Stuckenbruck, Thompson, and Tyrrell—24.

NOES—Senators Ballard, Carr, F. M., Chamberlin, and Scott—4.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 715—An act to regulate and control the business of making personal loans and to regulate the assignment of wages when given as security for any such loan.

Bill read third time, previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Jones moved to refer Senate Bill No. 715 to Senator Kehoe as a Special Committee of One, to amend as follows:

On page 6, line 20, of the printed bill strike out the words "three and one-half" and insert in lieu thereof the word "two"; also, on page 6, line 29, strike out the words "three and one-half" and insert in lieu thereof the word "two".

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Jones, Kehoe, and Tyrrell, on the motion to refer.

The roll was called, and the motion lost by the following vote:

AYES—Senators Benson, Brown, Carr, W. J., Chandler, Inman, Irwin, Jones, Kehoe, Lyon, McDonald, Nealon, Purkitt, Rominger, and Stuckenbruck—14.

NOES—Senators Ballard, Breed, Burnett, Canepa, Carr, F. W., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, King, Luce, Maddux, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, and Tyrrell—23.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 715 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Jones,

Kehoe, King, Luce, McDonald, Maddux, Nealon, Purkitt, Rominger, Scott, Sharkey, Shearer, Slater, and Tyrrell—29.

NOES—Senators Brown, Carr, W. J. Inman, Lyon, Rigdon, Stuckenbruck, and Thompson—7.

Title read and approved.

Bill ordered transmitted to the Assembly.

RESOLUTION.

The following resolution was offered and ordered printed in the Journal:

By Senator Crowley:

WHEREAS, The Legislature of the State of California has enacted a law declaring the ninth day of September of each year a legal school holiday, to properly recognize and commemorate the anniversary of the birth of our great State; and

WHEREAS, The Honorable Governor William D. Stephens, Governor of the State of California, has set the seal of his approval on said law; now therefore, be it by Stanford Parlor No. 76, N. S. G. W., in meeting assembled on Tuesday, March 27, 1917,

Resolved, That the thanks of this order and all loyal Native Sons are due, and are hereby extended to the members of the Legislature and to the Honorable William D. Stephens for their action; furthermore, be it

Resolved, That these resolutions be spread upon the minutes of this meeting and that a copy thereof be sent to the Hon. J. J. Crowley, a member of this parlor, with the request that he personally present the same to the members of the Legislature and the Honorable William D. Stephens.

J. G. MARTIN.
H. M. SCHMIDT.
STANLEY G. SCOVERN.

I, Fred H. Jung, Recording Secretary of Stanford Parlor No. 76, N. S. G. W., do hereby certify that the foregoing resolution was duly adopted at the meeting of Stanford Parlor No. 76, N. S. G. W., held on Tuesday, March 27, 1917, by unanimous vote of said parlor.

In witness whereof I have hereunto set my hand and the seal of said parlor this twenty-eighth day of March, 1917.

[SEAL]

FRED H. JUNG,
Recording Secretary.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, April 3, 1917.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 14—Relative to the universal military training bill before the United States Congress—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

RUSH, Chairman.

Senate Concurrent Resolution No. 14 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 11—Relative to the representation and due recognition of Ireland and Poland as accredited belligerents at the next peace conference of world powers—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

RUSH, Chairman.

Senate Joint Resolution No. 11 ordered on file.

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, April 3, 1917.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 1136—An act providing for the supervision and regulation of the

transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; providing for the issue by incorporated cities and towns, cities and counties, and counties of permits for the operation of such automobiles, jitney busses, auto trucks, stages and auto stages; empowering incorporated cities and towns, cities and counties, and counties to enact ordinances for the supervision and regulation of automobiles, jitney busses, auto trucks, stages and auto stages and providing penalties for the violation of such ordinances; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts and parts of acts inconsistent with the provisions of this act—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

CARR, W. J., Chairman.

Senate Bill No. 1136 ordered on file for second reading.

RESOLUTION.

The following resolution was offered:

By Senator Luce:

Resolved, That Daniel T. Crowley be and he is hereby transferred from the position of committee clerk at $4.00 per diem to the position of assistant at the desk at $5.00 per diem.

Resolution read.

Senator Luce moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, F. M., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—29.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—OUT OF ORDER.

The following resolution was offered:

By Senator Inman:

Senate Joint Resolution No. 15—Relative to passage by Congress of the United States the universal and compulsory military training bill to meet the present crisis and provide for the perpetual safeguarding of the existence and interests of this nation.

Resolution ordered to print, and referred to Committee on Federal Relations.

RECESS.

The hour of twelve o'clock and thirty minutes p.m. having arrived, the President pro tempore declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m. the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Minute Clerk Joseph A. Beek at the desk.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 102—An act to amend sections 12 and 16 of an act entitled "An act to provide for the organization and management

of county fire insurance companies," approved April 1, 1897, as amended March 23, 1907, April 15, 1909, and May 1, 1911.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 366—An act to amend the Penal Code of the State of California by amending section 561 thereof and adding new sections to be known as sections 561*a*, 561*b*, 561*c*, 561*d*, and 563*a* thereto, all relating to frauds in the management of banks and prescribing penalties for violations of the provisions of the act.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 23 of the printed bill after the word "law" strike out the period and all of lines 24 and 25, and insert a comma and the following: "is guilty of a misdemeanor."

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 46—An act appropriating money for painting the temporary buildings of Humboldt State Normal School.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 170—An act appropriating money for the care and improvement of grounds of the Fresno State Normal School.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 171—An act appropriating money for the completing of the plant and equipment of the Fresno State Normal School.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 195—An act appropriating money for the construction of a tubercular ward on the grounds of the Veterans' Home.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 207—An act appropriating money for traveling expenses of directors of the Women's Relief Corps Home.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 221—An act appropriating money for a sewer system at the Santa Barbara State Normal School.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 240—An act appropriating money for sewerage and water system at the University of California Farm School at Davis.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 241—An act appropriating money for the construction and equipment of a creamery at the University of California Farm School at Davis.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 243—An act appropriating money for the construction of small buildings at the University of California Farm School at Davis.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 244—An act appropriating money for repairs and improvements to buildings, structures and equipment at the Veterans' Home.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 250—An act appropriating money to cover the cost of water softening plant at the Mendocino State Hospital.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 252—An act appropriating money for repairs to flooring at the Mendocino State Hospital.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 258—An act appropriating money to cover the cost of four continuous baths for the Stockton State Hospital.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 260—An act appropriating money for the construction of a tubercular hospital at the Stockton State Hospital.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 265—An act appropriating money for the completion of the buildings of Riverside Citrus Experiment Station of the University of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 280—An act appropriating money for the construction of a prison school building at the Folsom State Prison.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 281—An act appropriating money for the purchase of new machinery and equipment for the machine and blacksmith shops at the Folsom State Prison.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 282—An act appropriating money for repairs and improvements to buildings, structures and equipment at the Folsom State Prison.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 296—An act appropriating money for the improvement of the grounds of the Industrial Home for the Adult Blind.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 297—An act appropriating money to be used for water development at the Industrial Home for the Adult Blind.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 298—An act appropriating money for the purchase of a burial plot for the Industrial Home for the Adult Blind.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 299—An act appropriating money for the purchase of equipment for the Industrial Home for the Adult Blind.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 300—An act appropriating money for repairs and improvements to buildings and equipment at the Industrial Home for the Adult Blind.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 302—An act appropriating money to complete the electric wiring of the California School for the Deaf and the Blind.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1167—An act appropriating money for the construction of sewage disposal system at the Folsom State Prison.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 206—An act appropriating money for repairs and improvements, including fire protection, at the Women's Relief Corps Home.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill strike out the word "two" and insert in lieu thereof the word "five".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 557—An act to authorize the board of trustees of the San Jose State Normal School to exchange certain land belonging to said school for other land belonging to the San Jose High School District.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 5, 6 and 7 and insert in lieu thereof the following: "of said normal school, commencing at a point on the original line of East San Fernando street easterly five hundred three feet from the intersection of the original westerly line of South Seventh street with the original southerly line of East San Fernando street; thence southerly at right angles two hundred ninety-six feet; thence easterly at right angles ten feet; thence northerly at right angles two hundred ninety-six feet; thence westerly at right angles ten feet to the place of beginning; for a parcel of land belonging to the San Jose high school district, commencing at a point westerly four hundred forty-three feet from and at right angles to the original line of South Seventh street and southerly three hundred fifty-six feet from the point of intersection of the original westerly line of South Seventh street with the original southerly line of East San Fernando street; thence northerly at right angles to said westerly line sixty feet; thence westerly at right angles fifty feet; thence southerly at right angles sixty feet; thence easterly at right angles fifty feet to the place of beginning."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 106—An act to repeal an act entitled "An act to provide for the creation of the State Commission Market, and the organization thereof, to carry on the business of receiving from the producers thereof the agricultural, fishery, dairy and farm products of the State of California and selling and disposing of such products on commission, creating the State Commission Market Fund and appropriating money therefor," approved June 10, 1915.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 86—An act to provide for the creation of the "State Market Commission" and the organization thereof; to carry on the business of receiving from the producers thereof the agricultural, fishery, dairy and farm products of the State of California and selling and disposing of such products on commission, to define its other duties

and powers; to create the position of "State Market Director," to define his duties and powers; to create the "State Market Commission Fund," and to appropriate money to carry out the provisions of this act; and repealing that act known as "State Commission Market Act," approved June 10, 1915, Chapter 713 of the Statutes of 1915, and all other acts and parts of acts in conflict with the provisions of this act.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 3 of the title, strike out all after the semicolon, and also all of lines 4 and 5 and all of line 6 to and including the word "commission".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 7 of the title, strike out the quotation marks before the word "State", and also in line 8 strike out the quotation marks after the word "Director".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 8 of the title, strike out the comma after the word "director" and insert in lieu thereof a semicolon.

Amendment adopted.

AMENDMENT NUMBER FOUR.

In line 9 of the title, strike out the quotation marks before the word "State" and after the word "Fund"; also after the comma after the word "Fund" insert the following: "and a revolving fund;"

Amendment adopted.

AMENDMENT NUMBER FIVE.

In line 9 of the title, strike out the words "and to appropriate money".

Amendment adopted.

AMENDMENT NUMBER SIX.

In line 10 of the title, strike out "to carry out the provisions of this act;"

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 1, strike out all of lines 4, 5 and 6, and on page 2, strike out all of lines 1 and 2, and insert in lieu thereof the following:

"First. To act as advisor for producers and distributors when requested, assisting them in economical and efficient distribution of any such products at fair prices."

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, strike out all of lines 3, 4 and 5.

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 6, strike out the word "Third" and insert in lieu thereof the word "Second".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 6, after the word "disseminate" insert the word "impartial".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 2, line 9, strike out the word "Fourth" and insert in lieu thereof the word "Third".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 2, line 12, strike out the period and insert in lieu thereof a comma and add the following: "and to protect and conserve the interests of the producers and consignors of such products."

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 2, line 13, strike out the word "Fifth" and insert in lieu thereof the word "Fourth".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 2, line 16, strike out the word "Sixth" and insert in lieu thereof the word "Fifth".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 2, strike out all of lines 19, 20, 21, 22 and 23.

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 2, line 24, strike out the word "Eighth" and insert in lieu thereof the word "Sixth".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 2, line 24, strike out the comma after the word "invited" and insert the following: "by both parties,".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 2, line 27, strike out the word "Ninth" and insert in lieu thereof the word "Seventh".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 2, line 28, strike out the word "to".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 2, line 32, strike out the word "Tenth" and insert in lieu thereof the word "Eighth".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 2, line 33, after the word "commission" insert the following: "on request of the producer, packer, canner or distributor,".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 2, line 35, strike out the word "directors" and insert in lieu thereof the word "director".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 3, line 1, strike out the word "Eleventh" and insert in lieu thereof the word "Ninth".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 3, strike out all of lines 4, 5 and 6.

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 3, line 7, strike out the word "Thirteenth" and insert in lieu thereof the word "Tenth".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 3, strike out all of lines 10, 11, 12 and 13.

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 3, line 14, strike out the word "Fifteenth" and insert in lieu thereof the word "Eleventh".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 3, line 25, strike out "1*a*" and insert in lieu thereof the figure "2".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 3, line 27, strike out "Sec. 1*b*".

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 3, strike out all of lines 33, 34 and 35.

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 4, strike out all of lines 15, 16, 17, 18, 19 and 20.

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 4, line 21, strike out the figure "2" and insert in lieu thereof the figure "3".

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 4, strike out all of lines 31 to 37 inclusive.

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 5, strike out all of lines 1 to 32 inclusive.

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 5, line 33, strike out "7*a*" and insert in lieu thereof the figure "4".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 5, line 35, strike out all of the line after the word "things".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 5, line 36, strike out the word "thereto" and the comma.

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN ONE-HALF.

On page 6, line 1, after the word "jurisdiction" insert the words "designated and".

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

On page 6, line 3, strike out the figure "8" and insert in lieu thereof the figure "5".

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

On page 6, line 6, strike out the word "shall" and insert in lieu thereof the word "may"; also strike out the word "booklets" and insert in lieu thereof the word "bulletins".

Amendment adopted.

AMENDMENT NUMBER FORTY.

On page 6, line 9, strike out the figure "9" and insert in lieu thereof the figure "6".

Amendment adopted.

AMENDMENT NUMBER FORTY-ONE.

On page 6, line 16, strike out the figure "10" and insert in lieu thereof the figure "7".

Amendment adopted.

AMENDMENT NUMBER FORTY-TWO.

On page 6, line 17, strike out the words "and an attorney".

Amendment adopted.

AMENDMENT NUMBER FORTY-THREE.

On page 6, line 19, strike out the word "salaries" and insert in lieu thereof the word "salary"; also strike out the word "and".

Amendment adopted.

AMENDMENT NUMBER FORTY-FOUR.

On page 6, line 20, strike out the word "attorney"; also strike out the word "each".

Amendment adopted.

AMENDMENT NUMBER FORTY-FIVE.

On page 6, line 21, strike out the figure "11" and insert in lieu thereof the figure "8".

Amendment adopted.

AMENDMENT NUMBER FORTY-SIX.

On page 6, line 25, strike out the figure "12" and insert in lieu thereof the figure "9".

Amendment adopted.

AMENDMENT NUMBER FORTY-SEVEN.

On page 6, line 25, strike out the comma after the word "director" and insert in lieu thereof the word "and"; also strike out the words "and the at-".

Amendment adopted.

AMENDMENT NUMBER FORTY-EIGHT.

On page 6, line 26, strike out the word "torney".

Amendment adopted.

AMENDMENT NUMBER FORTY-NINE.

On page 6, line 29, strike out the comma and the rest of said line, and also all of line 30 and line 31 to and including the word "commission".

Amendment adopted.

AMENDMENT NUMBER FIFTY.

On page 7, line 4, strike out the words "fourteen *a*" and insert in lieu thereof the word "twelve".

Amendment adopted.

AMENDMENT NUMBER FIFTY-ONE.

On page 7, line 6, strike out "13" and insert in lieu thereof "10".

Amendment adopted.

AMENDMENT NUMBER FIFTY-TWO.

On page 7, line 11, strike out "14" and insert in lieu thereof "11".

Amendment adopted.

AMENDMENT NUMBER FIFTY-THREE.

On page 7, line 23, strike out "14*a*" and insert in lieu thereof "12".

Amendment adopted.

AMENDMENT NUMBER FIFTY-FOUR.

On page 7 strike out all of lines 30, 31, 32, 33 and 34.

Amendment adopted.

AMENDMENT NUMBER FIFTY-FIVE.

On page 7, line 35, strike out "16" and insert in lieu thereof "13".

Amendment adopted.

AMENDMENT NUMBER FIFTY-SIX.

On page 8, line 6, strike out "17" and insert in lieu thereof "14".

Amendment adopted.

AMENDMENT NUMBER FIFTY-SEVEN.

On page 8, line 8, strike out the word "fifty" and insert in lieu thereof the word "five".

Amendment adopted.

AMENDMENT NUMBER FIFTY-EIGHT.

On page 8, beginning with line 13, strike out all of section 17*a*, and insert in lieu thereof the following:

Sec. 15. The director may make pertinent investigations concerning the aggregate amount of products held in common and cold storage. In connection with any such investigation, the director shall have the right to inspect only the pertinent books and records of common or cold storage warehouses for the purpose of determining and publishing aggregate amounts of products held in storage, and the director is hereby empowered to issue subpoenas for the attendance of witnesses and the production of pertinent books, papers, accounts, documents and testimony in any such investigation.

Amendment adopted.

AMENDMENT NUMBER FIFTY-NINE.

On pages 8 and 9, beginning with line 23 on page 8 and to and including line 19 on page 9, strike out all of sections 17*b*, 17*c*, 18 and 19*a*.

Amendment adopted.

AMENDMENT NUMBER SIXTY.

On page 9, line 20, strike out "19*b*" and insert "16".

Amendment adopted.

AMENDMENT NUMBER SIXTY-ONE.

On page 9, line 22, strike out the comma after the word "fund", and insert in lieu thereof the following: "under the authority of the act creating the state commission market fund, approved June 10, 1915,".

Amendment adopted.

AMENDMENT NUMBER SIXTY-TWO.

On page 9, line 24, strike out "20" and insert in lieu thereof "17".

Amendment adopted.

AMENDMENT NUMBER SIXTY-THREE.

On page 9, line 32, strike out "21" and insert in lieu thereof "18".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 749—An act authorizing the Governor to appoint a commission to investigate and advise the Legislature concerning the adoption of a system of social insurance, and to make a report to the forty-third session of the Legislature and making an appropriation therefor.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 676—An act to amend section 453*a* of the Civil Code, relating to mortgage insurance.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 15, strike out the word "of" and insert in lieu thereof the word "or".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 24, after the word "fifty-three" strike out the letters "*ce*" and insert in lieu thereof the letters "*ce*".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3 strike out all of lines 1 to 28 inclusive and insert in lieu thereof

No loan shall be made, for himself or as agent or partner of another, directly or indirectly, to any director or officer of any mortgage insurance company, by such company, or on the endorsement, surety or guaranty of any such officer or director, except that loans may be made to any corporation in which any director or officer of such mortgage insurance company may own or hold a minority number of shares of stock, upon authorization of a majority of all the directors of such mortgage insurance company and the affirmative vote of all directors of such mortgage insurance company present at the meeting authorizing such loan, *provided, however*, that such loan shall in all other respects conform to and comply with all other provisions of this chapter. Such interested director or officer shall not vote or participate in any manner in the action of the board on such loan. Such authorization shall be entered upon the records or minutes of such mortgage insurance company. The fact of making such loan, the names of the directors authorizing such loan, the corporate name of the borrower, the name of each director or officer of such mortgage insurance company who is a member, stockholder, officer, or director of the corporation to which such loan is made, the amount of stock held by him in such borrowing corporation, the amount of such loan, the rate of interest thereon, the time when the loan will become due, the amount, character and value of security given therefor and the fact of final payment, when made, shall be forthwith reported in writing by the cashier or secretary of such mortgage insurance company to the insurance commissioner. No loan may be made to any corporation, a majority of the stock of which is owned or controlled by any one or more of the directors or officers of such mortgage insurance company.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 34, strike out the words "shall be guilty of a misdemeanor" and insert in lieu thereof a comma and the following: "other than those relating to loans to directors and officers, shall be guilty of a misdemeanor, and any director or officer of any mortgage insurance company who knowingly consents to any violation of any of the terms or provisions of this section relating to loans to directors and officers shall be guilty of a felony."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 823—An act to repeal an act entitled "An act to establish a uniform system of mine bell signals, to be used in all the mines operated in the State of California, and for the protection of miners," approved March 8, 1893, and known as Chapter 74, Statutes of 1893.

Bill read second time, ordered engrossed, and on file for third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 268—An act to amend section 1469 of the Code of Civil Procedure, relating to administration of estate not exceeding two thousand dollars in value.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Maddux moved to refer Assembly Bill No. 268 to Senator Slater, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, after the word "or" at the end of the line insert the words "of the guardian".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 3, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 268, with instructions to amend, respectfully reports the same back, amended as per instructions.

SLATER, Special Committee.

Report read, and, on motion of Senator Maddux, adopted.

Bill ordered to print.

Assembly Bill No. 937—An act to amend section 570 of the Code of Civil Procedure, relating to the disposition of unclaimed funds in the hands of a receiver.

On motion of Senator Benson, Assembly Bill No. 937 was passed on file.

Assembly Bill No. 373—An act amending section 499*a* of the Penal Code, relating to stealing of electric current and the injuring of electric wires or appliances, and providing a punishment therefor.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 373 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Canepa, Carr, W. J., Chamberlin, Duncan, Evans, Flaherty, Irwin, Johnson, Lyon, McDonald, Maddux, Nealon, Purkitt, Rominger, Rush, Shearer, Slater, and Stuckenbruck—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 262—An act to amend section 1 and to repeal section 2 of an act entitled "An act granting to the city of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Berkeley, and regulating the management, use and control thereof," approved June 11, 1913; also approved May 27, 1915.

On motion of Senator Benson, Assembly Bill No. 262 was passed on file.

Assembly Bill No. 206—An act to amend section 1 and to repeal section 2 of an act entitled "An act granting to the city of Alameda

the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Alameda, and regulating the management, use and control thereof," approved June 11, 1913.

On motion of Senator Benson, Assembly Bill No. 206 was passed on file.

Assembly Bill No. 488—An act to amend sections 4 and 24 of an act entitled "An act to provide for the acquisition by municipalities of land for public park or playground purposes by condemnation, and for the establishment of assessment districts and the assessment of property therein to pay the expenses of acquiring such land," approved April 22, 1909, as amended.

On motion of Senator Benson, Assembly Bill No. 488 was passed on file.

Assembly Bill No. 62—An act to amend section 4 of an act entitled "An act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvements within municipalities, and also for the payment of such bonds," approved February 27, 1893.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 62 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Canepa, Chamberlin, Duncan, Evans, Flaherty, Ingram, Irwin, Johnson, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Shearer, Slater, and Stuckenbruck—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 749—An act to repeal an act entitled "An act to incorporate the town of Felton in the county of Santa Cruz, State of California," approved March 8, 1878.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 749 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Chamberlin, Duncan, Evans, Flaherty, Ingram, Irwin, Johnson, Lyon, McDonald, Maddux, Nealon, Purkitt, Rominger, Rush, Shearer, Slater, and Stuckenbruck—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 15—Relative to the inscription on the monument erected to the memory of James W. Marshall at Coloma, El Dorado County, California.

WHEREAS, The monument erected to the memory of James W. Marshall and to commemorate the discovery of gold in California, located at Coloma, El Dorado county, bears an inscription setting forth the date of such discovery at January 19, 1849; and

WHEREAS, Doubt has been cast upon the correctness of the date set forth in said inscription; now, therefore, be it

Resolved by the Assembly, the Senate concurring, That a committee of three persons, one of whom shall be a member of the order of Native Sons of the Golden West, and one of whom shall be a member of the Society of Pioneers, shall be appointed by the governor to investigate the matter and to determine the correct date

of such discovery; that after such investigation, if the committee so appointed as herein provided shall determine that the present inscription on said monument is erroneous, said committee shall appear before the board of trustees of Sutter's Fort, which said board of trustees has charge of the maintenance and upkeep of said monument, and request the said board of trustees to change the inscription now on said monument and to cause the correct date to be engraved on the monument according to the findings of the committee herein provided for, and the said board of trustees of Sutter's Fort is hereby authorized and is directed to change the inscription on said monument so as to show the correct date in accordance with the findings of said committee.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 15 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Chamberlin, Crowley, Duncan, Evans, Flaherty, Ingram, Irwin, Johnson, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Shearer, Slater, and Stuckenbruck—24.

NOES—None.

Title read and approved.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 1368—An act making bonds of municipal water districts legal investments for certain purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1368 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Chamberlin, Crowley, Duncan, Flaherty, Ingram, Inman, Irwin, Johnson, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Shearer, Slater, and Stuckenbruck—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 20—An act to amend section 671 of the Code of Civil Procedure, relating to judgment liens.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 20 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Ingram, Inman, Irwin, Johnson, Lyon, McDonald, Maddux, Nealon, Rigdon, Rush, Scott, Shearer, Slater, Stuckenbruck, and Thompson—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 58—An act to add a new section to the Code of Civil Procedure to be numbered 671*a*, relating to the filing and recording of judgments and transcripts of judgments rendered in federal courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 58 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Flaherty, Ingram, Inman, Irwin, Johnson,

Lyon, Maddux, Nealon, Rigdon, Rush, Scott, Shearer, Stuckenbruck and Tyrrell—24.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.
Assembly Bill No. 221—An act to amend section 704 of the Penal Code, relating to proceedings before a magistrate on hearing of a charge of threatened offense.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 221 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, McDonald, Maddux, Nealon, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, and Tyrrell—25.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.
Assembly Bill No. 224—An act to repeal section 63½ of the Penal Code.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 224 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, King, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Shearer, Slater, Stuckenbruck, and Tyrrell—28.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.
Assembly Bill No. 225—An act to repeal section 63 of the Penal Code.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 225 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Gates, Ingram, Inman, Irwin, Johnson, King, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Shearer, Slater, and Stuckenbruck—25.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.
Assembly Bill No. 795—An act to amend section 1438 of the Penal Code, relating to the conduct of trial in justices' courts.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 795 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Duncan, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, King, Luce,

Lyon, McDonald, Maddux, Nealon, Rigdon, Rush, Shearer, Slater and Stuckenbruck—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR FLAHERTY IN THE CHAIR.

At two o'clock and fifty-five minutes p.m., Senator Flaherty of the Twenty-fourth District was called to the chair.

SECRETARY CLIFTON E. BROOKS AT THE DESK.

Assembly Bill No. 1417—An act to amend section 1 of an act entitled "An act granting to the city of Los Angeles the tidelands and submerged lands of the State within the boundaries of the said city," approved May 1, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1417 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Chamberlin, Crowley, Duncan, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Luce, Lyon, McDonald, Maddux, Purkitt, Rush, Scott, Sharkey, Shearer, Slater, and Stuckenbruck—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Constitutional Amendment No. 21—Proposed amendment to Article XII of the Constitution, relative to poll taxes.

On motion of Senator Stuckenbruck, Assembly Constitutional Amendment No. 21 was passed on file.

Assembly Bill No. 1220—An act to provide for a day of rest for employees of the state hospitals, state prisons and other state institutions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1220 passed by the following vote:

AYES—Senators Breed, Burnett, Chamberlin, Crowley, Duncan, Flaherty, Gates, Ingram, Irwin, Johnson, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rush, Scott, Sharkey, Shearer, Slater, and Stuckenbruck—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MINUTE CLERK JOSEPH A. BEEK AT THE DESK.

Assembly Bill No. 123—An act to amend section 23*a* of an act entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911, and to add a new section thereto to be numbered 23*b*.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 123 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Canepa, Carr, W. J., Chamberlin, Crowley, Duncan, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Kehoe,

King, Luce, Lyon, Maddux, Nealon, Purkitt, Scott, Sharkey, Shearer, Slater, and Stuckenbruck—27.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

SECRETARY CLIFTON E. BROOKS AT THE DESK.

Assembly Bill No. 282—An act to amend section 596 of the Political Code, concerning certificate of authority to insurance companies; prohibiting the use of unauthorized companies except for surplus line insurance; providing for the licensing of surplus line brokers, their obligations and duties and providing penalty for violation thereof.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 282 passed by the following vote:

AYES—Senators Breed, Brown, Burnett, Canepa, Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Scott, Sharkey, Shearer, and Stuckenbruck—28.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.
Assembly Bill No. 124—An act to provide whole family protection for members of fraternal societies.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 124 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Canepa, Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, Luce, Lyon, McDonald, Maddux, Scott, Sharkey, Shearer, and Stuckenbruck—25.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.
Assembly Bill No. 367—An act to amend section 631*d* of the Penal Code of the State of California, relating to the domestication of wild game.
Bill read third time.
On motion of Senator Benson, Assembly Bill No. 367 was passed on file.
Assembly Bill No. 767—An act to amend section 628*e* of the Penal Code, relating to fish and game.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 767 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Inman, Irwin, Johnson, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Scott, Sharkey, Shearer, and Stuckenbruck—26.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

Assembly Bill No. 11—An act to amend section 626 of the Penal Code, relating to the protection of fish and game.

Assembly Bill No. 11 re-referred to Committee on Fish and Game.

Assembly Bill No. 64—An act to amend section 626*d* of the Penal Code, relating to the protection of fish and game.

Assembly Bill No. 64 re-referred to Committee on Fish and Game.

Assembly Bill No. 238—An act to repeal section 3062 of the Political Code, relating to health officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 238 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Chamberlin, Crowley, Evans, Flaherty, Haus, Inman, Irwin, Kehoe, Lyon, McDonald, Maddux, Nealon, Rominger, Rush, Scott, Sharkey, Slater, and Stuckenbruck—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 239—An act to amend sections 2979*a*, 2984, 3061 and 3064 of the Political Code, relating to health officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 239 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Haus, Inman, Irwin, Johnson, Lyon, McDonald, Rominger, Rush, Sharkey, Shearer, Slater, and Stuckenbruck—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 764—An act to amend an act entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled, or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, and amended 1913 and 1915, by amending sections 2, 3, 4, 8, 9, 12 and 19.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 764 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Haus, Ingram, Inman, Irwin, Johnson, Lyon, McDonald, Rominger, and Shearer—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 762—An act to amend sections 2 and 7 of an act entitled "An act relating to cold storage, the regulation of refrigerating warehouses, the disposition or sale of food kept or preserved

therein, and defining the duties of the State Board of Health in relation thereto," approved June 13, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 762 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Sharkey, Shearer, Slater, and Stuckenbruck—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1144—An act to amend section 629 of the Penal Code of the State of California, relative to placing and maintaining of screens over the inlets of pipes, flumes, ditches, canals and mill races, taking water from any rivers, creek, stream or lake in which fish have been placed or may exist.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1144 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Jones, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Sharkey, Shearer, and Slater—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 534—An act prohibiting an employer from discharging an employee for failure to patronize a boarding house or hotel owned or conducted by the employer, and prescribing penalties for violations of the provisions hereof.

Bill read third time.

CALL OF THE SENATE.

The roll was called on the passage of Assembly Bill No. 534.

Pending the announcement of the vote, Senator Duncan moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—35.

The Secretary announced the absentees.

Time, three o'clock and forty-five minutes p.m.

The Acting President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At three o'clock and fifty-five minutes p.m., Senator Chandler was brought to the bar of the Senate, and, on motion of Senator Slater, was excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At four o'clock p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Duncan.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Assembly Bill No. 534 finally passed by the following vote:

AYES—Senators Benson, Canepa, Carr, F. M., Crowley, Duncan, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, King, Lyon, McDonald, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, and Tyrrell—22.

NOES—Senators Ballard, Breed, Brown, Carr, W. J., Chamberlin, Chandler, Evans, Irwin, Luce, Nealon, Purkitt, Shearer, Stuckenbruck, and Thompson—14.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 3, 1917.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 942—An act to amend sections 1519 and 1519a of the Political Code, and to add five new sections thereto, to be numbered 1519b, 1519c, 1519d, 1534 and 1696b, relating to the powers and duties of the State Board of Education and of the superintendent of public instruction, and to the duties of teachers;

Also: Senate Bill No. 685—An act to add a new section to the Political Code, to be numbered 1718, relating to elementary school district libraries;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

GATES, Chairman.

Senate Bills Nos. 942 and 685 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 1096—An act to amend section 1576 of the Political Code, relating to separate school districts in cities except cities of the sixth class and additional territory—has had the same under consideration, and respectfully reports the same back and recommends that same do pass.

GATES, Chairman.

Assembly Bill No. 1096 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 1388—An act to amend section 1593 of the Political Code, relating to the election of school trustees—has had the same under consideration, and respectfully reports the same back with amendments and recommends that same do pass, as amended.

GATES, Chairman.

Assembly Bill No. 1388 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 314—An act to amend sections 1578 and 1579 of the Political Code, relating to the organization of elementary school districts;

Also: Senate Bill No. 931—An act to add a new section to the Political Code, to be numbered section 1734b, relating to the exclusion of an elementary school district from a high school district and the annexation of such elementary school district to another contiguous high school district;

Has had the same under consideration, and respectfully reports the same back and recommends that same do pass.

GATES, Chairman.

Senate Bills Nos. 314 and 931 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 378—An act to establish a state normal school in the city and county of San Francisco, State of California, to be known as the San Francisco State Normal School, and making an appropriation for the maintenance of said school—has had the same under consideration, and respectfully reports the same back and recommends that same be re-referred to Committee on Finance.

GATES, Chairman.

Senate Bill No. 378 re-referred to Committee on Finance.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 3, 1917.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 1162—An act to amend section 472 of the Political Code relating to the duties of the Attorney General and the appointment of assistants and deputies in such office—has had the same under consideration, and respectfully reports the same back and recommends that it do pass, and be re-referred to Committee on Finance.

KEHOE, Chairman.

Senate Bill No. 1162 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 1152—An act authorizing any county now or hereafter organized to incur indebtedness, issue negotiable bonds, levy taxes to pay the principal and interest thereof, acquire by condemnation or otherwise land within the county, donate and convey the same to the United States, free of cost to the United States, for a permanent mobilization, training and supply station for any or all such military purposes, including supply stations, the mobilization, disciplining and training of the United States army, state militia and other military organizations, as are now or may at any time be authorized or provided for under any law or laws of the United States; conferring on such counties the power of eminent domain for the purposes of this act and providing the procedure therefor; granting the consent of the State to such conveyance and ceding exclusive jurisdiction to the United States over the lands so conveyed;

Also: Senate Bill No. 992—An act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under an act hereby repealed, to be known as the "Inheritance Tax Act"; and to repeal Chapter 595 of the laws of the session of the legislature of California of 1913 approved June 16, 1913, known as the "Inheritance Tax Act," and all amendments thereto, and to repeal all acts and parts of acts in conflict with this act;

Also: Senate Bill No. 990—An act to amend section 1444 of the Code of Civil Procedure, relating to appraisers of estates of deceased persons;

Also: Senate Bill No. 806—An act to amend section 2924 of the Civil Code, relating to mortgages and deeds of trust;

Also: Senate Bill No. 807—An act to amend sections 1536, 1545, 1547, 1549, 1552, 1554 and 1555 of the Code of Civil Procedure, relating to sales of real property by executors and administrators;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

KEHOE, Chairman.

Senate Bills Nos. 1152, 992, 990, 806 and 807 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 323—An act to amend section 4300c of the Political Code, relating to fees of justices of the peace;

Also: Assembly Bill No. 958—An act to amend sections 1, 5, 6 and 7 of Chapter 653, approved June 8, 1915, the same being "An act defining public weighmaster; describing his duties; providing for rules and regulations governing the performance of his duties; prescribing a bond and fixing the amount thereof; and providing penalties for any violations of the provisions of this act";

Also: Assembly Bill No. 487—An act to repeal section 259 of the Penal Code, requiring certain newspaper articles to be signed;

Also: Senate Bill No. 989—An act to amend section 1380 of the Code of Civil Procedure, relating to giving special notices to heirs, devisees, and legatees during the administration of estates of decedents;

Also: Senate Bill No. 991—An act to amend section 963 of the Code of Civil Procedure, relating to cases in which an appeal may be taken;

Also: Assembly Bill No. 189—An act to amend section 928 of the Penal Code, relating to the duty of grand juries relative to examination of books;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

KEHOE, Chairman.

Assembly Bills Nos. 323, 958, 487 and 189 and Senate Bills Nos. 989 and 991 ordered on file for second reading.

THIRD READING OF ASSEMBLY BILLS, ETC. (RESUMED).

Assembly Bill No. 662—An act to require employers to pay the cost of bonds and photographs required of and furnished by employees or applicants for employment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 662 passed by the following vote:

AYES—Senators Benson, Canepa, Carr, F. M., Chandler, Crowley, Duncan, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, King, Lyon, McDonald, Nealon, Rigdon, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—25.

NOES—Senators Ballard, Breed, Carr, W. J., Chamberlin, Evans, Kehoe, Luce, Maddux, Purkitt, Rominger, and Shearer—11.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1025—An act prohibiting employers of labor from interfering with employees purchasing in open market any property the title or ownership of which vests in and remains with the employee and providing penalties for violations hereof.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Lyon moved to refer Assembly Bill No. 1025 to Senator Gates, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, strike out the word "and" after the word "texture"; also in same line strike out the word "and" after the word "style"; also in same line after the word "form" insert the words "and fit".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 3, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 1025, with instructions to amend, respectfully reports the same back, amended as per instructions.

GATES, Special Committee.

Report read, and, on motion of Senator Lyon, adopted.

Bill ordered to print.

Assembly Bill No. 629—An act to amend section 1614 of the Penal Code, relating to rules and regulations for the performance of labor,

credits for good behavior of prisoner confined in county jail or in city jail or in city and county jail.

On motion of Senator Benson, Assembly Bill No. 629 was passed on file.

Assembly Bill No. 369—An act entitled "An act relating to the liquidation of banks by the Superintendent of Banks; empowering him to levy assessments against the members and stockholders of any bank in process of liquidation by him to an amount which he may determine to be necessary to promptly pay the creditors of such bank in full; to enforce such assessments by suit and empowering the superior court to determine the equities of the members and stockholders of any such bank to any surplus which may remain after the payment of the creditors of such bank in full and to award and distribute the same accordingly."

On motion of Senator Benson, Assembly Bill No. 369 was passed on file.

Assembly Bill No. 521—An act to amend section 2745 of the Political Code, relating to the formation of road divisions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 521 passed by the following vote:

AYES—Senators Benson, Breed, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Rigdon, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 25—An act to legalize the organization of permanent road divisions and validate all proceedings for the issuance of bonds of said divisions where authority for issuance of said bonds has already been given by a vote of at least two-thirds of the electors of any permanent road divisions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 25 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1098—An act amending section 10 of an act entitled "An act providing for the laying out, constructing, straightening, improvement and repair of main public highways in any county, providing for the voting, issuing, and selling of county bonds and the acceptance of donations to pay for such work and improvements, providing for a highway commission to have charge of such work and

improvements, and authorizing cities and towns to improve the portions of such highways within their corporate limits and to issue and sell bonds therefor," approved March 19, 1907, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1098 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Johnson, Jones, Kehoe, King, Luce, Lyon, Purkitt, Rigdon, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 580—An act to amend section 2643 of the Political Code, relating to the powers of boards of supervisors respecting roads.

On motion of Senator Benson, Assembly Bill No. 580 was passed on file.

Assembly Constitutional Amendment No. 2—Proposed amendment to Article XI of the Constitution, relative to city charters and to provisions therein for municipal courts.

Resolved by the Assembly, the Senate concurring. That the legislature of the State of California, at its regular session commencing on the eighth day of January, one thousand nine hundred seventeen, two-thirds of all the members elected to each of the two houses of said legislature voting in favor thereof, proposes to the people of said state that section eight and one-half of article eleven of the state constitution be amended to read as follows:

SEC. 8½. It shall be competent, in all charters framed under the authority given by section eight of this article, to provide, in addition to those provisions allowable by this constitution, and by the laws of the state as follows:

1. For the constitution, regulation, government, and jurisdiction of police courts, and for the manner in which, the times at which, and the terms for which the judges of such courts shall be elected or appointed, and for the qualifications and compensation of said judges and of their clerks and attaches; and for the establishment, constitution, regulation, government and jurisdiction of municipal courts and judges thereof, with such civil, criminal and magisterial jurisdiction as by law may be conferred upon inferior courts and judges thereof; and for the manner in which, the times at which and the terms for which the judges of such courts shall be elected or appointed, and for the qualifications and compensation of said judges and of their clerks and attaches; *provided*, such municipal courts shall never be deprived of the jurisdiction given inferior courts created by general law.

In any city or any city and county, when such municipal court has been established, there shall be no other court inferior to the superior court; and pending actions, trials, and all pending business of inferior courts within the territory of such city or city and county, upon the establishment of any such municipal court, shall be and become pending in such municipal court, and all records of such inferior courts shall thereupon be and become the records of such municipal court.

2. For the manner in which, the times at which, and the terms for which the members of boards of education shall be elected or appointed, for their qualifications, compensation and removal, and for the number which shall constitute any one of such boards.

3. For the manner in which, the times at which and the terms for which the members of the boards of police commissioners shall be elected or appointed; and for the constitution, regulation, compensation, and government of such boards and of the municipal police force.

4. For the manner in which and the times at which any municipal election shall be held and the result thereof determined; for the manner in which, the times at which, and the terms for which the members of all boards of election shall be elected or appointed, and for the constitution, regulation, compensation and government of such boards, and of their clerks and attaches, and for all expenses incident to the holding of any election.

It shall be competent in any charter framed in accordance with the provisions of this section, or section eight of this article, for any city or consolidated city and county, and plenary authority is hereby granted, subject only to the restrictions of

this article, to provide therein or by amendment thereto, the manner in which, the method by which, the times at which, and the terms for which the several county and municipal officers and employees whose compensation is paid by such city or city and county, excepting judges of the superior court, shall be elected or appointed, and for their recall and removal, and for their compensation, and for the number of deputies, clerks and other employees that each shall have, and for the compensation, method of appointment, qualifications, tenure of office and removal of such deputies, clerks and other employees. All provisions of any charter of any such city or consolidated city and county, heretofore adopted, and amendments thereto, which are in accordance herewith, are hereby confirmed and declared valid.

5. It shall be competent in any charter or amendment thereof, which shall hereafter be framed under the authority given by section eight of this article, by any city having a population in excess of fifty thousand ascertained as prescribed by said section eight, to provide for the separation of said city from the county of which it has theretofore been a part and the formation of said city into a consolidated city and county to be governed by such charter, and to have combined powers of a city and county, as provided in this constitution for consolidated city and county government, and further to prescribe in said charter the date for the beginning of the official existence of said consolidated city and county.

It shall also be competent for any such city, not having already consolidated as a city and county to hereafter frame, in the manner prescribed in section eight of this article, a charter providing for a city and county government, in which charter there shall be prescribed territorial boundaries which may include contiguous territory not included in such city, which territory, however, must be included in the county within which such city is located.

If no additional territory is proposed to be added, then, upon the consent to the separation of any such city from the county in which it is located, being given by a majority of the qualified electors voting thereon in such county and upon the ratification of such charter by a majority of the qualified electors voting thereon in such city, and the approval thereof by the legislature, as prescribed in section eight of this article, said charter shall be deemed adopted and upon the date fixed therein said city shall be and become a consolidated city and county.

If additional territory which consists wholly of only one incorporated city or town, or which consists wholly of unincorporated territory, is proposed to be added, then, upon the consent to such separation of such territory and of the city initiating the consolidation proposal being given by a majority of the qualified electors voting thereon in the county in which the city proposing such separation is located, and upon the ratification of such charter by a majority of the qualified electors voting thereon in such city so proposing the separation, and also upon the approval of the proposal hereinafter set forth, by a majority of the qualified electors voting thereon in the whole of such additional territory, and the approval of said charter by the legislature, as prescribed in section eight of this article, said charter shall be deemed adopted, the indebtedness hereinafter referred to shall be deemed to have been assumed, and upon the date fixed in said charter such territory and such city shall be and become one consolidated city and county.

The proposal to be submitted to the territory proposed to be added shall be substantially in the following form and submitted as one indivisible question:

Shall the territory (herein designate in general terms the territory to be added) consolidate with the city of (herein insert name of the city initiating the proposition to form a city and county government) in a consolidated city and county government, and shall the charter as prepared by the city of (herein insert the name of the city initiating such proposition) be adopted as the charter of the consolidated city and county, and shall the said added territory become subject to taxation along with the entire territory of the proposed city and county, in accordance with the assessable valuation of the property of the said territory, for the following indebtedness of said city (herein insert name of the city initiating such proposition) to wit: (herein insert in general terms reference to any debts to be assumed, and if none insert 'none')?"

If additional territory is proposed to be added, which includes unincorporated territory and one or more incorporated cities or towns, or which includes more than one incorporated city or town, the consent of any such incorporated city or town shall be obtained by a majority vote of the qualified electors thereof voting upon a proposal substantially as follows:

"Shall (herein insert the name of the city or town to be included in such additional territory) be included in a district to be hereafter defined by the city of (herein insert the name of the city initiating the proposition to form a city and county government) which district shall, within two years from the date of this election, vote upon a proposal submitted as one indivisible question that such district to be then described and set forth shall consolidate with (herein insert name of the city initiating said consolidation proposition) in a consolidated city and county government, and also that a certain charter, to be prepared by the city of (herein insert name of the city initiating such proposition) be adopted as the charter of such consolidated city and county, and that such district become subject to taxation

along with the entire territory of the proposed city and county in accordance with the assessable valuation of the property of said district for the following indebtedness of said city of (herein insert name of the city initiating such proposition) to wit: (herein insert in general terms, reference to any debts to be assumed and if none insert 'none')?"

Any and all incorporated cities or towns to which the foregoing proposal shall have been submitted and a majority of whose qualified electors voting thereon shall have voted in favor thereof, together with such unincorporated territory as the city initiating such consolidation proposal may desire to have included, the whole to form an area contiguous to said city, shall be created into a district by such city, and the proposal substantially as above prescribed to be used when the territory proposed to be added consists wholly of only one incorporated city or town, or wholly of unincorporated territory, shall, within two years, be submitted to the voters of said entire district as one indivisible question.

Upon consent to the separation of such district and of the city initiating the consolidation proposal being given by a majority of the qualified electors voting thereon in the county in which the city proposing such separation is located, and upon the ratification of such charter by a majority of the qualified electors voting thereon in such city, and upon the approval of the proposal hereinbefore set forth by a majority of the qualified electors voting thereon in the whole of said district so proposed to be added, and upon the approval of said charter by the legislature, as prescribed in section eight of this article, said charter shall be deemed adopted, the said indebtedness referred to in said proposal shall be deemed to have been assumed, and upon the date fixed in said charter, such district and such city shall be and become one consolidated city and county.

6. It shall be competent for any consolidated city and county now existing, or which shall hereafter be organized, to annex territory contiguous to such consolidated city and county, unincorporated or otherwise, whether situated wholly in one county, or parts thereof be situate in different counties, said annexed territory to be an integral part of such city and county, provided that such annexation of territory shall only include any part of the territory which was at the time of the original consolidation of the annexing city and county, within the county from which such annexing city and county was formed, together with territory which was concurrently, or has since such consolidation been joined in a county government with the area of the original county not included in such consolidated city and county.

If additional territory, which consists wholly of only one incorporated city, city and county or town, or which consists wholly of unincorporated territory, is proposed to be annexed to any consolidated city and county now existing or which shall hereafter be organized, then, upon the consent to any such annexation being given by a majority of the qualified electors voting thereon in any county or counties in which any such additional territory is located, and upon the approval of such annexation proposal by a majority of the qualified electors voting thereon in such city and county, and also upon the approval of the proposal hereinafter set forth by a majority of the qualified electors voting thereon in the whole of such territory proposed to be annexed, the indebtedness hereinafter referred to shall be deemed to have been assumed, and at the time stated in such proposal, such additional territory and such city and county shall be and become one consolidated city and county, to be governed by the charter of the city and county proposing such annexation, and any subsequent amendment thereto.

The proposal to be submitted to the territory proposed to be annexed, shall be substantially in the following form and submitted as one indivisible question:

"Shall the territory (herein designate in general terms the territory to be annexed) consolidate with the city and county of (herein insert the name of the city and county initiating the annexation proposal) in a consolidated city and county government, said consolidation to take effect (herein insert date when such consolidation shall take effect) and shall the said annexed territory become subject to taxation, as an integral part of the city and county so formed, in accordance with the assessable valuation of property of said territory for the following indebtedness of said city and county of (herein insert name of the city and county, to wit: (herein insert in general terms, reference to any debts to be assumed and if none insert 'none')?"

If additional territory including unincorporated territory and one or more incorporated cities, cities and counties, or town, or including more than one incorporated city, city and county, or town, is proposed to be annexed to any consolidated city and county now existing or which shall hereafter be organized, the consent of each such incorporated city, city and county, or town, shall be obtained by a majority vote of the qualified electors of any such incorporated city, city and county, or town, voting upon a proposal substantially as follows:

"Shall (herein insert name of the city, city and county, or town, to be included in such annexed territory) be included in a district to be hereafter defined by the city and county of (herein insert the name of the city and county initiating the annexation proposal) which district shall within two years from the date of this election vote upon a proposal submitted as one indivisible question, that such district to be then described and set forth shall consolidate with (herein insert name of the

city and county initiating the annexation proposal) in a consolidated city and county government, and that such district become subject to taxation, along with the entire territory of the proposed city and county in accordance with the assessable valuation of the property of said district for the following indebtedness of said city and county of (herein insert name of the city and county initiating the annexation proposal) to wit: (herein insert in general terms, reference to any debts to be assumed and if none insert 'none')?"

Any and all incorporated cities, cities and counties, or towns, to which the foregoing proposal shall have been submitted, and a majority of whose qualified electors voting thereon shall have voted in favor thereof, together with such unincorporated territory as the city and county initiating such annexation proposal may desire to have included, the whole to form an area contiguous to said city and county, shall be created into a district by said city and county, and the proposal substantially in the form above set forth to be used when the territory proposed to be added consists wholly of only one incorporated city, city and county, or town, or wholly of unincorporated territory, shall, within said two years, be submitted to the voters of said entire district as one indivisible question.

Upon consent to any such annexation being given by a majority of the qualified electors voting thereon in any county or counties in which any such territory proposed to be annexed to said city and county is located, and upon the approval of any such annexation proposal by a majority of the qualified electors voting thereon in such city and county proposing such annexation, and also upon the approval of the proposal hereinbefore set forth by a majority of the qualified electors voting thereon in the whole of the district so proposed to be annexed, then, the said indebtedness referred to in said proposal shall be deemed to have been assumed, and upon the date stated in such annexation proposal such district and such city and county shall be and become one consolidated city and county, to be governed by the charter of the city and county proposing such annexation, and any subsequent amendment thereto.

Whenever any proposal is submitted to the electors of any county, territory, district, city, city and county, or town, as above provided, there shall be published, for at least five successive publications, in a newspaper of general circulation printed and published in any such county, territory, district, city, city and county, or town, the last publication to be not less than twenty days prior to any such election, a particular description of any territory or district to be separated, added, or annexed, together with a particular description of any debts to be assumed, as above referred to, unless such particular description is contained in the said proposal so submitted. In addition to said description, such territory shall also be designated in such notice by some appropriate name or other words of identification, by which such territory may be referred to and indicated upon the ballots to be used at any election at which the question of annexation or consolidation of additional territory is submitted as herein provided. If there be no such newspaper so printed and published in any such county, territory, district, city, city and county, or town, then such publication may be made in any newspaper of general circulation printed and published in the nearest county, city, city and county, or town where there may be such a newspaper so printed and published.

If, by the adoption of any charter, or by annexation, any incorporated municipality becomes a portion of a city and county, its property, debts and liabilities of every description shall be and become the property, debts and liabilities of such city and county.

Every city and county which shall be formed, or the territory of which shall be enlarged as herein provided from territory taken from any county or counties, shall be liable for a just proportion of the debts and liabilities and be entitled to a just proportion of the property and assets of such county or counties, existing at the time such territory is so taken.

The provisions of this constitution applicable to cities, and cities and counties, and also those applicable to counties, so far as not inconsistent or prohibited to cities, or cities and counties, shall be applicable to such consolidated city and county government; and no provision of subdivision five or six of this section shall be construed as a restriction upon the plenary authority of any city or city and county having a freeholders' charter, as provided for in this constitution, to determine in said charter any and all matters elsewhere in this constitution authorized and not inconsistent herewith.

The legislature shall provide for the formation of one or more counties from the portion or portions of a county or counties remaining after the formation of or annexation to a consolidated city and county, or for the transfer of such portion or portions of such original county or counties to adjoining counties. But such transfer to an adjoining county shall only be made after approval by a majority vote of the qualified electors voting thereon in such territory proposed to be so transferred.

The provisions of section two of this article, and also those provisions of section three of this article which refer to the passing of any county line within five miles of the exterior boundary of a city or town in which a county seat of any county proposed to be divided is situated, and to the reducing of the population of any

county upon the establishment of a new county, and to the minimum population on the forming of a new county, shall not apply to the formation of, nor to the extension of the territory of such consolidated cities and counties, nor to the formation of new counties, nor to the annexation of existing counties, as herein specified.

Any city and county formed under this section shall have the right, if it so desires, to be designated by the official name of the city initiating the consolidation as it existed immediately prior to its adoption of a charter providing for a consolidated city and county government, except that such city and county shall be known **under the style of a city and county.**

It shall be competent in any charter framed for a consolidated city and county, or by amendment thereof, to provide for the establishment of a borough system of government for the whole or any part of the territory of said city and county, by which one or more districts may be created therein, which districts shall be known as boroughs and which shall exercise such municipal powers as may be granted thereto by such charter, and for the organization, regulation, government and jurisdiction of such boroughs: *provided*, that in the event of such establishment or creation of a borough or boroughs, as hereinabove permitted, the boundaries thereof shall never afterwards be changed or altered, nor shall the governmental rights, powers or jurisdiction of any such borough or boroughs be thereafter limited, extended, modified or taken away, unless and until the borough or boroughs affected by such proposed change or alteration of boundaries, or by the proposed limitation, extension, modification or taking away of governmental rights, powers or jurisdiction, as the case may be, shall each have consented thereto, by the vote of a majority of the voters in each and every such borough voting at an election or elections called and held for such purpose in each of the boroughs so affected.

No property in any territory hereafter consolidated with or annexed to any city or city and county shall be taxed for the payment of any indebtedness of such city or city and county outstanding at the date of such consolidation or annexation and for the payment of which the property in such territory was not, prior to such consolidation or annexation, subject to such taxation, unless there shall have been submitted to the qualified electors of such territory the proposition regarding the assumption of indebtedness as hereinbefore set forth and the same shall have been **approved by a majority of such electors voting thereon.**

7. In all cases of annexation of unincorporated territory to an incorporated city, or the consolidation of two or more incorporated cities, assumption of existing bonded indebtedness by such unincorporated territory or by either of the cities so consolidating may be made by a majority vote of the qualified electors voting thereon in the territory or city which shall assume an existing bonded indebtedness. This provision shall apply whether annexation or consolidation is effected under this section or any other section of this constitution, and the provisions of section eighteen of this article shall not be a prohibition thereof.

The legislature shall enact such general laws as may be necessary to carry out the provisions of this section and such general or special laws as may be necessary to carry out the provisions of subdivisions five and six of this section, including any such general or special act as may be necessary to permit a consolidated city and county to submit a new charter or charter amendment to take effect at the time that any consolidation, by reason of annexation to such consolidated city and county, takes effect, and, also, any such general law or special act as may be necessary to provide for any period after such consolidation, by reason of such annexation, takes effect, and prior to the adoption and approval of any such new **charter or charter amendment.**

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Constitutional Amendment No. 2 adopted by the following vote:

AYES—Senators Ballard, Breed, Caneva, Carr, F. M. Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Parkitt, Rigdon, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Title read and approved.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 980. An act relating to and regulating the carrying, possession, sale or other disposition of firearms capable of being concealed upon the person; prohibiting the sale to or carrying of concealed weapons by persons under the age of eighteen years; prohibiting the possession, carrying, manufacturing and sale of certain

other dangerous weapons and the giving, transferring and disposition thereof to other persons within this State; providing for the registering of the sales of firearms; prohibiting the carrying or possession of concealed weapons in municipal corporations; providing for the destruction of certain dangerous weapons as nuisances and making it a felony to use or attempt to use certain dangerous weapons against another.

Bill read third time, previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Scott moved to refer Assembly Bill No. 980 to Senator Burnett, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

Commencing on line 4 of the title of the printed bill, strike out the words "prohibiting the sale to or carrying of concealed weapons by persons under the age of eighteen years".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out "Section 1*a*".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out lines 1 to 5, inclusive.

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, line 6, strike out the number "2" and insert in lieu thereof the number "1".

AMENDMENT NUMBER FIVE.

On page 2, line 14 of the printed bill, strike out the number "3" and insert in lieu thereof the number "2".

AMENDMENT NUMBER SIX.

On page 2, line 21 of the printed bill, strike out the number "4" and insert in lieu thereof the number "3".

AMENDMENT NUMBER SEVEN.

On page 2, line 31 of the printed bill, strike out the words "one (1)" and insert in lieu thereof the word "one".

AMENDMENT NUMBER EIGHT.

On page 2, line 31 of the printed bill, strike out the word "four" and insert in lieu thereof the word "three".

AMENDMENT NUMBER NINE.

On page 3, line 35 of the printed bill, strike out the words "*provided, however* that no such license shall be issued".

AMENDMENT NUMBER TEN.

On page 4, line 1 of the printed bill, strike out the word "further" and insert in lieu thereof the word "however".

AMENDMENT NUMBER ELEVEN.

On page 3, line 36 of the printed bill, strike out the words "to any person under the age of eighteen years; and".

AMENDMENT NUMBER TWELVE.

On page 2, line 29 of the printed bill, strike out the number "5" and insert in lieu thereof the number "4".

AMENDMENT NUMBER THIRTEEN.

On page 3, line 13 of the printed bill, strike out the number "6" and insert in lieu thereof the number "5".

AMENDMENT NUMBER FOURTEEN.

On page 3, line 27 of the printed bill, strike out the number "7" and insert in lieu thereof the number "6".

AMENDMENT NUMBER FIFTEEN.

On page 4, line 7 of the printed bill, strike out the number "8" and insert in lieu thereof the number "7".

AMENDMENT NUMBER SIXTEEN.

On page 6, line 30 of the printed bill, strike out the number "9" and insert in lieu thereof the number "8".

AMENDMENT NUMBER SEVENTEEN.

On page 7, line 9 of the printed bill, strike out the number "10" and insert in lieu thereof the number "9".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 3, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 980, with instructions to amend, respectfully reports the same back, amended as per instructions.

BURNETT, Special Committee.

Report read and, on motion of Senator Scott, adopted.
Bill ordered to print.

THIRD READING OF SENATE BILLS, ETC.—(OUT OF ORDER).

Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of the State by adding a new section thereto, to be known as section 7½*a* of Article XI, relating to the consolidation of city and county government and to the framing of charters therefor and amendments to such charters.

The legislature of the State of California at its forty-second regular session, commencing the eighth day of January, one thousand nine hundred seventeen, two-thirds of all the members elected to each of the two houses of said legislature voting therefor, hereby proposes to the people of the State of California that a new section be added to article eleven of the constitution of the State of California to be known as section seven and one-half *a* of said article eleven, and to read as follows:

SEC. 7½*a*. Any county organized under the general law, and having, at the time this section takes effect, a population of two hundred thousand inhabitants or over, as ascertained by the last preceding census taken under authority of the congress of the United States, and having within its territorial boundaries one or more incorporated cities or towns, may frame a charter for a consolidated city and county government, by causing a board of fifteen freeholders, who have been for at least five years qualified electors of the county, to be elected by the qualified electors of said county, at a special election. Said board of freeholders may be so elected in pursuance of an ordinance adopted by the vote of three-fifths of all of the members of the board of supervisors of such county, declaring that public interest requires the election of such board of freeholders for the purpose of preparing and proposing a charter for a consolidated city and county, with or without a system of boroughs, with combined powers of a city and a county, as in this constitution provided for city and county government; or in pursuance of a petition of qualified electors of said county as hereinafter provided; which said petition must state the name and address of a person or persons to whom notice of the insufficiency of the petition shall be sent in the event that the petition shall not have the required number of signatures of the qualified electors signed thereto. Such petition, signed by fifteen per centum of the qualified electors of said county, computed upon the total number of votes cast therein for all candidates for governor at the last preceding general election at which a governor was elected, praying for the election of a board of fifteen freeholders to prepare and propose a charter for a consolidated city and county government, with or without a system of boroughs, with combined powers of a city and a county, as in this constitution provided, may be filed in the office of the county clerk. It shall be the duty of the said county clerk, within twenty days after the filing of said petition, to examine the same, and to ascertain from the record of the registration of the electors of the

county, whether said petition is signed by the requisite number of qualified electors. If required by said clerk, the board of supervisors shall authorize him to employ persons to assist him in the work of examining such petition, and the board shall provide for their compensation. Upon the completion of such examination, said clerk shall forthwith attach to said petition his certificate, properly dated, showing the results of his examination, and if, by said certificate, it shall appear that said petition is signed by the requisite number of qualified electors, said clerk shall immediately present said petition to the board of supervisors, if it be in session, otherwise at its next regular meeting after the date of such certificate. If it appear by said certificate that said petition has not the required number of signatures of the qualified electors signed thereto, the said clerk shall so notify the person or persons whose name or names are mentioned therein, to whom the notification of the insufficiency of the petition shall be sent. Whereupon the petitioners shall have thirty days from and after the date of receiving the notice of insufficiency from the clerk, to present and file additional signatures. Upon the receipt of the additional signatures, the clerk shall proceed forthwith to examine the petition of additional signatures, so that such examination shall be completed within ten days from the date of his receiving same. If it appear that the number of additional signatures added to those who have not been legally rejected upon the original petition, shall total the requisite number of qualified electors necessary as provided in this section, the clerk shall forthwith attach to said petition his certificate, properly dated, showing that said petition has been signed by the requisite number of qualified electors, and said clerk shall immediately present said petition to the board of supervisors, if it be in session, otherwise at the next regular meeting after the date of such certificate. Upon the adoption of such ordinance, or the presentation of such petition, said board of supervisors shall order the holding of a special election for the purpose of electing such board of freeholders, which said special election shall be held not less than forty days nor more than ninety days after the adoption of the ordinance aforesaid or the presentation of said petition to said board of supervisors. Candidates for election as members of said board of freeholders shall be nominated by petition, substantially in the same manner as may be provided by general law for the nomination, by petition of electors, of candidates for county offices, to be voted at general elections. The election shall be conducted and the ballots canvassed and result declared substantially as are other elections for county offices, except that there shall be only one election, and the fifteen persons receiving the highest vote shall be declared the duly elected board of freeholders. All ties shall be broken by lot.

It shall be the duty of said board of freeholders within one hundred and eighty days after the result of such election shall have been declared by the board of supervisors, to prepare and propose a charter for a consolidated city and county government, and it may prescribe the existing boundary lines of the county as the territorial limits of said proposed city and county, and propose the formation of all of the incorporated cities and towns and all of the unincorporated territory within the county into a consolidated city and county government, to be governed by said charter, and to have combined powers of a city and a county, as provided in this constitution for consolidated city and county government. Or said board of freeholders may propose, in the alternative, that a lesser area than that of the whole county, to consist of those incorporated cities and towns hereinafter required to be designated and named by the board of freeholders as necessary and essential to effect consolidation, also those incorporated cities and towns, which as hereinafter provided, may by a majority vote of the qualified electors voting thereon separately, vote in favor of such consolidation, together with any unincorporated territory within the county proposed to be added, may be formed into a consolidated city and county government, to be governed by said charter, and to have combined powers of a city and a county as provided in this constitution for consolidated city and county government.

When such proposal is submitted in the alternative, the board of freeholders must designate and name as necessary and essential to effect city and county consolidation, all of the incorporated cities within the county having a population of one hundred fifty thousand inhabitants or over, as ascertained or by the last preceding census taken under the authority of the congress of the United States, and no consolidation shall be effected unless, as hereinafter provided, a majority of the qualified electors, voting separately thereon in each of said designated and named incorporated cities vote in favor of such proposal.

The charter proposed shall be signed by the members of the board of freeholders, or a majority of them, and be filed, one copy in the office of the county recorder, one in the office of the county clerk, and certified copies thereof duly attested by the president and secretary of the board of freeholders shall be filed in the clerk's office of each incorporated city and town in the county. The board of freeholders shall thereupon take a recess until called together by the board of supervisors as hereinafter provided. Thereupon the board of supervisors shall cause said proposed charter to be published in at least two daily newspapers of general circulation published, printed and circulated in the county, for at least six consecutive times, and shall also cause said proposed charter to be

published for at least three consecutive times in a daily newspaper of general circulation, printed, published and circulated in each of the incorporated cities and towns within the county, and if there be no daily newspaper printed, published and circulated in any of such incorporated cities and towns then once in a weekly newspaper published, printed and circulated therein; *provided, however*, if there be no daily or weekly newspaper published, printed and circulated in any of such incorporated cities or towns, then said publication shall be made by posting in three public places in each of said incorporated cities or towns having no such newspaper, for at least three days. All of such publication shall be completed within fifty days of the filing of the proposed charter with the county clerk. The board of supervisors shall cause to be printed in pamphlet form, at least as many copies of such proposed charter, plus an additional fifteen per cent, as there are registered electors in the county. The county clerk shall forthwith deliver to the clerk of the legislative body of each and every incorporated city or town within the county, a number of the printed copies of the proposed charter, equal at least to the number of registered electors residing in any such incorporated city or town. The county clerk shall thereupon give notice, by advertising in one and not more than two daily newspapers of general circulation published, printed and circulated in the county, and if there be a newspaper published, printed and circulated in any of such incorporated cities and towns, in one such newspaper of each said city or town, that copies of the proposed charter can be had at his office or at the office of the several city or town clerks, designating them, upon application. Upon the completion of the publication of the proposed charter as above required, and not later than fifteen days thereafter, the board of supervisors must pass an ordinance or resolution calling a separate election in each of the incorporated cities and towns within the county, for submitting the proposal for consolidation to the electors thereof. Each incorporated city or town shall be considered one separate district, and the proposal for such consolidation shall be submitted separately to the electors thereof, as hereinafter provided. The date of such election shall be fixed in the resolution or ordinance adopted by the board of supervisors, which date shall not be less than forty days nor more than ninety days from the date of the passage of such resolution or ordinance calling the election for the submission of said proposal. The separate elections held in the several cities and towns must all be held on the same day. The resolution or ordinance calling such elections shall be published for five successive days in one daily newspaper of general circulation published, printed and circulated in the county, so that the last publication shall have been completed at least five days before the date of the election. The resolution or ordinance calling such elections, shall also be published for three successive days in one daily newspaper of general circulation, published, printed and circulated in each of the incorporated cities and towns, and if there be no daily newspaper published, printed and circulated in any of such incorporated cities and towns, then twice in a weekly newspaper; *provided, however*, that if there be no daily or weekly newspaper published, printed and circulated in any such incorporated city or town, such publication may be made by posting in three public places in said incorporated city or town for at least three days before the date of election.

The board of supervisors must appoint election officers in the same manner and give notice of such appointment by publication, as provided by the general law for the appointment of election officers at general elections; *provided, however*, that the board of supervisors shall not appoint more than four election officers to each election precinct; *and provided, further*, that the number of precincts in each city or town comprising an election district shall not be less than the number of precincts used at the last general election. In all other respects, every such election shall be held and conducted, the returns canvassed and the result thereof declared by the board of supervisors in the same manner as provided by law for general elections.

The proposal to be submitted to the electors of each of said incorporated cities and towns shall be substantially as follows: "Shall the (herein designate by name the incorporated city or town) join with the other incorporated cities and towns within the county of (herein insert name of county) together with the unincorporated territory within the said county, and form and establish a consolidated city and county (herein insert whether it is proposed to have a system of boroughs) to be known as the city and county of (herein insert the name proposed) to be governed by the charter proposed by the board of freeholders, which charter has been filed in the office of the county clerk and duly published, said charter to take effect on (herein insert date mentioned in charter when city and county consolidation shall take effect)?" If the board of freeholders have proposed an alternative proposition, the ballot shall, in addition to the above proposal, state substantially: that if said principal proposal does not receive a majority vote of the electors, voting thereon, in all of the incorporated cities and towns within the county, but receives a majority vote of the electors, voting thereon in each of the incorporated cities within the county (naming them which have been designated and named as the cities necessary and essential in which a favorable vote must be had to effect consolidation of an area less than the whole of the county, then the proposition of the formation and establishment of a district into a consolidated city and county,

which district shall include said named incorporated cities, also other contiguous incorporated cities and towns in which a favorable vote was had upon the proposition, and certain unincorporated territory (which district shall be the area described in the proposed amended charter), shall be thereafter submitted to the qualified electors of such district for their approval. Also there must be stated in such proposal such reference to taxation and bonded indebtedness and the liability therefor as is provided in the proposed charter.

If after the canvass of the votes and the declaration of the result by the board of supervisors, it appear that a majority of the electors in each of the incorporated cities and towns in the county, voting separately thereon at said election, have voted in favor of said proposal, the board of supervisors shall so certify such fact to the board of freeholders and set a day for the reconvening of said board of freeholders which day shall not be later than ten days after the certification by the board of supervisors. The board of freeholders shall enter the certificate of the board of supervisors in its minutes and shall have no power to change or alter in any manner any of the provisions of the charter as heretofore prepared and published. It shall thereupon adjourn.

Whereupon the said proposed charter shall be submitted by said board of supervisors to the qualified electors of the whole of said county at a special election to be held not less than thirty nor more than sixty days after the adjournment of the board of freeholders, or if there be a general election held within ninety days after the adjournment of the said board of freeholders, then at such general election.

If a majority of the qualified electors voting thereon in the county, at such special or general election, shall vote in favor of such proposed charter, it shall be deemed to be ratified, and shall be forthwith submitted to the legislature, if it be in session, otherwise at its next regular or special session, for its approval or rejection as a whole, without power of alteration or amendment. Such approval may be by concurrent resolution, and if approved by a majority vote of the members elected to each house, such charter shall become the charter of such consolidated city and county and shall become the organic law thereof relative to matters therein provided, and shall supersede any existing municipal charter of the cities within the county and all amendments thereof, and shall supersede all laws inconsistent with such charter relative to matters provided in such charter.

If it appear, after a canvass of the votes by the board of supervisors, that the proposal has not received a favorable vote in all of the incorporated cities and towns within the county, and the proposal submitted shall have provided in the alternative that a lesser territory than that of the whole, not less than the incorporated cities designated and set forth in the proposal as necessary and essential to effect consolidation, may form and establish a consolidated city and county government, and a majority of the electors in each of the said incorporated cities designated as necessary and essential to effect consolidation have voted in favor of such proposal, the board of supervisors shall so certify the fact to the board of freeholders, and also certify all other incorporated cities or towns in which a majority of the electors have voted in favor of such proposal. The board of freeholders shall, within fifteen days thereafter, reconvene and meet upon a day to be fixed by the board of supervisors, and shall proceed to rearrange and define the boundaries for the proposed new city and county, including therein all of the incorporated cities certified by the board of supervisors, in which a majority of the electors have voted in favor thereof, and which by the terms of the proposal were designated as necessary and essential to effect consolidation. The board of freeholders must also include in the boundaries for the new proposed city and county any incorporated city or town having a population of less than ten thousand inhabitants, as ascertained by the last preceding census taken under the authority of the congress of the United States, which, if such new proposed city and county is formed, would be surrounded by such area proposed to be formed into a city and county, or which is contiguous thereto and not contiguous to the largest area of the remainder of the original county from which the proposed city and county proposes to separate, notwithstanding that the result of the election in any such incorporated city or town as shown by the canvass of the votes of the board of supervisors, was unfavorable thereto. The board of freeholders may also include in the boundaries of the proposed new city and county, other incorporated cities or towns, not designated and named as necessary and essential to effect consolidation, but in each of which a majority of the electors have voted in favor of such proposal, together with such unincorporated teritory within the county as it may desire, the whole to form one compact area, no part of which shall be disconnected from the remainder thereof.

No amendment or changes in the provisions or sections of the proposed charter as originally prepared, published and filed in the office of the county clerk, shall be made by the board of freeholders at its second session, except as herein provided. The board of freeholders at its second session, shall have power to change the territorial limits or boundaries in such charter as hereinbefore provided. It shall also have power to change the number, by reduction thereof, of boroughs and of the councilmanic or supervisorial districts and the number of councilmen or supervisors to be elected, and to rearrange and number said districts to conform to the area to be

formed into a city and county, except that boroughs previously established by the charter, if their territory is within the area of the proposed city and county shall not be changed. It may also provide a lesser salary to be paid to any officer of the proposed city and county, if such salary is stated and fixed by the original proposed charter, and it may correct any mistake or clerical or typographical errors.

The board of freeholders shall complete its labors, as above required, within ten days after the date fixed by the board of supervisors for its second meeting unless given an additional ten days time by said board of supervisors. Within said ten days and not later than twenty days, if such time has been extended, the members of the board of freeholders, or a majority thereof, shall sign the proposed charter as amended, and file one copy thereof in the county recorder's office and two copies in the county clerk's office, one of which copies shall thereafter be filed by the county clerk, in the archives of the new city and county government, when the charter shall have been approved by the legislature.

The provisions of section two of this article, and also those provisions of section three of this article which refer to the passing of any county line within five miles of the exterior boundary of a city or town in which a county seat of any county proposed to be divided is situated, shall not apply to the formation of such consolidated cities and counties, nor to the formation of new counties or of any city and county as herein specified under any of the provisions of this section.

Within ten days after the filing of the proposed charter, as amended by the board of freeholders, with the county clerk, the whole area of the proposed new city and county shall, by resolution of the board of supervisors, be created into a district, for the purpose of submitting the proposed charter, as amended, to the electors thereof, for their approval. The question of the adoption of the proposed charter as amended, shall be submitted to the electors of the whole of the area proposed to be formed into a consolidated city and county as one proposal.

The board of supervisors shall forthwith, and not later than twenty days from the date of the resolution creating said district, pass an ordinance or resolution calling an election in the whole county, for the purpose of submitting the question of the consent of the electors of the whole county to the separation, of the district proposed in the charter, from the original county, and for the purpose of submitting the question of the adoption of the proposed charter to the electors residing within the district created, or the proposed territory described in the charter as amended, as the territorial boundaries of the proposed new city and county.

Both propositions or proposals shall be submitted at one election, as hereinafter provided. The date of such election shall be fixed in the resolution or ordinance calling such election, which date shall not be less than twenty days nor more than sixty days from the date of the passage of the resolution or ordinance calling such election.

The resolution or ordinance calling such election shall be published for five consecutive days in not less than two daily newspapers, if there be two, if not, in one daily newspaper of general circulation published, printed and circulated in the county; or if there be no such daily newspapers, then twice in at least one weekly newspaper published, printed and circulated in the county. Such resolution or ordinance shall also be published for a like time in at least one daily newspaper of general circulation published, printed and circulated within the area or territory proposed to be formed into a consolidated city and county.

The amended sections of the charter shall also be published for three consecutive days in at least one daily newspaper published, printed and circulated in the county, and if there be no daily newspaper published, printed and circulated in the county, then twice in a weekly newspaper published, printed and circulated in the county. Such amended sections of the charter shall likewise be published in at least one daily newspaper published, printed and circulated within the area or district proposed to be formed into a city and county, and if there be no such daily newspaper then twice in a weekly newspaper published, printed and circulated in such area.

The board of supervisors must appoint election officers in the same manner, and give notice of such appointment by publication, as provided by the general law for the appointment of election officers at general elections, except that no more than four election officers shall be appointed to each election precinct. In all other respects, every such election shall be conducted, the returns canvassed and the result declared by the board of supervisors in the same manner as provided by law for general elections.

The proposal to be submitted to the electors of the whole of the county and the proposals to be submitted to the electors of the district or area described in the charter as the territorial boundaries of the proposed new city and county, shall be as follows:

In the county outside of the district or area described in the charter as the territorial boundaries of the new consolidated city and county, the only proposal to be submitted to the electors thereof shall be substantially as follows:

"Shall the incorporated cities and towns (herein name them) and the unincorporated territory (if any) (herein describe the unincorporated territory) be permitted to separate from (herein name the county) and establish a consolidated city and county to be known as (herein insert name of new county) the separation to

take effect on (herein name date fixed in the proposed charter for the taking effect of the new city and county government)?"

In the district created by the resolution of the board of supervisors, which shall be the area described in the amended proposed charter, the same proposal as above shall be submitted to the electors, and also shall be submitted separately the question of the establishing of the area into a new consolidated city and county and the approval and ratification of such charter, substantially in the following form: "Shall the (herein describe the territory as described in the proposed amended charter) consolidate and be formed and established into a city and county government to be known as (herein state name of city and county) (herein state whether there shall be a system of boroughs) and shall the charter prepared, published and filed in the office of the county clerk on (herein state the date upon which the amended charter as to boundaries was filed) be adopted as the charter of the consolidated city and county, to take effect (herein state date mentioned in the charter when the consolidation shall take effect)?" Also may be stated in this proposal such reference to taxation and bonded indebtedness and the liability therefor as provided in the proposed charter.

Upon consent to the separation of such district being given by a majority of the qualified electors, voting thereon, at such election, in the whole of the county, and upon the approval and ratification of such charter by a majority of the qualified electors voting thereon in the district or area which is to be formed into a consolidated city and county, and by the approval of said charter by the legislature, as hereinbefore provided in this section for the submission of the charter to the legislature when the whole of the county is to be formed into a consolidated city and county, said charter shall be deemed adopted, and upon the date fixed in said charter such district shall be and become one consolidated city and county, and the charter shall become the organic law thereof relative to matters therein provided, and shall supersede any existing municipal charter of the cities consolidated by it, and shall likewise supersede all laws inconsistent with such charter relative to matters provided in such charter.

It shall be competent, in any charter, or amendment thereof, framed under the authority given by this section, to provide in addition to those provisions allowable by the constitution and laws of the state as follows

1. For the merging and consolidating the cities and county into one municipal government with one set of officers; for the establishment of a borough system of government for the whole or any part of the territory of said city and county, by which one or more districts may be created thereon, which districts may be known as boroughs and shall exercise such municipal powers as may be granted by such charter, and for the organization, constitution, regulation, government and jurisdiction of such boroughs, which organization, constitution, regulation, government and jurisdiction may provide for rural districts, with different powers and organization, constitution, regulation, government and jurisdiction from other boroughs, *provided*, that in the event of such establishment or creation of a borough or boroughs, as hereinabove permitted, the boundaries thereof shall never afterwards be changed or altered, nor shall the governmental rights, powers or jurisdiction of any such borough or boroughs be thereafter limited, extended, modified or taken away, unless and until the borough or boroughs affected by such proposed change or alteration of boundaries, or by the proposed limitation, extension, modification or taking away of governmental rights, powers or jurisdiction, as the case may be, shall each have consented thereto, by the vote of a majority of the electors in each and every such borough voting at an election or elections called and held for such purpose in each of the boroughs so affected.

2. For the consolidation and merging of school and high school and union high school districts into one or more school, high school and union high school district within the city and county, to be governed by one board of education and one school superintendent, and may provide separate organization, constitution, regulation, government and jurisdiction and powers for rural school districts, if any are established.

3. For the constitution, regulation, government and jurisdiction of police courts, and for the manner in which, the times at which, and terms for which the judges of such courts shall be elected or appointed, and for the qualifications and compensation of said judges and of their clerks and attaches; and for the establishment, constitution, regulation, government and jurisdiction of municipal courts with such civil and criminal jurisdiction as by law may be conferred upon inferior courts; and for the manner in which, the time at which, and the terms for which the judges of such courts shall be elected or appointed, and for the qualifications and compensation of said judges and of their clerks and attaches; *provided*, such municipal courts shall never be deprived of the jurisdiction given inferior courts created by general law; *provided*, that in any city and county, when such municipal court has been established, there shall be no other court inferior to the superior court; and pending actions, trials, and all pending business of inferior courts within the territory of such city or city and county, upon the establishment of any such municipal court, shall be and become pending in such municipal court, and

all records of such inferior court shall thereupon be and become the records of such municipal court.

4. For the manner in which, the times at which, and the terms for which the members of the board of education or boards shall be elected or appointed, for the qualifications, compensation and removal, and for the manner which shall constitute any one of such boards.

5. For the manner in which, the times at which, and the terms for which the members of the board or boards of police commissioners shall be elected or appointed and for the qualification, regulation, compensation, and government of such boards and of the municipal police force.

6. For the manner in which and the times at which any municipal election, or borough election shall be held and the result thereof determined; and for manner in which, the times at which, and the terms for which the members of all boards of election shall be elected or appointed, and for the qualification, regulation, compensation and government of such boards, and of their clerks and attaches, and for all expenses incident to the holding of any election.

It shall be competent in any charter framed in accordance with the provisions of this section, for any consolidated city and county, and property authority is hereby granted, subject only to the restrictions of this article, to provide, framed or by amendment thereto, for the powers and duties of all county, city and county, municipal and borough officers, for the manner in which, the method by which, and the terms for which the several county, city and county, municipal and borough officers, except judges of the superior court shall be elected or appointed, and for their recall and removal, and for their organization, and for the number of departments, clerks and other employees that each shall have, and for the powers and duties, compensation, method of appointment, qualifications, tenure of office and removal of such deputies, clerks and other employees.

7. It shall be competent in any charter, or amendment thereto, framed in accordance with the provisions of this section, to provide that the city and county may make and enforce all laws and regulations, and exercise all rights and powers in respect to municipal affairs and municipal officers, and shall have all powers and rights appropriate to a county, city and city and county subject only to the restrictions and limitations provided in such charter.

Any charter framed under the provisions of this section, which charter provides for the formation of the whole territory of the county into a consolidated city and county, may provide for the termination of the terms of office of all county officers elected, after the adoption of such charter, by the electors of such county and prior to the approval of such charter by the legislature.

8. No property in any city or town or territory hereinafter consolidated into a city and county shall be taxed for the payment of any indebtedness outstanding at the time the charter takes effect and for the payment of which indebtedness the property in such city or town or territory was not, prior to the taking effect of such charter, subject to such taxation, unless there shall have been submitted to the qualified electors of such city or town or territory, at the separate election submitting the proposal in the first instance to pass the proposition regarding the assumption of such indebtedness as hereinbefore set forth and the same shall have been approved by a majority of such electors voting thereon.

In all cases of consolidation of two or more incorporated cities and towns, or of one or more incorporated cities or towns with unincorporated territory, into a city and county, assumption of existing bonded indebtedness by such city or town or by such such unincorporated territory or by either of the cities and towns so consolidating may be made by a majority of the qualified electors voting thereon in the territory or city or town, which shall assume an existing bonded indebtedness, and the provisions of section eighteen of this article shall not be a prohibition thereof.

Every city and county which shall be formed, under the provisions of this section, of territory which shall have been taken from the original county, shall be liable for a just proportion of the debts and liabilities and be entitled to a just proportion of the property and assets of such county existing at the time of such separation.

If the population in the territory formed into a city and county, by separation from the original county, is equal to or greater in number than two-thirds of the population of the whole of the original county at the time of the formation of such city and county, the city and county so formed and separating itself from the original county, shall be entitled to the original records and books of the original county, upon supplying to the original county certified copies of all records, documents and books property bound and indexed, which affect or may affect the property of the county, or portion of the original county, or which it may in the future have occasion to refer to; and such certified copies so furnished and certified by the county clerk if the copies are issued from his office, and by the recorder if issued from his office, or by any other officer of the county if they be copies of records in his office, shall be competent evidence in any court proceeding or action which may thereafter be commenced.

The legislature of the state may enact such general laws as may be necessary to carry out the provisions of subdivision eight of this section.

If by the formation of a city and county, under the provisions of this section, any territory whether incorporated or unincorporated is separated from the original county, and by such separation, any of the elective officers of the original county, have by reason of such separation ceased to be residents or electors of the original county, such elective officers shall continue to serve, and be charged with all of the powers and duties of the office to which they were elected, until the expiration of the term for which they were elected, and their salaries shall be paid, by both the new city and county and the remaining portion of the original county, in proportion and in the ratio as the population of each bears to the whole population of the original county.

If under the provisions of this section, any city and county is formed which does not include the whole of the original county, and by reason of the separation of the territory comprising the new city and county, any incorporated city or town or any unincorporated territory is separated from the largest area of the remainder of the county, by reason of its exterior boundary not being contiguous thereto, the legislature shall provide for the transfer of such portion or portions to an adjoining county or counties whose exterior boundary or boundaries may be contiguous thereto, or it may transfer such portion or portions to the new consolidated city and county; *provided, however*, if there be formed and established under the provisions of this section, a consolidated city and county government of a lesser area than that of the whole county, and there be any incorporated city having a population of forty thousand inhabitants or over, within the county, as ascertained by the last preceding census taken under the authority of the congress of the United States, which is not included therein, or if by the formation and establishment of any lesser area than that of the whole county into a consolidated city and county, any such incorporated city having such population is separated and detached from the largest area of the remainder of the original county, by reason of its exterior boundaries not being contiguous thereto, then such incorporated city, together with all other incorporated cities or towns or unincorporated territory in such original county, which if said new city and county is formed and established would likewise be so separated and detached, and which are contiguous to each other and form one compact area, may organize and establish a consolidated city and county government for the whole of such detached territory under the provisions of section eight of this article, by adopting a freeholders charter in accordance with the provisions of said section, and to have all of the powers conferred by said section; except, that for the purpose of the election of the members of the board of freeholders, and the organization and establishment of such consolidated city and county government, the whole of such detached area proposed to be formed into such consolidated city and county, shall be treated and considered as a city, within the meaning of section eight of this article; and except that all elections thereunder and all proceedings for the adoption of such charter shall be initiated and conducted by the governing body of the incorporated city having the largest population in such detached area. Such charter may be submitted to the electors within the area of the detached territory, for their approval, at any time subsequent to the adoption of the charter prepared by the freeholders elected by the electors of the whole of the original county, but the same shall not be ratified by the legislature of this state until after the ratification by the legislature of the charter adopted in the first instance, which provided for the formation of a lesser territory than that of the whole county into a consolidated city and county government

If under the provisions of this section any city and county is formed, which does not include the whole of the area of the original county from which it is permitted to separate, and any remainder of the county is not transferred to another county as in this section provided, but is to continue as a county, the governor of the state shall designate and assign, from among the judges of the superior court of the original county in office at the time of the taking effect of the new city and county government, as many judges as the ratio of the population contained in the area formed by the new city and county bears to the population of the whole of the original county at the time of the approval of the charter by the legislature, and the judges so assigned shall be and become the judges of the superior court of the new city and county, to hold office during the term for which each of them shall have been elected.

Upon the approval by the legislature of any charter framed under the provisions of this section, which charter provides for the separation of any new city and county from the original county, the board of supervisors of the original county, shall, at the time and in the manner set forth in such charter so approved, pass an ordinance calling an election in the area which is consolidated into a city and county, for the purpose of nominating and electing the first officers thereunder. Said board of supervisors shall canvass the votes and declare the result of such election. The county clerk or other officer having charge of registration of electors shall furnish to the district or city and county so consolidated, the voting list and precinct registers of all the electors residing in the area of the territory wherein the election is to be held.

The provisions of this constitution applicable to cities, and cities and counties, and also applicable to counties so far as not inconsistent or prohibited to cities or cities and counties, except in the method of procedure of calling elections for

the election of freeholders and the submission of the question of the formation of a consolidated city and county, shall be applicable to such consolidated city and county.

Any charter framed under the provisions of this section may be amended as provided in section eight of article eleven of this constitution.

Nothing in this section shall be construed to repeal or alter in any way the provisions of section eight and one-half of article eleven of this constitution, providing a different method and procedure for the formation of cities and counties, wherein the initiative is taken by a city or city and county. Nor shall the provisions of this section apply to any consolidated city and county, organized as such at the time this section takes effect; nor shall the provisions of this section apply to any county, which at the time this section takes effect, had adopted a freeholders charter, and was organized and operating under such freeholders charter. The legislature shall enact such general or special laws as may be necessary to carry out the provisions of this section and such general or special laws, as may be necessary to effect city and county consolidation hereunder, or as may be necessary to provide for any period after such consolidation, by reason of the separation from the original county of such consolidated city and county, or to provide for the government of the remainder of the original county from which separation was had.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Constitutional Amendment No. 13 adopted by the following vote:

AYES—Senators Ballard, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Johnson, Jones, Kehoe, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Resolution ordered transmitted to the Assembly.

Senate Bill No. 381—An act to amend section 632 of the Penal Code, relating to the protection of fish.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Rigdon moved to refer Senate Bill No. 381 to Senator Slater, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 6, following the comma after the word "two", insert the words "two *a*".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, in line 7, following the comma after the word "three" insert the words "three *a*, three *b*, three *c*, three *d*,".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill strike out all of line 8 and insert in lieu thereof the following: "eighteen and nineteen, between the".

AMENDMENT NUMBER THREE *a*.

On page 1 of the printed bill, in line 9, strike out the words "sixteenth day of February" and insert in lieu thereof the words "first day of March".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, in line 4, strike out all of the line following the word "six" and insert in lieu thereof the words "and seven *a* in such".

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill strike out all of lines 11 and 12 and in lieu thereof insert the following:

"one *a*, one *b*, one *c*, one *d*, one *e*, one *f*, one *g*, one *h*, one *i*, one *j*, one *k*, one *l*, five, six, seven, seven *a*, eight and nine, between the first".

AMENDMENT NUMBER FIVE *a*.

On page 2 of the printed bill, between lines 16 and 17, insert the following paragraph:

Every person who, in fish and game districts four, four *a*, four *b*, four *c*, four *d*, four *e*, and twenty-one, between the first day of December and the thirtieth day of April of the year following, both dates inclusive, takes, catches, kills, buys, sells, offers or exposes for sale, barter or trade, or has in his possession any variety of trout, is guilty of a misdemeanor.

AMENDMENT NUMBER SIX.

On page 2 of the printed bill, in line 13, strike out the words "December and the thirtieth day of April" and insert in lieu thereof the words "November and the thirty-first day of March".

AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, in line 17, after the word "game" strike out the words "district number twenty-three" and in lieu thereof insert the following: "districts numbers twenty-three, twenty-four and twenty-five,".

AMENDMENT NUMBER EIGHT.

On page 2 of the printed bill, in line 22, following the semicolon after the word "fish", strike out the words "or who" and in lieu thereof insert the following: "every person who, in fish and game district number twenty-three".

AMENDMENT NUMBER NINE.

On page 3 of the printed bill, in line 3, following the comma after the word "two", strike out the remainder of said line and in lieu thereof insert the words "two *a*, three, three *a*, three *b*, three *c*, three *d*".

AMENDMENT NUMBER TEN.

On page 3 of the printed bill, in line 4, strike out the comma following the word "eighteen" and in lieu thereof insert the word "and".

AMENDMENT NUMBER ELEVEN.

On page 3 of the printed bill, in line 5, following the comma after the word "nineteen", strike out the words "twenty-five and twenty-seven,".

AMENDMENT NUMBER ELEVEN *a*.

On page 3 of the printed bill, in line 6, strike out the words "fifteenth day of March" and insert in lieu thereof the words "last day of February".

AMENDMENT NUMBER TWELVE.

On page 3 of the printed bill, following line 16, insert the following paragraph:

Every person found guilty of a violation of any of the provisions of this section shall be punishable by a fine of not less than twenty-five dollars, or more than five hundred dollars, or by imprisonment in the county jail of the county in which the conviction shall be had not less than ten or more than one hundred and fifty days, or by both such fine and imprisonment. All fines and forfeitures imposed and collected for any violation of any of the provisions of this section shall be paid into the state treasury to the credit of the fish and game preservation fund.

All acts or parts of acts inconsistent herewith are hereby repealed.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 3, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 381, with instructions to amend, respectfully reports the same back, amended as per instructions.

SLATER, Special Committee.

Report read, and, on motion of Senator Rigdon, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 1133—An act to amend section 4290 of the Political Code, relating to fees and salaries of county officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1133 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Purkitt, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 186. An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipality voting upon the question of incurring such indebtedness.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 186 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Purkitt, Rush, Scott, Sharkey, Shearer, Slater, and Thompson—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON BANKING.

SENATE CHAMBER, SACRAMENTO, April 2, 1917.

MR. PRESIDENT: Your Committee on Banking, to which was referred Senate Bill No. 346—An act to amend sections 7, 8, 9, 10, 12*c*, 13, 20, 28, 31*a*, 35, 41, 43, 45, 68, 80, 90, 98, 128, 139 and 142 of the act entitled "An act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," all relating to the definition and regulation of the business of banking—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

HANS, Chairman.

Senate Bill No. 346 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 3, 1917.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 94—An act to amend section 4232 of the Political Code, relating to the compensation of officers in counties of the third class—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

INMAN, Chairman.

Senate Bill No. 94 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1159—An act to amend section 4286 of the Political Code, relating to counties of the fifty-seventh class, and salaries of officers thereof—has had

the same under consideration, and respectfully reports the same back and recommends that it do pass.

INMAN, Chairman.

Assembly Bill No. 1159 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1162—An act to amend section 4268 of the Political Code, relating to counties of the thirty-ninth class;

Also: Assembly Bill No. 1393—An act to amend section 4283 of the Political Code, relating to compensation of officers in counties of the fifty-fourth class;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

INMAN, Chairman.

Assembly Bills Nos. 1162 and 1393 ordered on file for second reading.

POSTPONEMENT OF CONSIDERATION.

On motion of Senator Lyon, the motion to reconsider the vote by which Senate Bill No. 101 was refused passage, was continued until the next legislative day.

REQUEST FOR INTRODUCTION OF BILL—(OUT OF ORDER).

The following request for permission to introduce a bill was presented:

By Senator Slater:

SENATE CHAMBER, SACRAMENTO, April 3, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2, Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to authorize the Board of State Harbor Commissioners to acquire by purchase, condemnation, gift, grant or cession, certain property in the city and county of San Francisco, including Mission Rock, and extending the jurisdiction of said board over the same and providing for the payment for the same.

Request referred to Committee on Rules.

ADJOURNMENT.

At four o'clock and forty minutes p.m., on motion of Senator Breed, the acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Wednesday, April 4, 1917.

The Senate met at ten o'clock a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M. Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—39.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal, of Tuesday, April 3, 1917, its further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Slater, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. and Mrs. George R. Harrison of Sebastopol, and Mrs. Robert Potter Hill of Eldridge.

On request of Senator Hans, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. James L. Deering of Oakland.

On request of Senator Duncan, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Rev. and Mrs. Homer Gallaher of Selma.

On request of Senator Crowley, the privilege of the floor of the Senate Chamber was unanimously extended to Attorney Joseph P. O'Rourke of San Francisco.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 443—An act to promote the drainage of wet, swamp and overflowed lands, and to promote the public health in communities in which they lie; providing for the issuance of bonds and levying of assessments on lands benefited, to pay the costs and expenses thereof;

Also: Senate Bill No. 1000—An act to amend section 3 and also section 7 of an act entitled "An act to create a levee district, to be called and designated Sacramento River West Side Levee District; to prevent the overflow of flood waters from the Sacramento River from flooding onto the lands within said district by the construction of levees along the west bank of the Sacramento River and adjacent thereto and maintain the same; providing for the election and appointment of officers of said levee district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said levee district," approved May 18, 1915;

And respectfully asks that the amendments be concurred in

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 443 ordered to unfinished business.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 1000—An act to amend sections 3 and 7 of an act entitled "An act to create a levee district to be called and designated Sacramento River West Side Levee District; to prevent the overflow of flood waters from the Sacramento River from flooding on to the lands within said district by the construction of levees along the west bank of the Sacramento River and adjacent thereto and maintain the same; providing for the election and appointment of officers of said levee district; defining the powers, duties and compensation of such officers;

and providing for levying and collecting assessments upon the lands within said levee district," approved May 18, 1915.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE THOUSAND.

AMENDMENT NUMBER ONE.

After the word "the", in line 25 of page 3, insert the word "first".

AMENDMENT NUMBER TWO.

Strike out commencing with the word "next", in line 26 of page 3, and ending with the word "election", in the same line.

AMENDMENT NUMBER THREE.

After the word "and", in line 27 of page 3, add the word "heretofore".

AMENDMENT NUMBER FOUR.

Strike out commencing with the word "Each", in line 28 of page 5, and ending with the word "annum", in line 30 of page 5, and in lieu thereof insert the following: "After any order has been made calling in an installment of assessment, the secretary of the said district, for the information of the landowners, shall mail to each landowner, as described in the said assessment list, if his address be known to such secretary, or, if not, then to the county seat of the county in which such land may be situated, a statement stating the amount of the call of such assessment, and stating further that said installment, if unpaid at the expiration of thirty days from the date of such order, shall become delinquent, which said statement shall be mailed by said secretary within ten days after the date of any such order calling in any installment of such assessment, and each installment of assessment, from the time of the order of said board directing the same to be collected and paid, shall bear interest at the rate of seven per cent per annum until paid."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 1000?

The roll was called, and Assembly amendments to Senate Bill No. 1000 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, F. M., Carr, W. J., Chamberlin, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Luce, Lyon, Nealon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—25.

NOES—None.

Senate Bill No. 1000 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 2d passed:

Assembly Bill No. 311—An act to repeal section 280*a* and section 280*b* of the Code of Civil Procedure, and section 1483 of the Political Code, all relating to the admission of attorneys to practice law;

Also: Assembly Bill No. 737—An act to amend section 280*b* of the Code of Civil Procedure, relating to admission to practice of graduates of certain law schools.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 311 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 737 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 768—An act to amend "An act to regulate the vocation of fishing and to provide therefrom revenue for the propagation, restoration and conservation of fish in the waters of the State of California, approved March 13, 1909";

Also: Senate Bill No. 80—An act to amend section 626 of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 61—An act to amend section 633 of the Penal Code, relating to the protection of fish;

Also: Senate Bill No. 650—An act empowering and authorizing the Board of Fish and Game Commissioners to insure the employees of the Fish and Game Commission with the Industrial Accident Commission while in the discharge of their duties;

Also: Senate Bill No. 423—An act to repeal Title XV of Part IV of division third of the Civil Code of the State of California, and to add a new Title XV of Part IV of division third of said code in place thereof, relating to negotiable instruments, and to make the law of negotiable instruments in the State of California uniform with the law of other states.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 768, 80, 61, 650 and 423 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 1137—An act to amend section 3366 of the Political Code, relative to the powers of boards of supervisors, city councils and town trustees, in their respective counties, cities and towns, to impose a license tax;

Also: Senate Bill No. 999—An act to amend an act entitled "An act to create a drainage district, to be called Knight's Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knight's Landing Ridge, and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers, and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds," approved April 30, 1913, to be known as section 7½, in reference to the payment of invalid assessments;

Also: Senate Bill No. 23—An act to amend section 12 of an act entitled "An act to provide for the incorporation and organization and management of municipal water districts, and to provide for the acquisition or construction by said districts of waterworks, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved May 1, 1911, as amended;

Also: Senate Bill No. 277—An act to add a new section to the Penal Code of the State of California, to be numbered 635, relating to the protection of fish and game, and providing for the construction of fishways on dams and other artificial obstructions in the waters of this State, and providing for furnishing of plans and specifications therefor and providing penalties for a violation thereof.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 1137, 999, 23 and 277 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1406—An act to appropriate money to pay the deficiency in the appropriation for printing and distributing constitutional amendments for the sixty-seventh fiscal year;

Also: Assembly Bill No. 448—An act appropriating money for the construction and equipment of a heating plant at the Lick Observatory of the University of California;

Also: Assembly Bill No. 828—An act to amend section 1665 of the Political Code, relating to the subjects in which instruction shall be provided in the elementary schools of the State;

Also: Assembly Bill No. 897—An act to amend section 199 of the Code of Civil Procedure of the State of California, in relation to the competency of jurors;

Also: Assembly Bill No. 345—An act to amend section 304 of the Civil Code, relating to entries to be made in the book of by-laws kept by corporations;

Also: Assembly Bill No. 789—An act to add a new section to the Code of Civil Procedure, to be numbered 103c, relating to justice's clerks for counties of the third class;

Also: Assembly Bill No. 844—An act to repeal section 924 of the Political Code, relating to the duties of auditing officers.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1406 read first time, and referred to Committee on Finance.

Assembly Bill No. 448 read first time, and referred to Committee on Finance.

Assembly Bill No. 828 read first time, and referred to Committee on Education.

Assembly Bill No. 827 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 345 read first time, and referred to Committee on Corporations.

Assembly Bill No. 589 read first time, and referred to Committee on County Government.

Assembly Bill No. 844 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 511—An act to amend sections 16 and 17 of an act entitled "An act to provide for the formation, organization and government of storm-water districts, for the purpose of protecting the land therein from damage from storm water and from the waters of any innavigable stream, watercourse, canyon or wash, for the construction of the necessary works of protection by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909, as amended.

Also: Assembly Bill No. 789—An act to validate the formation of certain districts formed under the provisions of an act entitled "An act providing for the organization and government of districts for the protection of the lands of farming and other communities or neighborhoods within this State from overflow or damage from the waters of any innavigable stream, watercourse, canyon, or wash extending by, through or over such communities or neighborhoods, and to provide for the acquisition of lands, rights of way, and other property by purchase, gift, or condemnation, and for the expending, straightening, locating, improving, and maintaining the channels of such streams, watercourses, canyons, or washes, and confining said waters in such channels and preventing the overflow thereof, and for the construction by such districts of the necessary works for said purposes," approved February 23, 1907, and to validate the issuance and sale of certain bonds thereof;

Also: Assembly Bill No. 507—An act to amend section 338 of the Code of Civil Procedure, relating to the period within which certain actions may be commenced;

Also: Assembly Bill No. 1099—An act to provide for the preservation of surveys and maps thereof which have been heretofore made and not filed in the office of the county recorders, and to be made of record hereafter in any county of this State;

Also: Assembly Bill No. 295—An act to amend sections 1251, 1255 and 1255*a* of the Code of Civil Procedure, all relating to proceedings in eminent domain.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 511 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 789 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 507 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1099 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 295 read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 4, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 46—An act appropriating money for painting the temporary buildings of Humboldt State Normal School;

Also: Senate Bill No. 170—An act appropriating money for the care and improvement of grounds of the Fresno State Normal School;

Also: Senate Bill No. 171—An act appropriating money for the completing of the plant and equipment of the Fresno State Normal School;

Also: Senate Bill No. 195—An act appropriating money for the construction of a tubercular ward on the grounds of the Veterans' Home;

Also: Senate Bill No. 207—An act appropriating money for traveling expenses of directors of the Women's Relief Corps Home;

Also: Senate Bill No. 221—An act appropriating money for a sewer system at the Santa Barbara State Normal School;

Also: Senate Bill No. 240—An act appropriating money for sewerage and water systems at the University of California Farm School at Davis;

Also: Senate Bill No. 241—An act appropriating money for the construction and equipment of a creamery at the University of California Farm School at Davis;

Also: Senate Bill No. 243—An act appropriating money for the construction of small buildings at the University of California Farm School at Davis;

Also: Senate Bill No. 244—An act appropriating money for repairs and improvements to buildings, structures and equipment at the Veterans' Home;

Also: Senate Bill No. 250—An act appropriating money to cover the cost of water softening plant at the Mendocino State Hospital;

Also: Senate Bill No. 252—An act appropriating money for repairs to flooring at the Mendocino State Hospital;

Also: Senate Bill No. 258—An act appropriating money to cover the cost of four continuous baths for the Stockton State Hospital;

Also: Senate Bill No. 260—An act appropriating money for the construction of a tubercular hospital at the Stockton State Hospital;

Also: Senate Bill No. 265—An act appropriating money for the completion of the buildings of Riverside Citrus experiment station of the University of California;

Also: Senate Bill No. 280—An act appropriating money for the construction of a prison school building at the Folsom State Prison;

Also: Senate Bill No. 281—An act appropriating money for the purchase of new machinery and equipment for the machine and blacksmith shops at the Folsom State Prison;

Also: Senate Bill No. 282—An act appropriating money for repairs and improvements to buildings, structures and equipment at the Folsom State Prison;

Also: Senate Bill No. 296—An act appropriating money for the improvement of the grounds of the Industrial Home for the Adult Blind;

Also: Senate Bill No. 297—An act appropriating money to be used for water development at the Industrial Home for the Adult Blind;

Also: Senate Bill No. 298—An act appropriating money for the purchase of a burial plot for the Industrial Home for the Adult Blind;

Also: Senate Bill No. 299—An act appropriating money for the purchase of equipment for the Industrial Home for the Adult Blind;

Also: Senate Bill No. 300—An act appropriating money for repairs and improvements to buildings and equipment at the Industrial Home for the Adult Blind;

Also: Senate Bill No. 302—An act appropriating money to complete the electric wiring of the California School for the Deaf and the Blind;

Also: Senate Bill No. 1167—An act appropriating money for the construction of sewage disposal system at the Folsom State Prison;

Also: Senate Bill No. 106—An act to repeal an act entitled "An act to provide for the creation of the State Commission Market, and the organization thereof, to carry on the business of receiving from the producers thereof the agricultural, fishery, dairy and farm products of the State of California and selling and disposing of such products on commission, creating the 'State Commission Market Fund' and appropriating money therefor," approved June 10, 1915;

Also: Senate Bill No. 749—An act authorizing the Governor to appoint a commission to investigate and advise the Legislature concerning the adoption of a system of social insurance, and to make a report to the forty-third session of the Legislature and making an appropriation therefor;

Also: Senate Bill No. 823—An act to repeal an act entitled "An act to establish a uniform system of mine bell signals, to be used in all the mines operated in the State of California, and for the protection of miners," approved March 8, 1893, and known as Chapter 74, Statutes of 1893;

And reports that the same have been correctly engrossed.

STUCKENBRUCK, Acting Chairman.

ON PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, April 4, 1917.

MR. PRESIDENT: Your Committee on Public Morals, to which was referred Senate Bill No. 309—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as heretofore amended—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

LUCE, Chairman.

Senate Bill No. 309 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Morals, to which was referred Senate Bill No. 1111—An act amending section 330 of the Penal Code, relative to games played with cards, dice, or any device for money in public places;

Also: Senate Bill No. 1112—An act amending the Penal Code of the State of California by adding thereto a new section, to be numbered 321*a*, relating to the punishment of persons having in their possession lottery tickets or tools or devices used in connection with any lottery;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

LUCE, Chairman.

Senate Bills Nos. 1111 and 1112 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 4, 1917.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 706—An act to amend sections 7 and 8 and to add three new sections, to be known as section 8*d*, section 8*e* and section 8*f* of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

CARR, F. M., Chairman.

Assembly Bill No. 706 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 24—An act to regulate the examination of applicants for license, and the practice of those licensed to treat diseases, injuries, deformities, or other physical or mental conditions of human beings without the use of drugs, or what are known as medicinal preparations, and without in any manner severing or penetrating any of the tissues of human beings except the severing of the umbilical cord; to establish a board of examiners of drugless physicians for the State of California; to provide for their appointment and prescribe their powers and duties, and to provide penalties to enforce the provisions of this act; to provide that such board may suspend or revoke the right to practice of drugless practitioners, or drugless physicians; to revoke the licenses or certificates of such practitioners or physicians; to provide that the powers and duties of such board shall be exclusive; to provide for the transfer of a portion of the board of medical examiners' contingent fund, to the board of drugless examiners' contingent fund, and to repeal all acts and parts of acts inconsistent with, or in conflict with this act—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do not pass, as amended.

CARR, F. M., Chairman.

Senate Bill No. 24 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 765—An act to define commercial feeding stuffs and to establish a standard therefor, providing for the branding and labeling of same, empowering the State Board of Health to enforce the provisions of the act and providing penalties for the violation of same—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

Minority report: Do not pass.

CARR, F. M., Chairman.

Assembly Bill No. 765 ordered on file for second reading.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

MOTION TO RECONSIDER.

Senator Lyon moved to reconsider the vote whereby Senate Bill No. 101 was refused passage.

The roll was called, and reconsideration granted by the following vote:

AYES—Senators Benson, Breed, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Kehoe, Luce, Lyon, Maddux, Nealon, Rigdon, Scott, Sharkey, Shearer, Slater, and Thompson—24.

NOES—Senators Burnett, Chamberlin, and Stuckenbruck—3.

Senate Bill No. 101—An act to amend section 16 of an act entitled "An act regulating the employment and hours of labor of children; prohibiting the employment of minors under certain ages; prohibiting the employment of certain illiterate minors; providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics and providing penalties for the violation hereof," approved February 20, 1905, as amended by an act approved April 14, 1911, as further amended by an act approved June 2, 1913; and as further amended by an act approved June 5, 1915.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 101 refused passage by the following vote:

AYES—Senators Benson, Breed, Carr, F. M., Carr, W. J., Duncan, Evans, Flaherty, Johnson, Jones, Kehoe, King, Luce, Lyon, Purkitt, Rigdon, and Sharkey—16.

NOES—Senators Ballard, Brown, Burnett, Canepa, Chamberlin, Chandler, Crowley, Gates, Inman, Irwin, McDonald, Maddux, Nealon, Reminger, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—21.

QUESTION OF PERSONAL PRIVILEGE.

Senator Ballard arose to a question of personal privilege and addressed the Senate.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 458—An act to amend sections 2322, 2322*a*, 2322*c* and 2322*d* of the Political Code and to add new sections 2322*f*, 2322*g*, 2322*h*, 2322*i* and 2322*j* to the Political Code, said sections relating to orchards, trees, vines or plants of any variety, infected or infested with diseases, scale or other insects of any kind injurious to fruit, fruit trees, vines or other plants or vegetables, or noxious weeds and to the extermination or the control of insects, ground squirrels, gopher or other animal pests and plant diseases or noxious weeds, and to the appointment and removal of a county horticultural commissioner in the several counties of the State; prescribing his duties and powers and fixing his compensation and term of office, also providing for a state board of horticultural examiners, prescribing the duties of said board, and providing for examination to be taken by persons desiring to qualify for position as county horticultural commissioner; providing

for the dividing of the several counties of the State into districts by the respective county horticultural commissioners, and providing for the appointment of deputy commissioners, local inspectors, and quarantine guardians, prescribing their duties and powers and fixing their compensation.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 458 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nevlen, Purkitt, Rigdon, Rominger, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 843—An act making bonds of municipal improvement districts legal investments for certain purposes.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 843 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Rigdon, Rominger, Rush, Scott, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 121—An act providing for the organization of water districts by the board of supervisors of any county of the State upon petition therefor by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of said county in which the lands contained in said district are located; providing for the acquisition and construction by said district of water works, for the irrigation of the lands embraced therein and for the distribution of water for irrigation purposes and domestic use; providing for the payment of the debts thereof by a tax levied on the property embraced therein; providing for the issuance and sale of bonds thereby.

In the absence of the author, Senate Bill No. 121 was ordered passed, to retain its place on the file.

Senate Bill No. 152—An act to provide for the establishment of passenger transportation facilities upon The Embarcadero in the city and county of San Francisco.

In the absence of the author, Senate Bill No. 152 was ordered passed, to retain its place on the file.

Senate Bill No. 654—An act to amend section 2552 of the Political Code, relating to the salaries of the Board of State Harbor Commissioners and assistants, said amendment relating to the salary of the president of the board and his duties, and the fund out of which the

said salaries and the compensation of employees of the board shall be payable.

Senate Bill No. 654 re-referred to Committee on Finance.

Senate Bill No. 617—An act to amend section 591 of the Political Code, relating to the maintenance of the office of the Insurance Commissioner.

Senate Bill No. 617 re-referred to Committee on Finance.

Senate Bill No. 386—An act to amend the Penal Code of the State of California by adding a new section thereto to be numbered 496*a* and relating to the purchase of certain materials by junk dealers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 386 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rigdon, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 815—An act to provide for the protection of beneficiaries of workmen's compensation insurance policies and self-employing policies against the default of insolvency of insurance carriers issuing such policies; to provide for the examination from time to time of such insurance carriers to determine their financial condition; to provide for the establishment and maintenance of a compensation insurance beneficiaries' guaranty fund, for the making and enforcement of contributions thereto, and for the payment therefrom of compensation awards against insolvent or defaulting insurance carriers contributing thereto; to provide for the reimbursement of said fund from the assets of any insurance carrier becoming insolvent or otherwise defaulting in its payment to such beneficiaries; to provide for the expense of administration of said fund; and vesting power in the Insurance Commissioner to take possession of the assets and administer the affairs of any such insurance carrier upon its default or insolvency or threatened insolvency; and for other purposes.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Luce moved to refer Senate Bill No. 815 to Senator Sharkey, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, after the word "for" insert the word "outstanding".

AMENDMENT NUMBER TWO.

On page 1, line 12, strike out the word "outstanding".

AMENDMENT NUMBER THREE.

On page 3, line 17, after the word "conditioned" insert the word "as".

AMENDMENT NUMBER FOUR.

On page 3, line 18, after the word "for" insert the word "outstanding".

AMENDMENT NUMBER FIVE.

On page 3, line 19, strike out the words "in force".

AMENDMENT NUMBER SIX.

On page 5, line 29, after the word "for," insert the word "outstanding".

AMENDMENT NUMBER SEVEN.

On page 5, line 31, strike out the word "outstanding".

AMENDMENT NUMBER EIGHT.

On page 5, line 35, after the first word "the" appearing in said line, insert the word "written".

AMENDMENT NUMBER NINE.

On page 5, line 36, strike out the semicolon following the word "claims" and insert in lieu thereof a comma and the following: "but shall be forthwith payable by the state treasurer to the insurance commissioner upon such order;".

AMENDMENT NUMBER TEN.

On page 6, line 1, strike out the word "evidence" and insert in lieu thereof the following: "showing to the insurance commissioner".

AMENDMENT NUMBER ELEVEN.

On page 6, line 3, after the period following the word "discharged" add the following: "Said deposit shall be used only for the payment of compensation claims so long as there shall remain unpaid any such claim or any part thereof."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 3, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 815, with instructions to amend, respectfully reports the same back, amended as per instructions.

SHARKEY, Special Committee.

Report read, and, on motion of Senator Luce, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 712—An act to add a new section to the Political Code, to be numbered 1528, providing for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds.

On motion of Senator Gates, Senate Bill No. 712 was passed on file.

Senate Bill No. 1084—An act to amend sections 1745 and 1746 and to repeal section 1749 of the Political Code, all relating to the issuance of bonds by high school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1084 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rush, Scott, Slater, and Stuckenbruck—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR THOMPSON IN THE CHAIR.

At twelve o'clock m., Senator Thompson of the Twenty-fifth District was called to the chair.

Senate Bill No. 319—An act to add a new section to be numbered 1582 and to amend section 1543 of the Political Code, relating to the lapsing, suspending and reestablishing of school districts and the powers and duties of superintendents of schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 319 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, King, Luce, McDonald, Maddux, Nealon, Rigdon, Scott, Slater, Stuckenbruck, and Thompson—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 516—An act to amend section 1521 of the Political Code, relating to the compensation and expenses of members of the State Board of Education and Assistant Superintendents of Public Instruction.

On motion of Senator Ballard, Senate Bill No. 516 was passed on file.

Senate Bill No. 1007—An act to amend section 1750 of the Political Code, relating to high school courses of study.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1007 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, King, Luce, McDonald, Maddux, Rush, Slater, and Thompson—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 666—An act to amend section 4236 of the Political Code, relating to the salaries, fees and expenses of officers and of grand and trial jurors in counties of the seventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 666 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, King, Luce, McDonald, Maddux, Nealon, Rush, Scott, Slater, Stuckenbruck, Thompson, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 782—An act to amend section 4275 of the Political Code, relating to the salaries of county officers in counties of the forty-

sixth class, and fixing the mileage and per diem of jurors in counties of the forty-sixth class.

In the absence of the author, Senate Bill No. 782 was ordered passed, to retain its place on the file.

Senate Bill No. 657—An act to amend section 4254 of the Political Code, relating to compensation of officers in counties of the twenty-fifth class, and creating the office of county librarian and providing for the appointment and salary thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 657 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Evans, Gates, Hans, Ingram, Inman, Johnson, Kehoe, King, McDonald, Maddux, Rush, Scott, Slater, Stuckenbruck, Thompson, and Tyrrell—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 112—An act to amend the Penal Code by adding thereto two new sections to be numbered 1168 and 1169, relating to indeterminate sentences of persons convicted of criminal offenses for the first time, and to provide for the release of such persons within the time for which they are sentenced to imprisonment.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 112 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, McDonald, Maddux, Nealon, Rush, Scott, Slater, Stuckenbruck, and Tyrrell—26.
NOES—Senator Thompson—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 342—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 342 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Chamberlin, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Rush, Scott, Slater, Stuckenbruck, and Thompson—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., the hour of recess was extended until twelve o'clock and forty minutes p.m.

RECESS.

At twelve o'clock and forty minutes p.m., on motion of Senator Duncan, the acting President declared the Senate at recess until the hour of two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 198—An act to amend section 50 of the "Public Utilities Act," approved April 23, 1915.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 936—An act to amend section 17 of the act known as the "Public Utilities Act," approved April 23, 1915.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1006—An act to prevent fraud upon the traveling public by adding a new section to the Penal Code of the State of California, to be known and numbered as section 483, making it a misdemeanor to sell, transfer or deliver to another for the use of any person other than the person entitled by the terms thereof to the use of same, any ticket scrip, mileage or commutation book, coupon, etc.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1096—An act to amend section 1576 of the Political Code, relating to separate school districts in cities except cities of the sixth class and additional territory.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1388—An act to amend section 1593 of the Political Code, relating to the election of school trustees.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 4, of the printed amended bill, beginning with the word "until" strike out all to and including the word "office" on line 6.

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 323—An act to amend section 4300½ of the Political Code, relating to fees of justices of the peace.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 958—An act to amend sections 1, 5, 6 and 7 of Chapter 653, approved June 8, 1915, the same being "An act defining public weighmaster; describing his duties; providing for rules and regulations governing the performance of his duties; prescribing a bond and fixing the amount thereof; and providing penalties for any violations of the provisions of this act."

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 487—An act to repeal section 259 of the Penal Code, requiring certain newspaper articles to be signed.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 189—An act to amend section 928 of the Penal Code, relating to the duty of grand juries relative to examination of books.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1159—An act to amend section 4286 of the Political Code, relating to counties of the fifty-seventh class, and salaries of officers thereof.

Bill read second time, and ordered on file for third reading

Assembly Bill No. 1162—An act to amend section 4268 of the Political Code, relating to counties of the thirty-ninth class.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out all of lines 1 to 5, inclusive, and insert in lieu thereof the following:

3. The recorder, one thousand eight hundred dollars per annum; *provided*, that said recorder shall collect and pay into the county treasury for the use and benefit of the county all fees required by law to be collected by him; *and provided further*, that in counties of this class the recorder shall be allowed an assistant, who shall be appointed by the recorder and who shall receive a salary of fifty dollars per month, which said salary shall be paid by said

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, in line 7, after the word "recorder" strike out the semicolon and insert a period; and strike out the words "*and, provided, fur-*" and also strike out all of lines 8 to 10, inclusive.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3 of the printed bill, in line 1, after the word "stenographer," strike out the words "which office of stenogra-" and strike out all of lines 2 and 3 and the words "the sum of" on line 4, and insert in lieu thereof the following: "or clerk, who shall receive a salary of".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4 of the printed bill, after line 37, insert the following:

18. In counties of this class, grand jurors and jurors in the superior court in criminal and civil cases shall be paid three dollars per day for each day's attendance, and for each mile actually traveled in attending court as such juror under summons or under order of court, in going only, twenty-five cents; and in criminal cases, the county clerk shall certify to the auditor the numbers of days' attendance and the number of miles traveled by each such juror, and the auditor shall then draw his warrant for the fees and mileage due such juror, and the treasurer shall pay the same.

19. In counties of this class, witnesses, when legally required to attend upon the superior court, in criminal cases, shall be paid two dollars per day for each day's actual attendance, and twenty-five cents per mile for each mile actually traveled, in going only; and in criminal cases the county clerk shall certify to the auditor the number of days' attendance and the number of miles traveled by each such witness, and the auditor shall then draw his warrant for the fees and mileage due such witness, and the treasurer shall pay the same.

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 1393—An act to amend section 4283 of the Political Code, relating to compensation of officers in counties of the fifty-fourth class.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 13, strike out the words "one thousand two" and insert in lieu thereof the following: "fifteen".

Amendment adopted.

Bill read second time, and ordered to print, and third reading

Assembly Bill No. 309—An act to amend section 465 of the Civil Code of the State of California, relating to powers of railroad corporations.

AMENDMENT FROM THE FLOOR.

Senator Tyrrell moved to amend Assembly Bill No. 309 as follows:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the title of the printed bill, strike out the words "of the State of California", also on page 1, line 2, of the printed bill strike out the words "of the State of California".

Amendment adopted.

Bill ordered to print.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 942—An act to amend sections 1519 and 1519a, of the Political Code, and to add thereto new sections to be numbered 1519b, 1519c, 1519d, 1519e and 1519f, relating to the powers and duties of the State Board of Education and of the Superintendent of Public Instruction, and to the duties of the teachers.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 2, strike out the figures "1519" and insert in lieu thereof the following paragraph: "1519. The state board of education shall have power and it shall be its duty:"

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 4, after line 19, insert the following paragraph: "Seventh—To appoint an assistant secretary, who shall also act as executive officer of the board in the absence of the superintendent of public instruction from his office or in case of his incapacity for duty."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, line 19, strike out the following number: "1519a" and insert in lieu thereof the following paragraph: "1519a. The county board of education shall have power and it shall be its duty:".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4, line 26, strike out the word "twenty" and insert in lieu thereof the word "seventeen".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 4, line 28, strike out the period and insert in lieu thereof a comma and the following words: "and where the evidence submitted by the applicant does not satisfy the board it may, in its discretion, provide for his examination."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 5, line 14, strike out the word "when" and insert in lieu thereof the following words: "where the evidence submitted by any applicant who meets the academic requirements of the board does not satisfy the board of his knowledge of the special subject and methods of teaching the same, it may, in its discretion, provide such examination as it may deem expedient and wise. When".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 6, line 13, strike out the word "also".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 6, line 14, beginning with the word "which" strike out the remainder of that line and all of lines 15, 16 and 17, and insert in lieu thereof the following: "and in addition thereto each applicant permitted to take an examination shall, before he is so permitted, submit a fee of ten dollars. All of the above fees must be paid into the state treasury to the credit of the contingent fund of the state board of education and applied by said board in defraying or in partially defraying the expense of investigating the qualifications of candidates, issuing credentials, documents or diplomas, and providing for the employment of professional experts to conduct examinations for special credentials and state board credentials, as specified in paragraphs (b) and (d) of this section."

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 6, between lines 24 and 25, insert the following: "(b) The state board of education, in order to meet emergencies, is hereby authorized to create a commission of credentials, to consist of the commissioner of elementary schools, the commissioner of secondary schools and the commissioner of industrial and vocational education. This commission, when directed by the board, shall have authority to review the cases of applicants for the special credentials and the state board credentials, specified in paragraphs (b) and (d) of this section, and when said commission is satisfied that any candidate fully meets the standards maintained by the state board it may issue the proper credential; *provided*, that said credential to be valid must be issued upon the regular form used by the state board of education and must be signed by the secretary and president of said state board."

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 6, line 28, strike out the number "1519*b*." and insert in lieu thereof the following paragraph: "1519*b*. The state board of education shall have power and it shall be its duty:".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 11, between lines 15 and 16, insert the following paragraph: "The state board of education may provide for the disposition of such textbooks as are no longer in a fit condition to be used for purposes of instruction; *provided*, that whenever in its judgment it would be practicable to sell such old textbooks

for use in the manufacture of paper pulp or similar substances, the highest price obtainable shall be secured therefor, and the moneys so obtained deposited in the state school book fund."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 685—An act to add a new section to the Political Code of the State of California, to be known as section 1718, relating to elementary school district libraries.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 10, strike out the words "or that" and insert in lieu thereof the following: "in elementary school districts that".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 12, beginning with the word "the" strike out all down to and including the word "subdivisions" and insert in lieu thereof the words "subdivisions second and third".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 13, beginning with the word "of" strike out all down to and including the word "attendance" in line 14, and insert in lieu thereof the following: "allowed five or more teachers on the basis of average daily attendance".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 4, beginning with the word "having" strike out all down to and including the word "attendance" in line 5, and insert in lieu thereof the following: "allowed less than five teachers on the basis of average daily attendance".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 11, beginning with the word "having" strike out all down to and including the word "attendance" in line 12, and insert in lieu thereof the following: "allowed only one teacher on the basis of average daily attendance shall".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 20, beginning with the word "having" strike out all down to and including the word "attendance" in line 21, and insert in lieu thereof the following: "allowed more than one and less than five teachers on the basis of average daily attendance shall".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 30, beginning with the word "having" strike out all down to and including the word "attendance" in line 31, and insert in lieu thereof the following: "allowed five teachers or more on the basis of average daily attendance".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 2, insert after the word "optional" the following: "the trustee of".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, line 8, beginning with the word "having" strike out all down to and including the word "attendance" in line 9, and insert in lieu thereof the following "allowed less than five teachers on the basis of average daily attendance, there shall be apportioned an amount".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3, line 11, strike out the period and the word "The" and insert a comma and the word "the".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3, line 13, beginning with the word "having" strike out all down to and including the word "and" in line 14, and insert in lieu thereof the following: "allowed five teachers or more on the basis of average daily attendance and in".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 3, line 17, strike out the period and the word "The" and insert a comma and the word "the".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 3, line 18, beginning with the word "or" strike out all down to and including the word "education" in line 20, and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 3, line 23, beginning with the word "an" strike out all down to and including the word "terms" and insert in lieu thereof the following: "at least one term".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 3, insert after line 28 the following paragraph:

Eighth—The term county library as used in this section includes all free public libraries of any incorporated city or town with which the board of supervisors of any county may have contracted for library service for the county under the provisions of section sixteen of "An act to provide for the establishment and maintenance of county libraries in the State of California and repealing an act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 314—An act to amend sections 1578 and 1579 of the Political Code, relating to the organization of elementary school districts.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 931—An act to add a new section to the Political Code to be numbered section 1734*b*, relating to the exclusion of an elementary school district from a high school district and the annexation of such elementary school district to another contiguous high school district.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1152—An act authorizing any county now or hereafter organized to incur indebtedness, issue negotiable bonds, levy taxes to pay the principal and interest thereof, acquire by condemnation or otherwise land within the county, donate and convey the same to the United States, free of cost to the United States, for a permanent mobilization, training and supply station for any or all such military purposes, including supply stations, the mobilization, disciplining and training of the United States Army, state militia and other military organizations, as are now or may at any time be authorized or provided for under any law or laws of the United States; conferring on such counties the power of eminent domain for the purposes of this act and providing the procedure therefor; granting the consent of the State to such conveyance and ceding exclusive jurisdiction to the United States over the lands so conveyed.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 5 of the title of the printed bill, strike out the word "donate".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 5 of the title, after the word "and" insert a comma and the following: "in consideration of the benefits to be derived therefrom by such county, to".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 6 of the title strike out the following: "free of cost to the United States."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 6, of the printed bill, after the comma, insert the following: "for the consideration of the benefits to be derived by such county from the use of such lands by the United States for such purpose".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, lines 6 and 7, strike out the words "free from cost to the United States."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 7, after the word "and" insert the word "the".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 14, after the word "and" insert the following: ", in consideration of the benefits to be derived therefrom by such county, to".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 15, strike out the following: ", free of cost to the United States."

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 27, strike out the words "at such election" and insert in lieu thereof the word "thereon".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 28, strike out the word "an" and insert in lieu thereof the word "any".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 2, line 28, after the first word "election" insert a comma.

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 2, line 28, strike out the words "held for such purpose, which election may be".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 2, line 29, strike out the word "a", also the word "election" in same line.

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 2, line 29, after the word "special" insert a comma and the following: "at which the proposal to incur such bonded indebtedness may be submitted to such electors in the manner provided by law."

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 2, line 36, strike out the words "free of cost," and insert in lieu thereof the following: "for the consideration of the benefits to be derived by such county from the use of such lands by the United States for such purposes,".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 3, lines 18 and 19, strike out the words "free of cost to the United States," and insert in lieu thereof the following: "for the consideration of the benefits to be derived by such county from the use of such lands by the United States,".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 3, line 26, strike out the words "at such election" and insert in lieu thereof the word "thereon".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 3, line 32, strike out the word "bear" and insert in lieu thereof the word "specify".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 4, line 1, after the word "section" insert a comma and the following: "except as herein modified,".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 4, line 22, strike out the words "by donation" and insert a comma and the following: "upon the conditions and for the purposes herein set forth,".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 4, line 26, after the word "under" strike out the word "the".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 4, line 27, strike out the words "of such county".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 4, line 36, after the period add the following: "The board of supervisors shall have the power to insert in every conveyance made under the authority of this act, such conditions subsequent as such board shall deem necessary to insure the use of such lands by the United States government for the purposes herein mentioned and to carry out the provisions of this act."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 992—An act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under an act hereby repealed, to be known as the "Inheritance Tax Act"; and to repeal Chapter 595 of the laws of the session of the Legislature of California of 1913, approved June 16, 1913, known as the "Inheritance Tax Act," and all amendments thereto, and to repeal all acts and parts of acts in conflict with this act.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 11, after the semicolon after the word "act" insert the following: "*provided, further*, that in case of a transfer of community property from the husband to the wife, within the meaning of subdivisions (3) or (5) of section two of this act, one-half of the community property so transferred shall not be subject to the provisions of this act;".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 36, strike out the following: ": *provided*, that where"; strike out all of line 37; and on page 4 strike out all of lines 1 to 6, inclusive, and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4 strike out all of lines 7 to 17, inclusive, and insert in lieu thereof the following: "(5) Whenever property, real or personal, is held in the joint names of two or more persons, or is deposited in banks or other institutions or depositaries in the joint names of two or more persons and payable to either or the survivor, upon the death of one of such persons, the right of the surviving joint tenant or joint tenants, person or persons to the immediate ownership or possession and enjoyment of such property shall be deemed a transfer taxable under the provisions of this act in the same manner as though the whole property to which such transfer relates belonged absolutely to the deceased joint tenant or joint depositor and had been devised or bequeathed to the surviving joint tenant or joint tenants, person or persons, by such deceased joint tenant or joint depositor by will, excepting therefrom such part thereof as may be proved by the surviving joint tenant or joint tenants to have originally belonged to him or them and never to have belonged to the decedent."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4 strike out all of lines 18 to 23, inclusive, and in lieu thereof insert the following: "(6) Whenever any person, trustee or corporation shall exercise a power of appointment derived from any disposition of property made either before or after the passage of this act, such appointment, when made, shall be deemed a transfer taxable under the provisions of this act, in the same manner as though the property to which such appointment relates belonged absolutely to the donee of such power, and had been bequeathed or devised by such donee by will; and whenever any person, trustee or corporation possessing such power of appointment so derived shall omit or fail to exercise the same within the time provided therefor, in whole or in part, a transfer taxable under the provisions of this act shall be deemed to take place to the extent of such omission or failure, in the same manner as though the persons, trustees or corporations thereby becoming entitled to the possession or enjoyment of the property to which such power related had succeeded thereto by a will of the donee of the power failing to exercise such power, taking effect at the time of such omission or failure."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 5, after line 7 thereof, insert the following: "(9) When more than one transfer within the meaning of any of the preceding subdivisions of this section has been made, either before or after the passage of this act, by a decedent to one person, the tax shall be imposed upon the aggregate market value of all of the property so transferred to such person in the same manner and to the same extent as if all of the property so transferred were actually transferred by one transfer.

"(10) In determining the market value of the property transferred, no deduction shall be made for any inheritance tax or estate tax paid to the government of the United States."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 5, line 25, after the word "property" strike out the period, and insert in lieu thereof a semicolon and the following: "*and, provided*, that no such lien shall cease within two years from the date of the passage of this act."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 5, line 32, strike out the following: "issue, lineal ancestor" and insert in lieu thereof the following: "ancestor, lineal issue".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 9, line 25, strike out the following: "in the form and to the effect prescribed in sub-"; and line 26 strike out the following: "division (1) of section eight of this act".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 10, line 17, strike out the semicolon and the words "*provided*, that the person or persons,"; strike out all of lines 18 to 37, inclusive; and on page 11 strike out all of lines 1 to 5, inclusive; and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 11, line 23, strike out the word "twelve" and insert in lieu thereof the word "eleven".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 12, line 5, after the word "act" strike out the period and the word "Such" and insert in lieu thereof the following: "; such".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 12, line 7, after the word "jurisdiction" strike out the period and insert a semicolon and the following: "*provided*, that the person or persons or body politic or corporate beneficially interested in the property chargeable with said tax or the trustees thereof may elect not to pay the same until such person or persons, or body politic or corporate beneficially interested in such property shall come into the actual possession or enjoyment thereof, and in that case such person or persons or body politic or corporate or trustees shall execute a bond to the people of the State of California in a penalty of twice the amount of said tax with such sureties as the said superior court may approve, conditioned for the payment of said tax and interest thereon at the rate of seven per cent per annum commencing at the expiration of eighteen months from the death of the decedent at such time or period as they or their representatives may come into the actual possession or enjoyment of such property, and conditioned further, that if said bond be not renewed and the returns made as herein provided, the amount of said tax and interest thereon shall immediately become due and payable. Said bond shall be filed in the office of the county clerk of the proper county and a certified copy thereof shall be immediately transmitted to the state controller; *provided, further*, that such person or persons or body politic or corporate, or trustees, shall enter into such security within a period of ninety days after the entry of the order or decree fixing the inheritance tax charged against such transfer, or within such period thereafter as the court may in its discretion permit, and shall make a full and verified return of such property to said court and file the same in the office of the county clerk within one year from the date of such order or decree fixing tax, and at such times thereafter as the court on the application of the state controller may require, and renew such security every five years after the date of the approval thereof. Upon the approval of said bond as herein provided, said tax shall cease to be a lien upon the property so transferred. If such security shall not be renewed before the expiration of each five year period, said bond shall immediately become due and payable and if the same be not paid forthwith, the attorney general shall file an action in the name of the people of the state on the relation of the controller, to recover the same and the penalties thereunder and no demand for payment shall be necessary before the institution of such suit. Whenever it shall be made to appear to the satisfaction of the court that any surety on such bond or undertaking has for any reason become insufficient, the court may on motion of the state controller, after such notice to such person or persons, body politic or corporate, or trustees as the court may require, order the giving of a new undertaking with sufficient sureties in lieu of such insufficient undertaking. In case such new undertaking so required shall not be given within the time required by such order, or in case the sureties thereon fail to justify thereon when required, all rights obtained by the filing of such original undertaking, or subsequent undertaking, shall cease and the amount of said tax and interest thereon shall immediately become due and payable."

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 12, line 17, after the word "estate" strike out the words "for life or for years" and insert in lieu thereof the following: "or interest".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 13, line 4, strike out the word "paid" and insert in lieu thereof the following: "fixed and determined".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 14, line 13, strike out the word "trustees" and insert in lieu thereof the word "trustee".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 14, line 22, strike out the word "proven" and insert in lieu thereof the word "proved".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 15, line 37, strike out the words "such payment" and insert in lieu thereof the following: "the entry of the order fixing tax or of the decree of final distribution of the estate".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 16 strike out all of lines 11 to 37 inclusive; and on page 17 strike out all of lines 1 to 6 inclusive; and insert in lieu thereof the following:

(1) Whenever the state controller shall have reasonable cause to believe that a tax is due under the provisions of this act, upon any transfer of any property, and that any person, firm, institution, company, association or corporation, has possession, custody or control of any books, accounts, papers or documents relating to or evidencing such transfer, the state controller or inheritance tax attorney, or any assistant inheritance tax attorney of the inheritance tax department, is hereby authorized and empowered to inspect the books, records, accounts, papers and documents of any such person, firm, institution, company, association or corporation, including the stock transfer book of any corporation, for the purpose of acquiring any information deemed necessary or desirable by said state controller or said inheritance tax attorney or assistant inheritance tax attorneys, for the proper enforcement of this act, and for the collection of the full amount of tax which may be due the state hereunder. Any and all information acquired by said state controller or said inheritance tax attorney or assistant inheritance tax attorneys shall be deemed and held by said state controller and said inheritance tax attorney and assistant inheritance tax attorneys and each of them, as confidential, and shall not be divulged, disclosed or made known by them or any of them except in so far as may be necessary for the enforcement of the provisions of this act. Any controller or ex-controller, or inheritance tax attorney or ex-inheritance tax attorney, or assistant inheritance tax attorney or ex-assistant inheritance tax attorney, who shall divulge, disclose or make known any information acquired by such inspection and examination aforesaid, except in so far as the same may be necessary for the enforcement of the provisions of this act, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than two hundred and fifty dollars nor more than five hundred dollars, or be imprisoned in the county jail for not more than ninety days, or both.

(2) Any officer or agent of any firm, institution, company, association or corporation having or keeping an office within this state, who has in his custody or under his control any book, record, account, paper or document of such firm, institution, company, association or corporation, and any person having in his custody or under his control such book, record, account, paper or document who refuses to give to the state controller, or said inheritance tax attorney, or any of said assistant inheritance tax attorneys, lawfully demanding, as provided in this section, during office hours to inspect or take a copy of the same, or any part thereof, for the purposes hereinabove provided, a reasonable opportunity so to do, shall be liable to a penalty of not less than one thousand dollars nor more than twenty thousand dollars, and

in addition thereto shall be liable for the amount of the taxes, interest and penalties due under this act on such transfer, and the said penalties and liabilities for the violation of this section may be enforced in an action brought by the state controller in any court of competent jurisdiction.

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 17, line 26, after the comma after the word "representative" insert the following: "agents, deputies, attorneys,".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 18, line 31, strike out the words "or county treasurer".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 19, strike out all of lines 30 to 37, inclusive; and on page 20, strike out all of lines 1 to 6, inclusive; and insert in lieu thereof the following:

SEC. 15. The superior court in the county in which is situate the real property of a decedent, who was not a resident of the state, or if there be no real property, then in the county in which any of the personal property of such nonresident is situate, or in the county of which the decedent was a resident at the time of his death, shall have jurisdiction to hear and determine all questions in relation to the tax arising under the provisions of this act; the court first acquiring jurisdiction hereunder shall retain the same, to the exclusion of every other: *provided*, that the superior court having acquired jurisdiction in probate of the estate of a decedent shall hear and determine in said probate proceedings all questions in relation to any tax arising under the provisions of this act: (a) Upon property passing in said probate proceedings. (b) Upon any other property transferred, within the meaning of subdivision three of section two of this act, to any person, institution or corporation taking any property under and by virture of said probate proceedings.

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 20, line 19, after the comma after the word "act" insert the following: "or under any other provision of this act".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 20, after line 37, add the following: "Any person or persons who shall be served with a subpœna, issued by said inheritance tax appraiser, to appear and testify or to produce books and papers, and who shall refuse and neglect to appear and testify or to produce books and papers relevant to such appraisement, as commanded in such subpœna, shall be guilty of a contempt of court."

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 21, line 23, strike out the word "forthwith" and insert in lieu thereof the following: "on said day or the next succeeding judicial day".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 22, line 5, after the word "controller" insert a comma and the words "county treasurer".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 22, line 30, strike out the word "hereof" and insert in lieu thereof the word "thereof".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 24, line 10, strike out the word "taxable".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 24, line 24, after the word "which" insert the words "petition and".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 24, line 36, strike out the words "the petitioner shall be"; strike out all of line 37; and on page 25 strike out all of lines 1 to 3, inclusive, and insert in lieu thereof the following: "assess against the petitioner reasonable compensation for said inheritance tax appraiser, not exceeding the sum of ten dollars, and the necessary traveling and incidental expenses of said appraiser."

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 26, line 2, strike out the word "including" and insert in lieu thereof the following: "and shall assess against such person or persons".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 26, after line 4, insert the following:

(4) Actions under this section shall be commenced in the superior court of the county in which is situated any part of any real property against which any lien is sought to be enforced, or to which title is sought to be quieted against any lien, or claim of lien; but if in said action no lien against real property is sought to be enforced, the action shall be brought in the superior court of the county which has or which had jurisdiction of the administration of the estate of the decedent mentioned herein.

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 26, line 5, strike out "(4)" and insert in lieu thereof the following: "(5)".

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 26, line 9, strike out the period after the word "act" and insert in lieu thereof a semicolon and the following: "nor shall any undertaking be required from or costs charged against the state controller or the State of California in any such proceeding."

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 26, line 14, after the word "appeals" insert a comma and the word "attachments".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 27, line 8, strike out the word "three" and insert in lieu thereof the word "five".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 28 strike out all of lines 18 to 26, inclusive.

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 28, line 27, after the word "Sec." strike out the figures "25" and insert in lieu thereof the figures "24".

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

On page 28, line 35, after the word "Sec." strike out the figures "26" and insert in lieu thereof the figures "25".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 990—An act to amend section 1444 of the Code of Civil Procedure of the State of California, relating to appraisers of estates of deceased persons.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 12, strike out the words "the sum of" and insert in lieu thereof the words "not to exceed".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 13, after the word "be" insert the words "fixed and".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 806—An act to repeal sections 1537, 1538, 1539, 1540, 1542, 1543 and 1544 of the Code of Civil Procedure of the State of California, relating to sales by executors and administrators.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of the title, and insert in lieu thereof the following:

An act to repeal sections one thousand five hundred eighteen, one thousand five hundred nineteen, one thousand five hundred twenty-six, one thousand five hundred twenty-seven, also article three, chapter seven, title eleven, part three, comprising sections one thousand five hundred twenty-nine, one thousand five hundred thirty, one thousand five hundred thirty-one, one thousand five hundred thirty-two and one thousand five hundred thirty-three, also sections one thousand five hundred thirty-seven, one thousand five hundred thirty-eight, one thousand five hundred thirty-nine, one thousand five hundred forty, one thousand five hundred forty-one, one thousand five hundred forty-two, one thousand five hundred forty-three, and one thousand five hundred forty-four, of the Code of Civil Procedure, all relating to sales and conveyances of property of decedents.

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all of the printed bill after the enacting clause and insert in lieu thereof the following:

SECTION 1. Sections one thousand five hundred eighteen, one thousand five hundred nineteen, one thousand five hundred twenty-six, one thousand five hundred

twenty-seven, also article three, chapter seven, title eleven, part three, comprising sections one thousand five hundred twenty-nine, one thousand five hundred thirty, one thousand five hundred thirty-one, one thousand five hundred thirty-two and one thousand five hundred thirty-three, also sections one thousand five hundred thirty-seven, one thousand five hundred thirty-eight, one thousand five hundred thirty-nine, one thousand five hundred forty, one thousand five hundred forty-one, one thousand five hundred forty-two, one thousand five hundred forty-three, and one thousand five hundred forty-four of the Code of Civil Procedure are hereby repealed.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 807—An act to amend sections 1536, 1545, 1547, 1549, 1552, 1554 and 1555 of the Code of Civil Procedure of the State of California, relating to sales of real property by executors and administrators.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of the title, and insert in lieu thereof the following:

An act to amend sections one thousand five hundred seven, one thousand five hundred seventeen, one thousand five hundred twenty-two, one thousand five hundred twenty-three, one thousand five hundred twenty-five, one thousand five hundred twenty-six, one thousand five hundred forty-five, one thousand five hundred forty-seven, one thousand five hundred forty-nine, one thousand five hundred forty-two, one thousand five hundred fifty-four, one thousand five hundred fifty-five, one thousand five hundred fifty-nine, one thousand five hundred sixty-five and one thousand five hundred seventy of the Code of Civil Procedure, relating to sales and conveyances of property of decedents.

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all of the bill after the enacting clause, and insert in lieu thereof the following:

SECTION 1. Section one thousand five hundred sixteen of the Code of Civil Procedure is amended to read as follows:

1516. All of the property of a decedent shall be chargeable with the payment of the debts of the deceased, the expenses of administration, and the allowance to the family, except as otherwise provided in this code and in the Civil Code. And the said property, personal and real, may be sold in the manner prescribed in this chapter. There shall be no priority as between personal and real property for the above purposes.

SEC. 2. Section one thousand five hundred seventeen of the Code of Civil Procedure is amended to read as follows:

1517. The executor or administrator may sell any property of the estate of a decedent without order of court, and at either public or private sale, as the executor or administrator may determine; but no sale of such property is valid unless the same be under oath reported to and confirmed by the court, and the title to the property does not pass until such sale be so confirmed by the court.

SEC. 3. Section one thousand five hundred twenty-two of the Code of Civil Procedure is amended to read as follows:

1522. At any time after receiving letters, the executor, administrator, or special administrator may sell perishable and other personal property likely to depreciate in value, or which will incur loss or expense by being kept, and so much other personal property as may be necessary to pay the allowance made to the family of the decedent. The executor, administrator, or special administrator is responsible for the property, unless, after making a sworn return, and on a proper showing, the court shall approve the sale.

SEC. 4. Section one thousand five hundred twenty-three of the Code of Civil Procedure is amended to read as follows:

1523. If claims against the estate have been allowed, and a sale of property is necessary for their payment, or for the expenses of administration, or for the payment of legacies, the executor or administrator may sell so much of the personal property as may be necessary therefor. He may also make a sale from time to time, so long as any personal property remains in his hands, and sale thereof is necessary. If it

appear for the best interests of the estate, he may, at any time after filing the inventory in like manner, and after giving notice by publication for two weeks in a newspaper of general circulation, printed and published in the county, sell the whole of the personal property belonging to the estate, whether necessary to pay debts or not, provided that the court may, by order, shorten the time of notice to like publication for one week.

SEC. 5. Section one thousand five hundred twenty-five of the Code of Civil Procedure is amended to read as follows:

1525. In making orders and sales for the payment of debts or family allowance, such articles as are not necessary for the support and subsistence of the family of the decedent, or are not specially bequeathed, must be first sold.

SEC. 6. Article IV, section one thousand five hundred thirty-six of the Code of Civil Procedure is amended to read as follows:

1536. When a sale of property of the state is necessary to pay the allowance of the family, or the debts outstanding against the decedent, or the debts, expenses, or charges of administration, or legacies; or when it is for the advantage, benefit, and best interests of the estate, and those interested therein, that the real estate, or some part thereof, be sold, the executor or administrator may sell any real as well as personal property of the estate.

SEC. 7. Section one thousand five hundred forty-five of the Code of Civil Procedure is amended to read as follows:

1545. If the executor or administrator neglects or refuses to sell the property of the estate when it is necessary or when it is for the advantage, benefit and best interests of the estate and those interested therein, that the real estate or some portion thereof be sold, any person interested may make application to the court, that the executor or administrator be required to sell, and notice of such application must be given to the executor or administrator before the hearing.

SEC. 8. Section one thousand five hundred forty-seven of the Code of Civil Procedure is amended to read as follows:

1547. When a sale is to be made at public auction, notice of the time and place of sale must be posted in three of the most public places in the county in which the land is situated, and published in a newspaper, if there be one printed in the same county, but if none, then in such paper as the court may direct, for two weeks successively next before the sale; *provided, however*, that when it appears from the inventory and appraisement that the value of the whole estate does not exceed two hundred fifty dollars the court, or a judge thereof, may in his discretion dispense with the publication in a newspaper and order notices be posted. The lands and tenements to be sold must be described with common certainty in the notice.

SEC. 9. Section one thousand five hundred forty-nine of the Code of Civil Procedure is hereby amended to read as follows:

1549. When a sale of real estate is to be made at private sale, notice of the same must be posted up in three of the most public places in the county in which the land is situated, and published in a newspaper, if there be one printed in the same county, if none, then in such paper as the court or judge may direct, for two weeks successively next before the day on or after which the sale is to be made, in which the lands and tenements to be sold must be described with common certainty. The notice must state a day on or after which the sale will be made, and a place where offers or bids will be received. The day last referred to must be at least fifteen days from the first publication of notice; and the sale must not be made before that day, but must be made within six months thereafter. The bids or offers must be in writing and may be left at the place designated in the notice, or delivered to the executor or administrator personally, or may be filed in the office of the clerk of the court to which the return of sale must be made, at any time after the first publication of the notice and before the making of the sale. If it be shown that it will be for the best interests of the estate the court or judge may, by an order, shorten the time of notice, which shall not, however, be less than one week, and may provide that the sale may be made on or after a day less than fifteen but not less than eight days from the first publication of the notice, in which case the notice of sale and the sale may be made to correspond with such order.

SEC. 10. Section one thousand five hundred fifty-two of the Code of Civil Procedure is hereby amended to read as follows:

1552. The executor or administrator, after making any sale of real estate, must make a return of his proceedings to the court, which must be filed in the office of the clerk at any time subsequent to the sale. A hearing upon the return of the proceedings may be asked for in the return or by petition subsequently, and thereupon the clerk must fix the day for the hearing, of which notice of at least ten days must be given by the clerk, by notices posted in three public places in the county, or by publication in a newspaper, and must briefly indicate the land sold, and must refer to the return for further particulars. Upon the hearing the court must examine into the necessity for the sale, or the advantage, benefit and interest of the estate in having the sale made, and must examine the return and witnesses in relation to the sale, and if good reason does not exist for such sale, or if the proceedings for the sale were unfair or the sum bid disproportionate to the value and it appears that a sum exceeding such bid at least ten per cent, exclusive of the expense of a new sale may be obtained, the court may vacate the sale and direct another to be had, of which

notice must be given and the sale in all respects conducted as if no previous sale had taken place. If an offer of ten per cent more in amount than that named in the return be made to the court in writing, by a responsible person, it is in the discretion of the court to accept such offer and confirm the sale to such person or to order a new sale.

SEC. 11. Section one thousand five hundred fifty-four of the Code of Civil Procedure is hereby amended to read as follows:

1554. If it appears to the court that there is reason for a sale upon the grounds set forth in section one thousand five hundred thirty-six of this code and that the sale was legally made and fairly conducted, and that the sum bid was not disproportionate to the value of the property sold, and that a greater sum, as above specified, can not be obtained, or if the increased bid mentioned in section one thousand five hundred fifty-two be made and accepted by the court, the court must make an order confirming the sale, and directing conveyances to be executed. The sale, from that time, is confirmed and valid, and a certified copy of the order confirming it and directing conveyances to be executed must be recorded in the office of the recorder of the county in which the land sold is situated. If, after the confirmation, the purchaser neglects or refuses to comply with the terms of the sale, the court may, on motion of the executor or administrator, and after notice to the purchaser, order a resale to be made of the property. If the amount realized on such sale does not cover the bid and the expenses of the previous sale, such purchaser is liable for the deficiency to the estate.

SEC. 12. Section one thousand five hundred fifty-five of the Code of Civil Procedure is hereby amended to read as follows:

1555. Conveyances must thereupon be executed to the purchaser by the executor or administrator, and they must refer to the orders of the court confirming the sale of the property of the estate, and directing conveyances thereof to be executed, and to the record of the order of confirmation in the office of the county recorder, either by the date of such recording, or by the date, volume, and page of the record, and such reference shall have the same effect as if the orders were at large inserted in the conveyance. Conveyances so made convey all the right, title, interest, and estate of the decedent, in the premises, at the time of his death, if prior to the sale, by operation of law or otherwise, the estate has acquired any right, title, or interest in the premises, other than or in addition to that of the decedent at the time of his death, such right, title, or interest also passes by such conveyances.

SEC. 13. Section one thousand five hundred fifty-nine of the Code of Civil Procedure is hereby amended to read as follows:

1559. Any executor or administrator may enter into a contract with any bona fide real estate agent to secure a purchaser for any real property belonging to an estate, which contract shall provide for payment to such agent out of the proceeds of sale to any purchaser secured by him of a commission, the amount of which must be fixed and allowed by the court upon confirmation of the sale. If a sale to a purchaser obtained by such agent is returned to the court for confirmation and said sale be confirmed to such purchaser, such contract shall be binding and valid as against the estate for the amount so fixed and allowed by the court.

By the execution of any such contract no personal liability shall attach to the executor or administrator, and no liability of any kind shall be incurred by the estate unless an actual sale is made and confirmed.

SEC. 14. Section one thousand five hundred sixty-five of the Code of Civil Procedure is hereby amended to read as follows:

1565. If a decedent, at the time of his death, was possessed of a contract for the purchase of lands, his interest in such land and under such contracts may be sold by his executor or administrator, in the same manner as if he had died seized of such land, and the same proceedings may be had for that purpose as are prescribed in this chapter for the sale of lands of which he died seized, except as hereinafter provided.

SEC. 15. Section one thousand five hundred seventy of the Code of Civil Procedure is hereby amended to read as follows:

1570. At any sale of lands upon which there is a mortgage or lien, the holder thereof may become the purchaser, and his receipt for the amount due him from the proceeds of the sale is a payment pro tanto. If the amount for which he purchased the property is insufficient to defray the expenses and discharge his mortgage or lien, he must pay to the court, or the clerk thereof, an amount sufficient to pay such expenses.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 989—An act to amend section 1380 of the Code of Civil Procedure, relating to giving special notices to heirs, devisees, and legatees during the administration of estates of decedents.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 991—An act to amend section 963 of the Code of Civil Procedure of the State of California, relating to cases in which an appeal may be taken.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 346—An act to amend sections 7, 8, 9, 10, 12*c*, 13, 20, 28, 31*a*, 35, 41, 43, 45, 68, 80, 90, 98, 128, 139 and 142 of the act entitled "An act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," all relating to the definition and regulation of the business of banking.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Beginning with line 1, page 1, of the printed bill, strike out line 1 and all following it, and insert in lieu thereof the following:

SECTION 1. Section seven of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, is hereby amended to read as follows:

SEC. 7. No foreign corporation shall transact a banking business in this state without first complying with all the requirements of the laws of this state relative to banks as defined in this act, and without having assigned to its business in this state the amount of paid-up capital and surplus required by this act for the transaction of such business within this state. No foreign banking corporation shall transact business in this state until such corporation has made the assignment of capital required by this section and has received a certificate from the superintendent of banks; *provided*, that a foreign banking corporation shall not be permitted to accept deposits of money in this state but may receive a certificate from the superintendent of banks to transact in this state only the business of buying or selling, paying or collecting bills of exchange, or of issuing letters of credit or of receiving money for transmission or transmitting the same by draft, check, cable or otherwise, or of making loans; *and provided further*, that those foreign banking corporations that now have power to do a banking business in this state and which now receive deposits of money shall be permitted to continue to accept money on deposit. Any foreign banking corporation transacting business in this state shall become subject to the supervision of the state superintendent of banks. Every foreign banking corporation, including those which were on January second, nineteen hundred thirteen, transacting business in this state, which receives any deposits or transacts any other banking business or transacts its business in such a manner as might lead the public to believe that its business is that of a bank shall conduct all its business in accordance with the statutes governing incorporated banking institutions organized under the laws of this state. The capital of any such foreign banking corporation assigned to its business in this state and all funds and deposits of money received by any such corporation in this state or for or in connection with its business in this state and all accounts and transactions of said business transacted by any such foreign corporation in this state shall be kept separate and apart from the general business, assets and accounts of such foreign corporation in the same manner as if the business of such foreign corporation conducted within this state was that of a separate and independent corporation organized under the laws of this state for the purpose of doing a banking business and all of the provisions of this act affecting investments, loans of money, receiving deposits and conducting business in any respect shall be deemed to apply to such assigned capital, investments, loans, deposits, assets, funds and business in the same manner as if such assigned capital, investments, loans, deposits, assets, funds and business were that of such separate and independent corporation; *provided*, that loans may be made by any such foreign corporation based on its entire paid-up capital and surplus in case such foreign corporation shall have assigned to its business in this state a paid-up capital and surplus as above provided equal to twenty per centum of the deposit liability of such branch agency or office to residents of this state. Such funds and investments or loans thereof shall be appropriated solely to the security and payment of such deposits, and shall not be mingled with the investments of the capital stock or other money or property belonging to such corporation or be liable for the debts or obligations thereof. All income received from the investment of said funds over and above such funds as may be paid to depositors as interest **or shall be carried to the surplus fund, as provided in section twenty-one of this act,** shall accrue as profits to the corporation and may be transferred to its general funds. No such foreign corporation shall transact any banking business in this state until **it has executed and filed with the superintendent of banks a written instrument** appointing such superintendent or his successor in office, its true and lawful attorney,

upon whom all process issued by authority of or under any law of this state may be served, with the same effect as if such corporation was formed under the laws of this state and had been lawfully served with process therein. Such service upon such attorney shall be deemed personal service on such corporation. The superintendent of banks shall forthwith forward by mail, postage prepaid, a copy of every process served upon him under the provisions of this section, addressed to the manager or agent of such corporation, at its principal place of business in this state. For each copy of process, the superintendent of banks shall collect the sum of two dollars, which shall be paid by the plaintiff or moving party at the time of the service, to be recovered by him as a part of his taxable costs if he succeed in the suit or proceeding. No foreign corporation shall have or exercise in this state the power to receive deposits of trust moneys, securities or other personal property from any person or corporation or any of the powers specified in section six of this act, nor have or maintain an office in this state for the transaction of, or transact, directly or indirectly, any such or similar business, except that a trust company incorporated in another state may have or exercise in this state such powers as are permitted to foreign corporations by the provisions of section ninety of this act and may be appointed and may accept appointment and may act in this state as executor of or trustee under the last will and testament of any deceased person, upon giving the bond required in such cases of individuals unless waived by the last will and testament making such appointment and by taking and subscribing an oath for faithful performance of such trust by the president, vice-president, secretary, manager or trust officer of said corporation; *provided*, that such superintendent of banks, for the time being, shall be attorney of such foreign corporation qualifying or acting in this state as such executor or trustee, upon whom process against such foreign corporation may be served in any action or legal proceeding against such executor or trustee affecting or relating to the estate or property represented or held by such executor or trustee, or any act or default of such foreign corporation in reference to such estate or property, and it shall be the duty of any such foreign corporation so qualifying or acting to file in the office of said superintendent of banks a copy of its articles of incorporation, or of the statute chartering such corporation, certified by its secretary under its corporate seal, together with the postoffice address of its home office, and a duly executed appointment of said superintendent of banks as its attorney to accept service of process as above provided, and said superintendent of banks, when any such process is served upon him, shall at once mail the papers so served to the home office of such corporation; *and provided, further*, that no foreign corporation which may have or exercise in this state such powers as are permitted to foreign corporations by the provisions of section ninety of this act or having authority to act as executor of or trustee under the last will and testament of any deceased person shall establish or maintain, directly or indirectly, any branch office or agency in this state, or shall in any way solicit, directly or indirectly, any business as executor or trustee therein, and that for any violation of this proviso, the court having jurisdiction of such executor or trustee in said proceeding may in its discretion, revoke the right of such foreign corporation thereafter to act as executor or trustee therein; *provided*, that nothing in this act shall limit or affect the right of any foreign corporation doing a banking business in this state, to lend within this state, moneys of such corporation which do not form a part of the moneys, deposits or assets of such corporation assigned or belonging to its business in this state.

This section shall not be construed to prohibit foreign banking corporations, which do not maintain an office in this state for the transaction of business, from making loans in this state secured by mortgages on real property, nor from accepting assignments of mortgages covering real property situated in this state, nor from making loans through correspondents which are engaged in the business of banking in this state under the laws of this state.

SEC. 2. Section eight of said act is hereby amended to read as follows:

SEC. 8. Every corporation, at the time it applies for a certificate of authority to do a banking business, must file with the superintendent of banks a certified copy of its articles of incorporation, or of the statute chartering such corporation, a certified copy of its by-laws, and also a certified copy of all instruments amending or altering such articles of incorporation or charter or by-laws. Thereafter a certified copy of each amendment or certificate designed to increase or decrease the capital stock, to change the number of the directors, to amend the articles of incorporation, to change the principal place of business, or the name of such corporation, or to effect any other organic change shall likewise be so filed before such instrument takes effect. There must also be filed in the office of the superintendent of banks before he shall issue his certificate a certified copy of the affidavit required by section two hundred ninety-*a* of the Civil Code. Each certification required by the provisions of this section other than that of by-laws must be by the secretary of state.

SEC. 3. Section nine of said act is hereby amended to read as follows:

SEC. 9. No bank in this state, or any officer or director thereof, shall hereafter open or keep an office other than its principal place of business, without first having obtained the written approval of the superintendent of banks to the opening of such branch office, which written approval may be given or withheld in his discretion, and shall not be given by him until he has ascertained to his satisfaction

that the public convenience and advantage will be promoted by the opening of such branch office; *provided*, that no bank or any officer or director thereof, shall open or maintain any such branch office unless the capital of such bank, actually paid in, in cash, shall exceed the amount required by this act by the sum of twenty-five thousand dollars for each branch office opened and maintained in the place where its principal business is transacted; *and provided*, that for each branch office opened or maintained by any bank, other than a bank transacting only the business described in section six of this act, in any place in this state other than the place where the principal business of such bank is transacted, the capital of such bank, actually paid in, in cash, shall exceed the amount required by this act in the sum required by this act for every bank hereafter organized in the place where each branch office is to be opened or maintained, exclusive of the capital required for a trust department; *and, provided also*, that for each branch office opened or maintained by any corporation which has power to transact only such business as is described in section six of this act or in section four hundred fifty-three *c* of the Civil Code, in any place in this state other than the place where the principal business of such corporation is transacted, the capital of such corporation, actually paid in, in cash, shall exceed the amount required by this act in the sum of twenty-five thousand dollars; *and provided, further*, that no branch office may be discontinued without the previous written approval of the superintendent of banks.

Every bank, before it opens a branch office, shall obtain the certificate of authority of the superintendent of banks for the opening of each of said branch offices. The applicant shall pay for such certificate a fee of fifty dollars; *provided, however*, that, in order to encourage saving among the children of the schools of this state, a bank may, with the written consent of and under regulations approved by the superintendent of banks and, in the case of public schools, by the board of education or board of school trustees of the city or district in which the school is situated, arrange for the collection of savings from the school children by the principal or teachers of such schools or by collectors. The principal, teacher or person authorized by the bank to make collections from the school children shall be deemed to be the agent of the bank and the bank shall be liable to the pupil for all deposits made with such principal, teacher or other person, the same as if the deposits were made by the pupil directly with the bank. Every bank and every such officer or director violating the provisions of this section shall forfeit to the people of the state the sum of one hundred dollars for every day during which any branch office hereafter opened shall be maintained without such written approval.

SEC. 4. Section ten of said act is hereby amended to read as follows:

SEC. 10. No person shall be eligible for election as director of a bank having a capital stock unless he is a stockholder of the bank, owning, in his own right, shares thereof of the par value of at least five hundred dollars; and every person elected to be director who, after such election, shall cease to be the owner in his own right of the amount of such stock aforesaid, or shall hypothecate or in any way pledge such stock as security for any loan or debt shall immediately notify the superintendent of banks in writing of such sale or hypothecation and such director may be removed from the office of director by the superintendent of banks; *provided, however*, that any executor or executrix, administrator or administratrix holding shares of a bank of the par value of five hundred dollars, in his or her representative capacity shall be eligible for election as a director thereof. If a bank be organized without capital stock, no person shall be eligible as a director thereof unless he is both a member and a depositor of such bank.

SEC. 5. Section twelve *c* of said act is hereby amended to read as follows:

SEC. 12*c*. Any corporation organized under the laws of any country or state other than this state which has complied with all of the laws of this state pertaining to foreign corporations and is not engaged in the business of banking or receiving money on deposit in this state may lend money or buy and sell bonds in this state and, for that purpose, may maintain offices in this state, and sue and be sued in this state under its proper corporate name, notwithstanding any prohibitions contained in this act as to the use of any words in the name, signs or advertising matter of corporations not under the supervision of the superintendent of banks; *provided*, that nothing in this act shall be construed to prohibit any representative of any foreign banking corporation from maintaining an office in this state as the office of a representative and not the place of business of a bank or trust company, nor to prohibit such representative from making use of any other sign at the place where such representative's office is maintained having thereon words indicating that such office is the place of business of a representative of a foreign bank or trust company;

And provided, further, that any representative of a foreign bank maintaining an office within this state may make use of such foreign bank's letterheads, circulars and other printed matter in the transaction of business as such representative.

And provided, further, every representative of any foreign bank or trust company before opening an office as a representative shall have received a license from the superintendent of banks to open such representative's office. Such license may be issued upon application to the superintendent of banks and the payment of an annual license fee of $50 and may be refused or revoked by the superintendent of banks at his discretion.

SEC. 6. Section thirteen of said act is hereby amended to read as follows:

Sec. 13. No corporation, domestic or foreign, other than a corporation formed under or subject to the banking laws of this state or of the United States, except as permitted by such laws, or other than an express company as hereinafter defined in this section, shall by any implication or construction be deemed to possess the power of carrying on the business of discounting bills, notes or other evidences of debt, of receiving deposits, of buying and selling bills of exchange, or of issuing bills, notes or other evidences of debt for circulation as money, or of engaging in any other form of banking; nor shall any such corporation, except an express company having contracts with railroad companies for the operation of an express service upon the lines of such railroad companies, or a transatlantic steamship company, or a transpacific steamship company, or a telegraph company, or a telephone company, possess the power of receiving money for transmission or of transmitting the same, by draft, traveler's check, money order or otherwise.

SEC. 7. Section twenty of said act is hereby amended to read as follows:

Sec. 20. Every commercial bank shall maintain total reserves against its aggregate deposits, exclusive of state, county and municipal deposits for the repayment of which bonds have been deposited as security, as follows:

1. Eighteen per centum of such deposits if such bank has its principal place of business in a city having a population of one hundred thousand or over.

2. Fifteen per centum of such deposits, if such bank is located in a city having a population of fifty thousand or over and less than one hundred thousand.

3. Twelve per centum of such deposits if such bank is located elsewhere in the state.

At least one-third of the total reserves shall be maintained as reserves on hand and shall consist of gold coin, gold bullion, United States gold certificates or United States notes; in addition thereto, at least one-sixth of the total reserves shall be maintained as reserves on hand and shall consist of gold coin, gold bullion, United States gold certificates, United States notes or any form of currency authorized by the laws of the United States, and the remainder of the total reserves required by the provisions of this section shall be maintained as reserves on deposit or as reserves on hand; such reserves on hand to consist of gold coin, gold bullion, United States gold certificates, United States notes or any form of currency authorized by the laws of the United States.

If any bank shall have become a member of a federal reserve bank, it may maintain as reserves on deposit with such federal reserve bank such portion of its total reserves as shall be required of members of such federal reserve bank.

If any bank shall not maintain the total reserves required the superintendent of banks may impose a penalty upon it, based upon the length of time such encroachment upon its total reserves amounting to one per centum or more of its aggregate deposits shall continue, at the following rates:

1. At the rate of six per centum per annum upon any such encroachment not exceeding two per centum of such deposits.

2. At the rate of eight per centum per annum upon any additional encroachment in excess of two and not exceeding three per centum of such deposits.

3. At the rate of ten per centum per annum upon any additional encroachment in excess of three and not exceeding four per centum of such deposits.

4. At the rate of twelve per centum per annum upon any additional encroachment in excess of four per centum of such deposits.

The superintendent of banks shall, in his discretion, upon the nomination of any bank, designate a depositary or depositaries for the reserves on deposit of such bank provided for by this act. Except as otherwise provided in this section, such depositary shall be a bank or national banking association located in this state. Every reserve depositary, which has its principal place of business in a judicial township or in a city located in this state in which the population is less than fifty thousand, shall have at all times as its total reserves an amount equal to the total reserves required by the provisions of this section for every bank which has its principal place of business in a city having a population of fifty thousand or over and less than one hundred thousand. But no bank or national banking association shall hereafter be designated as a depositary of any such reserves unless it shall have a combined capital and surplus of not less than the following amounts:

1. Two hundred fifty thousand dollars, if located in a city which has a population of three hundred thousand or over;

2. Two hundred thousand dollars, if located in a city which has a population of one hundred thousand or over and less than three hundred thousand;

3. One hundred fifty thousand dollars, if located in a city which has a population of fifty thousand or over and less than one hundred thousand;

4. One hundred thousand dollars, if located elsewhere in the state.

Such depositary may also be a banking corporation with a capital and surplus of one million dollars or more, located in the cities of New York, Chicago, Boston, St. Louis, or Philadelphia.

If the total reserves of any bank shall be less than the amount required by this section, such bank shall not increase its liabilities by making any new loans or discounts, otherwise than by discounting bills of exchange on sight, or by paying any dividends from profits until the full amount of its total reserves has been restored.

The superintendent of banks may notify any bank whose total reserves shall be below the amount herein required, to restore such total reserves; and, if it shall fail for thirty days thereafter to restore such total reserves, such bank shall be deemed insolvent and may be proceeded against under the provisions of this act; *provided*, that all deposits of money herein permitted or required shall comply with the provisions of section forty-three of this act.

The term, "reserves on hand," when used in this act, means the reserves against deposits kept, pursuant to the provisions of this act, in the vault of any bank or in any safety deposit box in any other bank in this state, said box to be under the exclusive control of the depositing bank.

The term, "reserves on deposit," when used in this act, means the reserves against deposits maintained by any bank pursuant to this act in reserve depositaries, or in a federal reserve bank of which such bank is a member, and not in excess of the amount authorized by this act.

The term, "total reserves," when used in this act, means the aggregate of reserves on hand and reserves on deposit maintained pursuant to the provisions of this act.

The term, "reserve depositary," when used in this act, means a bank, trust company or banking corporation designated by the superintendent of banks on the nomination of the depositing bank as a depositary for reserves on deposit.

SEC. 8. Section 28 of said act is hereby amended to read as follows:

SEC. 28. Every bank in this state must, on all its window signs and in advertising, and on letterheads and other stationery on which its business is transacted, use the word "savings" if it conducts a savings business, or the word "trust" if it conducts a trust business, and the word "commercial" if it conducts a commercial business. Every bank, which maintains a branch office, must on all window signs and in advertising, and on letterheads and other stationery on which the business of said branch office is transacted, use in letters and type, equal in preminence to that used in its corporate name, the word "branch" and the name of the place where its principal business is located.

SEC. 9. Section thirty-one *a* of said act is hereby amended to read as follows:

SEC. 31*a*. Any bank incorporated under the laws of this state may consolidate with one or more banks incorporated under the laws of this state, its capital stock, properties, trusts, claims, demands, contracts, agreements, obligations, debts, liabilities and assets of every kind and description, upon such terms and in such manner as may be agreed upon by their respective boards of directors, a copy of which agreement must be filed in the office of the superintendent of banks; *provided*, that such agreement shall be subject to the approval of the superintendent of banks and shall not be valid until such approval be obtained; *provided, further*, that no such consolidation shall take effect until such agreement shall have been ratified and confirmed in writing by the stockholders of the respective banks holding of record at least two-thirds of the issued capital stock of their respective banks, or such agreement may be submitted to the stockholders of each of such corporations at a meeting thereof to be called upon notice specifying the time, place and object thereof, addressed to each stockholder at his last known post-office address and deposited in the post office, postage prepaid, at least two weeks prior to the date fixed for said meeting, and published for at least two successive weeks, prior to the date of said meeting, in a newspaper in each of the counties of the state in which any of such banks shall have its principal place of business, and if such agreement shall be approved at each of such meetings of the respective stockholders separately by the vote or ballot of the stockholders owning at least two-thirds of the stock of each such bank, the same shall be the agreement of such banks. In case of such consolidation "articles of incorporation and consolidation" must be prepared, setting forth:

First—The name of the new corporation;

Second. The purpose for which it is formed;

Third. The place where its principal business is to be transacted;

Fourth—The term for which it is to exist, which shall not exceed fifty years;

Fifth. The number of its directors (which shall not be less than three) and the names and residences of the persons appointed to act as such until their successors are elected and qualified;

Sixth. The amount of its capital stock and the number of shares into which it is divided;

Seventh. The amount of stock actually subscribed, and by whom;

Eighth. The names of the constituent corporations.

Said articles of incorporation and consolidation must be signed and countersigned by the president and secretary of each constituent corporation and sealed with their corporate seals. There must be annexed thereto the approval of the superintendent of banks and memoranda of the ratification and confirmation thereof by the stockholders of each constituent corporation, which must be respectively signed and acknowledged by stockholders representing at least two-thirds of the capital stock of their respective corporations. When completed as aforesaid said articles must be filed in the office of the county clerk of the county in which is located the principal place of business of the new corporation, and a copy of the articles of incorporation and consolidation certified by such county clerk must be filed in the office of the secretary of state, who must issue, over the great seal of the state, a certificate that

a copy of the articles of incorporation and consolidation containing the required statement of facts has been filed in his office. The secretary of state must file in his office a duplicate of the certificate hereinbefore provided for and copies thereof, duly certified by the secretary of state, shall have the same force and effect in evidence as the original. A copy of the articles of incorporation and consolidation, certified by said secretary of state, must be filed in the office of the superintendent of banks, and also in the office of the county clerk of any county in which were filed the original articles of incorporation of either of the constituent corporations. When the superintendent of banks issues the certificate of authorization provided for by section one hundred twenty-eight of this act the new or consolidated corporation shall be a body politic and corporate by the name stated in the certificate, and for the term of fifty years, unless it is, in the articles of incorporation and consolidation, otherwise stated and thereupon each constituent corporation named in the articles of incorporation and consolidation must be deemed and held to have become extinct in all courts and places, and said new corporation must be deemed and held in all courts and places to have succeeded to all their several capital stocks, properties, trusts, claims, demands, contracts, agreements, assets, choses and rights in action of every kind and description, both at law and in equity, and to be entitled to possess, enjoy, and enforce the same and every thereof, as fully and completely as either and every of its constituents might have done had no consolidation taken place. Said consolidated or new corporation must also, in all courts and places, be deemed and held to have become subrogated to its several constituents and each thereof, in respect to all their contracts and agreements with other parties, and all their debts, obligations, and liabilities, of every kind and nature, to any persons, corporations, or bodies politic, whomsoever, or whatsoever, and said new corporation must sue and be sued in its own name in any and every case in which any or either of its constituents might have sued or might have been sued at law or in equity had no such consolidation been made. Nothing in this section contained shall be construed to impair the obligation of any contract to which any of such constituents were parties at the date of such consolidation. All such contracts may be enforced by action or suit, as the case may be, against the consolidated corporation, and satisfaction obtained out of the property which, at the date of the consolidation, belonged to the constituent which was a party to the contract in action or suit, as well as out of any other property belonging to the consolidated corporation, and the stockholders of each constituent corporation so entering into such agreement shall continue subject to all the liabilities, claims and demands existing against them at or before such consolidation to the same extent as if the same had not been made. The right of said new corporation to increase or decrease its capital stock, to change the number of its directors, to amend its articles of incorporation, to change its principal place of business, or its name, or to effect any other organic change shall be governed by the general corporation laws of this state and by the bank act, and the procedure to effect any such change shall be that defined by the general corporation laws and the bank act.

The superintendent of banks shall transmit to the secretary of state a duplicate of the certificate of authorization hereinbefore referred to and the secretary of state shall file the same in his office. The superintendent of banks shall also file a duplicate of such certificate in his own office.

SEC. 10. Section thirty-five of said act is hereby amended to read as follows:

Sec. 35. No bank shall purchase any contract arising from the sale of real estate or any note or bond in which contract, or note, or bond any director, officer, employee, or controlling stockholder of such bank is personally or financially interested, directly or indirectly, for his own account, for himself, or as the partner or agent of others, without the previous consent in writing of the superintendent of banks.

SEC. 11. Section forty-one of said act is hereby amended to read as follows:

Sec. 41. No officer, director, agent, or other employee of any bank shall directly or indirectly, for his own personal benefit, purchase, or be interested in the purchase of any of such bank's obligations or assets for a less sum than shall appear upon the face of any such obligations or assets to be the value thereof except with the previous consent of all the directors of said bank, such consent to be evidenced by a resolution adopted by said directors. A certified copy of said resolution shall immediately be transmitted to the superintendent of banks. Every person violating any provision of this section, shall for each offense forfeit to the people of the state, twice the face value of any such obligations or assets so purchased.

SEC. 12. Section forty-three of said act is hereby amended to read as follows:

Sec. 43. No bank shall deposit any of its funds in any other bank unless such other bank has been nominated as a depositary for its funds by the vote of a majority of the directors, or trustees of the bank making the deposit, and such other bank has been designated by the superintendent of banks as such depositary. The superintendent of banks may in his discretion revoke such a designation.

SEC. 13. Section forty-five of said act is hereby amended to read as follows:

Sec. 45. Interest unpaid, although due or accrued, on debts owing to any bank, shall not be included in calculation of its profits previous to a dividend; nor

shall any bank, except with the previous written consent of the superintendent of banks, enter or at any time carry on its books any of its assets at a valuation exceeding its actual cost to such bank.

SEC. 14. Section sixty-five of said act is hereby amended to read as follows:

Sec. 65. No loan shall be made, for himself or as agent or partner of another, directly or indirectly, to any director or officer of any savings bank by such bank, or on the endorsement, surety or guaranty of any such officer or director, except that loans may be made to any corporation in which any director or officer of such savings bank may own or hold a minority number of shares of stock, upon authorization of a majority of all the directors of such savings bank and the affirmative vote of all directors of such savings bank present at the meeting authorizing such loan; *provided, however*, that such loan shall in all other respects conform to and comply with all other provisions of this act. Such interested director or officer shall not vote or participate in any manner in the action of the board on such loan. Such authorization shall be entered upon the records or minutes of such savings bank. The fact of making such loan, the names of the directors authorizing such loan, the corporate name of the borrower, the name of each director or officer of such bank who is a member, stockholder, officer, or director of the corporation to which such loan is made, the amount of stock held by him in such borrowing corporation, the amount of such loan, the rate of interest thereon, the time when the loan will become due, the amount, character and value of security given therefor and the fact of final payment, when made, shall be forthwith reported in writing by the cashier or secretary of such savings bank to the superintendent of banks. No loan may be made to any corporation, a majority of the stock of which is owned or controlled by any one or more of the directors or officers of such savings bank, except with the previous consent of the superintendent of banks.

A loan may be made to any agent or employee, other than an officer or director, of any savings bank by such bank upon authorization of a majority of all the directors of such savings bank and an affirmative vote of all directors of such savings bank present at the meeting authorizing such loan; *provided, however*, that such loan shall in all respects conform to and comply with all other provisions of this act. Such authorization shall be entered upon the records or minutes of such savings bank. The fact of making such loan, the names of the directors authorizing such loan, the name of the borrower, the nature of his employment, the amount of such loan, the rate of interest thereon, the time when the loan will become due, the amount, character and value of the security given therefor, and the fact of final payment, when made, shall be forthwith reported in writing by the cashier or secretary of such savings bank to the superintendent of banks. Any officer or director of any savings bank, who knowingly procures a loan from such savings bank, contrary to the provisions of this section, shall be guilty of a felony. In case of the neglect or failure of the secretary or cashier of any such bank, to report to the superintendent of banks, as herein provided, any of the facts so required to be reported, or in case of the neglect or failure of the secretary or cashier of any such bank, to report to the superintendent of banks any loan made contrary to the provisions of this section, the bank shall be liable therefor and shall forfeit to the people of the State of California twenty-five dollars per day for each day, or part thereof, during which such neglect or failure continues.

This section shall not apply to any loan made to a religious corporation, club, or other membership corporation of which one or more directors, officers, agents or employees of such savings bank may be members or officers, but in which they have no financial interest.

SEC. 15. Section sixty-eight of said act is hereby amended to read as follows:

Sec. 68. Every savings bank or savings department of a bank, shall at all times maintain total reserves equivalent to five per centum of the aggregate amount of its deposits exclusive of state, county and municipal deposits for the repayment of which bonds have been deposited as security; at least two and one-half per centum of such deposits shall be maintained as reserves on hand, one-half of which shall consist of gold coin, gold bullion, United States gold certificates or United States notes and one-half of which shall consist of gold coin, gold bullion, United States gold certificates, United States notes or any other form of currency authorized by the laws of the United States and two and one-half per centum of such deposits may be maintained as reserves on hand and may consist of bonds of the United States or of gold coin, gold bullion, United States gold certificates, United States notes or any other form of currency authorized by the laws of the United States or may be maintained as reserves on deposit subject to call with any reserve depositary provided for in section twenty of this act; *provided, however*, that no savings bank or savings department shall be required to maintain reserves on hand in excess of four hundred thousand dollars, and when such reserves on hand reach that amount, the balance of total reserves necessary to make up the five per centum may be kept as reserves on deposit subject to call with any reserve depositary provided for in section twenty of this act. No new loan shall be made during any deficiency in the total reserves. Deposits with any commercial bank, or commercial department of a bank, on open account, as provided in this section, shall be permitted, and shall not be construed as loans. Not more than five per

centum of the deposits of any savings bank shall be deposited with any one bank, except with the consent of the superintendent of banks. Not more than fifteen per centum of the deposits of any savings bank shall be deposited with all commercial banks, except with the consent of the superintendent of banks. No savings bank or savings department shall receive deposits of other banks other than savings deposits and such deposits shall not be treated or considered as a part of the reserves on deposit of such depositing bank; *provided*, the sum so deposited shall not exceed thirty per centum of the paid-in capital and surplus of the depositing bank nor more than fifteen per centum of the paid-in capital and surplus of the depositary bank.

SEC. 16. Section eighty of said act is hereby amended to read as follows:

SEC. 80. No commercial bank shall make any loans, directly or indirectly, to any person, firm, copartnership or corporation, in an amount which, including therein any extension of credit to such person, firm, copartnership or corporation, by means of letters of credit, or by acceptance of drafts for, or the discount or purchase of the notes, bills of exchange or other obligations of, such person, firm, copartnership or **corporation, shall exceed the following percentage of its capital and surplus.**

1. Ten per centum without security, except where such capital stock and surplus is not more than twenty-five thousand dollars, in which event an amount not to exceed twenty per centum of such capital stock and surplus may be loaned without security, and where such capital stock and surplus is greater than twenty-five thousand dollars and does not exceed fifty thousand dollars, a sum not exceeding five thousand dollars may be loaned without security. Nothing herein shall prohibit any commercial bank from taking or receiving any kind, character or amount of security whatsoever, either real or personal, for the protection of any loan made under the provisions of this subdivision, but no such loan or any part thereof shall be considered or construed as a secured loan unless the whole thereof is loaned upon security worth at least fifteen per centum more than the amount of such loan; or.

2. Fifteen per centum, in addition to the amount that may be loaned under the provisions of subdivision one of this section, upon security worth at least fifteen per centum more than the amount of such loan so secured; *provided*, the total amount which can be loaned under subdivisions one and two hereof can not exceed twenty-five per centum in all; *provided, however*, that a separate note or notes shall be taken for the unsecured loans and a separate note or notes shall be taken for the secured loans, and the secured and unsecured loans shall not be combined in any way within one **note, or notes; or.**

3. Twenty-five per centum upon security worth at least fifteen per centum more than the amount of its loans so secured; *provided, however*, that when secured loans to this amount or any amount in excess of fifteen per centum are made, then no **unsecured loans shall be permitted in addition to such secured loans; or.**

4. Forty per centum, provided such loans are upon commercial or business paper actually owned by the person negotiating the same to such bank, and are endorsed by such person without limitation; *provided, however*, that in addition to the amounts permitted to be loaned by subdivisions one, two or three of this section, an amount may be loaned on the securities fixed by subdivision four of this section, which taken with the amounts so permitted by said subdivisions one, two or three will not exceed forty per centum; *provided, also*, that the restrictions under this section shall not apply to bills of exchange or drafts, with bills of lading attached, drawn in good faith against actual existing values; *provided, further*, that any commercial bank, having first obtained in writing the consent of the superintendent of banks so to do and under such conditions and regulations as may be prescribed by him, may accept drafts or bills of exchange drawn upon it running for a period not longer than six months, but no commercial bank shall accept such drafts or bills of exchange in an amount greater at any time in the outstanding aggregate than one-half of its capital and surplus; but such acceptance or acceptances must be drawn by a person, firm, copartnership or corporation engaged in agricultural, industrial or commercial business directly connected with the production, manufacture, purchase, sale or consignment of the goods involved in the transaction in which the acceptance originated; *provided, however*, that no such acceptance or acceptances to any one person, firm, copartnership or corporation shall exceed ten per centum of the capital and surplus of such bank.

Loans which are made upon security available for loans in a savings bank may be made in a commercial bank upon the same margin of security as is permitted to savings banks anything in this section to the contrary notwithstanding, and all such loans shall be deemed to be secured loans within the meaning of this section.

In computing the total liabilities of any person to a commercial bank there shall be included all liabilities to the bank of any copartnership or unincorporated association of which he is a member, and any loans made for his benefit or for the benefit of such copartnership or unincorporated association; of any firm, copartnership or unincorporated association to a commercial bank there shall be included all liabilities of its individual members and all loans made for the benefit of such copartnership or unincorporated association or any member thereof; and of any corporation to a commercial bank there shall be included all loans made for the benefit of the corporation.

SEC. 17. Section eighty-three of said act is hereby amended to read as follows:

SEC. 83. No loan shall be made for himself or as agent or partner of another, directly or indirectly, to any officer of any commercial bank by such bank or on the indorsement, surety, or guaranty of any such officer; *provided*, that a loan may be made to a corporation of which any officer of a commercial bank, proposing to make such loan, is a minority stockholder, director, officer, agent or employee. Loans to any director, agent or employee, other than an officer, or to any firm, copartnership or corporation of which any director, agent or employee other than an officer is a member, stockholder, director, officer, agent or other employee, or to any person, firm, copartnership or corporation on the indorsement, surety, or guaranty of any such director other than an officer, agent or other employee, can be made by any commercial bank; *and provided, further*, that a loan may be made or a line of credit may be given to any member of an advisory board or body of a commercial bank, not otherwise an officer of such bank, or a loan may be made to any firm, copartnership or corporation of which any member of such advisory board or body is a member, stockholder, director, officer, agent or other employee, or to any person, firm, copartnership, or corporation on the indorsement, surety, or guaranty of any such member of such advisory board or body upon such conditions as are herein fixed for a loan, directly or indirectly, or a line of credit and the report thereof, to any director of such bank. Loans herein authorized can be made only on authorization of or confirmation within thirty days after making such loan, by a majority of all the directors of such bank and the affirmative vote of all directors of such bank present at the meeting authorizing or confirming such loan. Such interested director shall not vote or participate in any manner in the action of the board on such loan. The board of directors of any such bank may fix the total amount of credit that may at any one time during the twelve months next succeeding be given to any director, agent, or other employee, other than an officer, or to any firm, copartnership, or corporation in which any director agent, or other employee other than an officer is a member, stockholder, director, officer, agent or other employee or to any corporation of which any officer of a commercial bank, proposing to fix such total amount of credit, is a minority stockholder, director, officer, agent or employee, and any or all loans made within or up to the total amount of such authorized credit may at any time during said twelve months, be renewed from time to time, in whole or in part, by the officers of the bank without any further vote or action on the part of the board of directors. Each such authorization shall be entered upon the records or minutes of said bank. No director shall vote or participate in any manner in such action of the board fixing the total amount of credit that may at any one time be given to himself or to any firm, copartnership or corporation in which he is a member, stockholder, director, officer, agent or other employee. The fact of making such loan, the names of the directors authorizing such loan, the name of the director, agent or employee, obtaining such loan, or the name of the firm, copartnership or corporation in which such director, agent or employee is interested or the name of the corporation, of which any officer of a commercial bank is a minority stockholder, director, officer, agent or employee, obtaining such loan, the amount of such loan, the rate of interest thereon, the time when the loan will become due, the amount, character and value of security given therefor, if any, and the fact of final payment when made shall forthwith be reported in writing by the cashier or secretary of such bank to the superintendent of banks. In case a loan is made to a corporation there shall be reported in the same manner the name of each director and officer of such bank who is a member, stockholder, director, officer or employee of such borrowing corporation and the amount of stock held by him in such borrowing corporation. All of the provisions of this section relating to reports shall apply to the granting of credit and all loans made under any credit given and payments made thereon shall also be reported immediately after the same are made. In case of a loan made without the previous authorization of the directors, the fact of making such loan shall forthwith be reported and the action of the board of directors, in confirming or refusing to confirm such loan within thirty days thereafter, and the fact of final payment when made shall be reported in the same manner as herein required for loans made under previous authorization. Any officer, director, agent, or employee of a commercial bank, who knowingly procures a loan from such commercial bank contrary to the provisions of this section, shall be guilty of a felony. In case of the neglect or failure of the secretary or cashier of any such bank, to report to the superintendent of banks, as herein provided, any of the facts so required to be reported, or in case of the neglect or failure of the secretary or cashier of any such bank, to report to the superintendent of banks any loan made contrary to the provisions of this section, the bank shall be liable therefor and shall forfeit to the people of the State of California twenty-five dollars per day for each day, or part thereof, during which such neglect or failure continues.

This section shall not apply to any loan made to a religious corporation, club, or other membership corporation of which one or more directors, officers, agents or employees of such commercial bank may be members or officers but in which they have no financial interest.

SEC. 18. Section ninety of said act is hereby amended to read as follows:

SEC. 90. Any corporation which has been or shall be incorporated under the laws of this state, which is authorized by its articles of incorporation to act as executor, administrator, guardian of estates, assignee, receiver, depositary or trustee, under appointment of any court or by authority of any law of this state, or as trustee for any purpose permitted by law, which has its principal place of business in a city in which the population does not exceed one hundred thousand persons and which has a capital of not less than one hundred thousand dollars actually paid in, in cash, assigned to or available for the purpose of conducting business in any such capacity, or trust business of any character permitted by law, and which has made with the state treasurer the deposit of money or securities of the character and in the amount required by the terms of section ninety-six of this act, and which has received from the superintendent of banks the certificate of authority required by the terms of **section one hundred twenty-seven of this act, to transact such business, and any corporation which has been or shall be incorporated under the laws of this state,** which is authorized by its articles of incorporation to act as executor, administrator, guardian of estates, assignee, receiver, depositary or trustee, under appointment of any court or by authority of any law of this state, or as trustee for any purpose permitted by law, which has its principal place of business in a city in which the population exceeds one hundred thousand persons and which has a capital of at least two hundred thousand dollars actually paid in, in cash, assigned to or available for the purpose of conducting business in any such capacity, or trust business of any character permitted by law, and which has made with the state treasurer the deposit **of money or securities of the character and in the amount required by the terms of** section ninety-six of this act, and which has received from the superintendent of **banks the certificate of authority required by the terms of section one hundred** twenty-seven of this act, to transact such business, may act, or may be appointed by any court to act, in any such capacity in like manner as an individual and when so qualified shall be known as a trust company. Any such trust company may, as provided in this act, accept or receive any deposit of money or personal property authorized, directed or permitted to be made with any such corporation by any court or law of this state, and may accept and execute any trust provided for in this act, or permitted by any law of this state, to be taken, accepted or executed by an individual. Any such trust company, if located in a city the population of which does not exceed one hundred thousand persons must segregate that portion of its capital and surplus assigned to or available for its trust business and must apportion and set aside at least fifty thousand dollars of such paid-up capital as security for the faithful performance and execution of all private trusts accepted by it and must also apportion and set aside at least fifty thousand dollars of such paid-up **capital as security for the faithful performance and execution of all court trusts** accepted by it and whenever such trust company shall, under the provision of sections ninety-six and ninety-eight of this act, be required to make the first additional deposit of securities with the state treasurer, such trust company must also apportion and set aside an additional fifty thousand dollars of paid-up capital as security for the faithful performance and execution of all private trusts accepted by it and must also apportion and set aside an additional fifty thousand dollars of paid-up capital as security for the faithful performance and execution of all court trusts accepted by it, and any such trust company, if located in a city, the population of which exceeds one hundred thousand persons, must segregate that portion of its capital and surplus assigned to or available for its trust business and must apportion and set aside at least one hundred thousand dollars of such paid-up capital as security for the faithful performance and execution of all private trusts accepted by it and must also apportion and set aside at least one hundred thousand dollars of such paid-up capital as security for the faithful performance and execution of all court trusts accepted by it; *provided*, that no such trust company shall at any time be required to apportion and set aside any portion of its surplus as security for the faithful performance and execution of such private trusts, nor shall it be prohibited from so doing; *and provided, further*, that the respective amounts of capital or capital and surplus so apportioned and set aside shall be treated in all respects as the separate capital or capital and surplus of each respective kind or class of business, as though the same were conducted by separate and distinct corporations, and each shall be kept, held, used and disposed of wholly for the exclusive benefit, protection and security of the respective classes of trust business to which the same were respectively so apportioned and set aside. In all cases in which it is required that an executor, administrator, guardian of estates, assignee, receiver, depositary or trustee, shall qualify by taking and subscribing an oath, or in which an affidavit is required, it shall be a sufficient qualification by such corporation if such oath be taken and subscribed or such affidavit made by the president, vice president, secretary, manager, trust officer, assistant trust officer or regularly employed attorney thereof, and such officer or employee shall be liable for the failure of such trust company to perform any of the duties required by law to be performed by an individual acting in like capacity and subject to like penalties; *provided*, any such appointment as guardian shall apply to the estate only, and not to the person. A

foreign corporation may be authorized to act in this state as trustee for the following purposes:

(1) To deliver bonds, and receive payment therefor.

(2) To deliver permanent bonds in exchange for temporary bonds of the same issue.

(3) To deliver refunding bonds in exchange for those of a prior issue or issues.

(4) To register bonds, or to exchange registered bonds for coupon bonds, or coupon bonds for registered bonds.

(5) To pay interest on such bonds, and to take up and cancel coupons representing such interest payments.

(6) To redeem and cancel bonds when called for redemption, or to pay and cancel bonds when due.

(7) The certification of registered bonds for the purpose of exchanging registered bonds for coupon bonds.

(8) To act as trustee under any mortgage, deed of trust, or other instrument securing notes or bonds issued by any corporation.

SEC. 19. Section ninety-eight of said act is hereby amended to read as follows:

SEC. 98. Whenever any trust company, the principal place of business of which is located in a city the population of which does not exceed one hundred thousand persons, receives from court trusts accepted by it, trust funds, as herein defined, to the amount of five hundred thousand dollars, it shall forthwith notify in writing the superintendent of banks of such fact, and within thirty days thereafter shall deposit with the state treasurer additional money or securities of the character mentioned and defined in section ninety-six of this act, approved as therein provided, in the amount of fifty thousand dollars; and whenever any trust company receives from court trusts such funds to the amount of one million dollars it shall further notify in writing the superintendent of banks of such fact and within thirty days thereafter shall deposit with the state treasurer additional money or securities of the character mentioned and defined in section ninety-six of this act, approved as therein provided, in the amount of fifty thousand dollars; and for each additional five hundred thousand dollars of such trust funds thereafter received by any trust company from court trusts a similar notification in writing shall forthwith be given to the superintendent of banks, and a further deposit in the amount of twenty-five thousand dollars of such money or securities, or of securities provided for in section ninety-seven of this act likewise approved, shall be made, within thirty days thereafter, by such trust company with said state treasurer, until five hundred thousand dollars of such securities have been so deposited. The treasurer shall give his receipt for any money or securities so deposited and each and all of such deposits of money or securities, shall be held by said state treasurer for the sole benefit of the beneficiaries of the class of business for the security and protection of which same were deposited. The state shall be responsible for the custody and safe return of any money or securities so deposited with said state treasurer. The term "trust funds" when used in this section shall be deemed to mean and shall mean personal property and cash, whether received with the original trust property or as rent, income or proceeds thereof, or otherwise, in connection with the trust, and shall not be deemed to include and shall not include real property. Any trust company failing to comply with the provisions of this section shall forfeit to the State of California one hundred dollars a day for each day during which such failure or default shall continue. Upon making a request in writing to the superintendent of banks, any such trust company shall be entitled to withdraw from the state treasurer, from time to time, a sufficient amount of such securities so that at all times the amount of such securities so deposited shall conform to the requirements of this act, and so that at no time shall such trust company be required to have on deposit with the state treasurer an amount of securities in excess of the requirements of this act. Upon receiving such request in writing, and satisfactory proof of the facts warranting such withdrawal, it shall be the duty of the superintendent of banks to forthwith deliver to the state treasurer a written order directing the withdrawal of said securities so as to conform with the provisions of this section, and it shall be the duty of the state treasurer to comply with such written order. The validity or legality of any act or proceeding done or taken by any such trust company, relating to or in connection with the administration of any such trusts, shall not be affected or impaired by the neglect or failure of such trust company, or of any officer or employee thereof, to comply with any of the provisions of this act, but all such acts and proceedings done or taken prior to the revocation of its certificate of authority to do such business by the superintendent of banks, under the provisions of this act, or the revocation by any court or judge thereof of the appointment, order or decree theretofore entered in such trust matter shall be as valid and effective for all purposes as if any such neglect or failure had not occurred.

SEC. 20. Section one hundred twenty-eight of said act is hereby amended to read as follows:

SEC. 128. When the certified copy of articles of incorporation of any bank shall have been filed with the secretary of state, and application made for the issuance of a certificate to do business as a bank, the superintendent of banks, provided he has not withheld granting his certificate for any of the reasons set forth in section

one hundred twenty-seven hereof, shall ascertain, from the best sources of information at his command, whether the character and general fitness of the persons named as stockholders are such as to command the confidence of the community in which such bank is proposed to be located, and, if so satisfied, he shall, within sixty days after such application has been made to him, issue, under his hand and official seal, the certificate of authorization required by this act. The superintendent of banks shall file a duplicate of such certificate in his own office.

SEC. 21. Section one hundred thirty-nine of said act is hereby amended to read as follows:

Sec. 139. It shall be the duty of the board of directors of every bank to examine fully, or to cause a committee of at least three of its members, none of whom shall be an officer of the bank, to examine fully into the books, papers and affairs of the bank of which they are directors, and particularly into the loans and discounts thereof, with a special view to ascertaining the value and security thereof, and of the collateral security, if any given, in connection therewith, and into such other matters as the superintendent of banks may require; such examination to be made at least once a year, but no such examination yearly examination shall be made within three months of the next preceding examination. Such directors shall have power to employ such assistance in making such examinations as they may deem necessary. Within thirty days after the completion of such examination, a report in writing thereof, sworn to by the directors making the same, shall be made by the board of directors of such bank, and placed on file with the records of said bank, and shall be subject to examination by the superintendent of banks.

Such report shall particularly contain a statement of the assets and liabilities of the bank examined, as shown by its books, together with any deductions from the assets, or additions to liabilities, which such directors or committee, after such examination, may determine to make. It shall also contain a statement, in detail, of loans, if any, which in their opinion are worthless or doubtful, together with their reasons for so regarding them; also a statement of loans made on collateral security, which in their opinion are insufficiently secured, giving in each case the amount of the loan, the name and market value of the collateral, if it has any market value, and, if not, a statement of that fact, and its actual value as nearly as possible. Such report shall also contain a statement of overdrafts, of the names and amounts of such as they consider worthless or doubtful, and a full statement of such other matters as affect the solvency and soundness of the bank.

If the directors of such bank shall fail to make such examination or fail to cause it to be made, or shall fail to file such report of such examination in the manner and within the time specified, the superintendent of banks shall have authority to make or cause to be made an extra examination of such bank, at the expense of such bank.

Whenever the board of directors of any bank may determine by resolution, duly entered in its minutes, that a special examination shall be made or caused to be made by the superintendent of banks in lieu of the examination herein required to be made by the board of directors of such bank, a certified copy of such resolution shall be transmitted to the superintendent of banks, whereupon it shall be the duty of the superintendent of banks to make or cause to be made a special examination of the affairs of such bank in lieu of the examination of such bank by the board of directors thereof. Such special examination shall be made at such time as the superintendent of banks may determine but in any event such examination shall be made within sixty days after the receipt by the superintendent of banks of the resolution hereinbefore referred to. The cost of making such examination shall be a charge against the bank for which such examination is made.

Upon the completion of such examination the superintendent of banks shall cause a report thereof in writing to be prepared and delivered to the board of directors of such bank at such time as may be fixed by the superintendent of banks, but not later than thirty days after the completion of such examination.

SEC. 22. Section one hundred forty-two of said act is hereby amended to read as follows:

Sec. 142. Every official report made by the superintendent of banks and every report duly verified of an examination made, shall be *prima facie* evidence of the facts therein stated, for all purposes in any action or proceedings wherein the superintendent of banks is a party.

SEC. 23. Section one hundred forty-five of said act is hereby amended to read as follows:

Sec. 145. The powers, privileges, duties and restrictions conferred and imposed upon any corporation or individual existing and doing business under the laws of this state are hereby abridged, enlarged or modified as each particular case may require to conform to the provisions of this act, notwithstanding anything to the contrary in their respective articles of incorporation or charters. All the provisions of this act shall apply with equal force and effect to all corporations which are now doing or which may hereafter do a banking business in this state, except where express exception or exemption may be made herein, and to such other persons,

associations, copartnerships or corporations who shall, by violating any of its provisions, become subject to the penalties provided herein. The legality of investments heretofore made, or title to property heretofore acquired or conveyed through transactions heretofore had by any bank pursuant to any provision of law in force when such investments were made or transactions had, shall not be affected by the provisions of this act, except that any such investments made prior to July 1, 1909, when not complying with the provisions hereof, shall be changed to conform hereto; but such change shall be made gradually and in such manner as to prevent loss or embarrassment in the business of such bank, or unnecessary loss or injury to the borrowers on such security; *provided*, that the legality of any investments heretofore lawfully made, pursuant to the provisions of this act as it existed on and subsequent to July 1, 1909, shall not be affected by the provisions of this section.

Amendment adopted.

AMENDMENT NUMBER TWO.

Amend the title on line 4 after the word "forty-five", strike out all of the title and insert in lieu thereof the following: "sixty-five, sixty-eight, eighty, eighty-three, ninety, ninety-eight, one hundred twenty-eight, one hundred thirty-nine, one hundred forty-two, and one hundred forty-five of an act entitled 'An act to define and regulate the business of banking,' approved March 1, 1909, designated the 'Bank Act,' al. relating to the definition and regulation of the business of banking."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 94—An act to amend section 4232 of the Political Code, relating to the compensation of officers in counties of the third class.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 5, page 1, strike out the word "and" and insert in lieu thereof the word "or".

Amendment adopted.

AMENDMENT NUMBER TWO.

After the word "salaries", line 6, page 1, insert the following:

1. The county clerk, five thousand dollars per annum, provided that the compensation of the county clerk in counties of this class during the present term of office of the present incumbent ending on the first Monday after the first day of January, 1919, shall be four thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the county clerk one chief deputy, whose salary is hereby fixed at the sum of two thousand four hundred dollars per annum; one deputy, whose salary is hereby fixed at one thousand eight hundred dollars per annum; twenty-four deputies, whose salaries are hereby fixed at the sum of one thousand six hundred twenty dollars per annum each; two deputies, whose salaries are hereby fixed at the sum of one thousand two hundred dollars per annum each. All the foregoing deputies herein provided for, shall be appointed by the county clerk of said county, and their salaries shall be paid by the county in equal monthly installments at the same time and in the same manner and out of the same fund as is the salary of the county clerk; *provided, further*, that in such years as the compilation of a great register of voters is required by law to be made, the county clerk in counties of this class shall be, and he is hereby allowed the following additional help: Fifteen clerks for a period of and not exceeding six months, whose salaries are hereby fixed at one hundred dollars per month each; fifteen clerks for a period of not exceeding one month, whose salaries are hereby fixed at one hundred dollars per month each; and also for any such year at least one additional deputy in each voting precinct in the county, who shall be a qualified elector of such precinct, for the purpose of registering electors; such additional deputies shall be paid five cents per name for each elector legally registered by them in the same manner as other county claims are paid; *and provided, further*, that if no help is allowed to county clerks under the direct primary law, the county clerk in counties of this class, in such years as a general state direct primary election is held, shall be and he is hereby allowed the following additional help: Fifteen clerks

for a period of and not exceeding two months immediately next preceding the direct primary election day, whose salaries are hereby fixed at one hundred dollars per month each; *and provided, further*, that in the event of a special election being held throughout the county, the county clerk is allowed fifteen additional deputies for a period of one month immediately preceding the day of such election, at a compensation of one hundred dollars per month each; such clerks shall be appointed by the county clerk of said county, and during their respective periods of employment their salaries shall be paid by such county in equal monthly installments, at the same time and in the same manner and out of the same fund as is the salary of the county clerk of such county; *provided, further*, any provision of law to the contrary notwithstanding, that in the event the departments of the superior court in counties of the third class are increased to more than six, that at the time of such increase there is allowed the county clerk to be appointed by such clerk an extra deputy to act as courtroom clerk for each department of said superior court so created in excess of the six departments now existing, the salaries of such deputies to be one thousand six hundred twenty dollars per annum to be paid by the county in equal monthly installments at the same time and in the same manner and out of the same fund as is the salary of the county clerk of such county.

2. The sheriff, four thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the sheriff, one under-sheriff, whose salary is hereby fixed at the sum of two thousand four hundred dollars per annum; two deputies, whose salaries are hereby fixed at the sum of one thousand eight hundred dollars per annum each; twenty-four deputies, whose salaries are hereby fixed at the sum of one thousand six hundred twenty dollars per annum each; two engineers for the jail, whose salaries are hereby fixed at the sum of one thousand six hundred twenty dollars per annum each; one matron for the jail, whose salary is hereby fixed at one thousand twenty dollars per annum; one assistant matron, for a period not to exceed two weeks in any one year and to serve only during the vacation of the matron, at a salary of forty-two and one-half dollars for such two weeks; *provided, further*, that the under-sheriff, all deputies, matron, assistant matron and engineers herein provided for shall be appointed by the sheriff and their salaries shall be paid by the said county in equal monthly installments, at the same time, and in the same manner and out of the same fund as the salary of the sheriff; the sheriff shall also receive the amount of money necessarily expended by him in serving all process and notices and all expenses necessarily incurred by him in the pursuit of criminals and the same shall be a charge against the county and allowed as such by the board of supervisors and paid as other county charges are paid; *provided, further*, any provision of the law to the contrary notwithstanding, that in the event the departments of the superior court in counties of the third class are increased to more than six, that at the time of such increase there is allowed the sheriff to be appointed by him an extra deputy to act as bailiff for each department of said superior court so created in excess of the six departments now existing, the salaries of such deputies to be one thousand six hundred twenty dollars per annum, to be paid by the county in equal monthly installments at the same time and in the same manner and out of the same fund as is the salary of the sheriff of such county.

3. The recorder, four thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the recorder the following deputies and copyists who shall be appointed by the recorder of such county and shall be paid salaries and compensations as follows: One chief deputy, whose salary is hereby fixed at the sum of two thousand four hundred dollars per annum; thirteen deputies, whose salaries are hereby fixed at the sum of one thousand five hundred dollars per annum each; one deputy, whose salary is hereby fixed at the sum of one thousand eighty dollars per annum; *provided, further*, that the salary of the chief deputy and the salaries of the deputies herein provided for shall be paid by said county in equal monthly installments, at the same time and in the same manner and out of the same fund as the salary of the recorder; *provided, further*, that in counties of this class, the recorder shall be entitled to the actual cost incurred by him for the recording of all papers and documents and records in his office not to exceed six and three-fourths cents per folio for longhand recording and not to exceed four and one-half cents per folio for typewritten recording for each paper or document so recorded; *and provided, further*, that said recorder shall file monthly with the county auditor a sworn statement showing in detail the persons, and the amount paid to each for such recording.

4. The auditor, four thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the auditor, one chief deputy, whose salary is hereby fixed at the sum of two thousand four hundred dollars per annum; six deputies, whose salaries are hereby fixed at the sum of one thousand six hundred twenty dollars per annum each; one deputy, whose salary is hereby fixed at the sum of one thousand two hundred dollars per annum and such additional assistants as the auditor may appoint and whose compensation shall not in the aggregate exceed the sum of two thousand five hundred dollars per annum; *and provided*, that the auditor shall file with the county clerk a sworn statement showing in detail the amounts paid and the persons to whom said compensation is paid

for such extra assistants as aforesaid; *provided, further*, that the chief deputy and deputies shall be appointed by the auditor of said county and their salaries shall be paid by the said county in equal monthly installments, at the same time and in the same manner and out of the same funds as is the salary of the auditor.

5. The treasurer, six thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the treasurer, one chief deputy, whose salary is hereby fixed at the sum of two thousand four hundred dollars per annum; one deputy, whose salary is hereby fixed at the sum of two thousand one hundred dollars per annum; two deputies, whose salaries are hereby fixed at the sum of one thousand eight hundred dollars per annum each, which sums shall be paid by said county in equal monthly installments at the same time and in the same manner, and out of the same fund as is the salary of the treasurer; *provided*, that the chief deputy and the three deputies herein provided for shall be appointed by the treasurer of said county; *and provided, further*, that all commissions and fees required or permitted by any law of this state, or of the United States, to be collected by the treasurer either as an officer or ex officio officer, his deputies or assistants, for the performance of any official duty, shall be collected for the benefit of the county and shall be paid into the salary fund of the county monthly.

6. The tax collector, four thousand dollars per annum; *provided*, that in counties of this class there shall be, and there hereby is, allowed to the tax collector one chief deputy, whose salary is hereby fixed at two thousand four hundred dollars per annum; two deputies, whose salaries are hereby fixed at the sum of one thousand eight hundred dollars per annum each; eight deputies, whose salaries are hereby fixed at the sum of one thousand five hundred dollars per annum each; one deputy to be designated as the land agent whose salary is hereby fixed at the sum of one thousand six hundred twenty dollars per annum; *provided, further*, that there shall be, and there hereby is allowed to the tax collector three extra deputies for a period not to exceed eight months in any one year, at a salary of one hundred dollars per month each; six extra deputies for a period not to exceed five months in any one year, at a salary of one hundred dollars per month each; six extra deputies for a period not to exceed four months in any one year, at a salary of one hundred dollars per month each; *provided, further*, that in counties of this class the tax collector shall appoint six persons to be known as indexers, which office is hereby created, and whose duties it shall be under the supervision and direction of the tax collector to compile, make out, and complete an index of the assessment rolls of the county, and of the sanitary assessment rolls for each sanitary district in counties of this class, yearly commencing with the year one thousand nine hundred nine, as soon as the said rolls are completed by the assessor of the county and each assessor of said sanitary districts and for each year thereafter. The said indexes to be a public record for use of the tax collector and the general public and to be kept in the office of the tax collector during the collection of taxes and to be turned over to the auditor at the same time as the assessment rolls are turned over in the final settlement of the tax collector with the county auditor. Such indexers shall be paid a salary of one hundred dollars per month each, payable at the same time and in the same manner as other county officers are paid, but such indexers shall not be employed to exceed four months in any one year; *provided, further*, that the chief deputy and all other deputies herein provided for shall be appointed by the tax collector of said county, and the salaries of said chief deputy and all other deputies herein provided for shall be paid by said county during the time which they shall hold office as herein provided at the same time and in the same manner and out of the same fund as the salary of the tax collector.

7. The license collector shall receive fifteen per cent of all licenses collected by him.

8. The assessor, seven thousand dollars per annum and necessary traveling expenses in the performance of the duties of his office; *provided*, that in counties of this class there shall be, and there hereby is, allowed to the assessor, the following assistants and deputies who shall be appointed by the assessor and shall be paid salaries as follows: One assistant assessor, whose salary is hereby fixed at the sum of three thousand dollars per annum; one chief deputy, whose salary is hereby fixed at the sum of twenty-four hundred dollars per annum; four deputies, whose salaries are hereby fixed at the sum of eighteen hundred dollars per annum each; four deputies, whose salaries are hereby fixed at the sum of sixteen hundred twenty dollars per annum each; twenty-four deputies, whose salaries are hereby fixed at the sum of fifteen hundred dollars per annum each; four deputies, whose salaries are hereby fixed at the sum of twelve hundred dollars per annum each; ten deputies for a period not to exceed six months in any one year, whose salaries are hereby fixed at the sum of one hundred twenty-five dollars per month each; two deputies for a period not to exceed six months in any one year, whose salaries are hereby fixed at the sum of one hundred fifty dollars per month each; and such additional deputies as the assessor may appoint and whose compensation shall not in the aggregate exceed the sum of three thousand six hundred dollars per annum; and *provided*, that the assessor shall file with the county auditor a verified statement showing in detail the amounts paid and the persons to whom such compensation is paid for such extra assistants as aforesaid.

The salaries herein provided for shall be paid by the said county in monthly installments at the same time and in the same manner and out of the same fund

as the salary of the assessor is paid; *provided, however*, that should the assessor be directed by any law, or by any order of the board of supervisors, or by any municipality within said counties of the third class to prepare maps, plats or block books for the use of the county or assessment rolls for the use of any municipality, then said assessor shall make such maps, plats or block books, or assessment rolls for the use of any municipality, but shall only receive the actual cost by him incurred in making or preparing said maps, plats, block books, or assessment rolls; *and provided, further*, that he shall file with the county auditor a sworn statement showing the persons to whom and the amounts paid to each for such maps, block books or assessment rolls, and shall account forthwith and pay over to the county any difference between such costs and the amount allowed him for such work; *and provided, further*, that the salaries herein named shall be in full compensation for all services of every kind and description rendered by the assessor, his deputies and assistants; and it is further provided, that in counties of this class the assessor shall receive no commission for his collection of taxes on personal property nor shall the said assessor receive any compensation for making out the military roll of persons returned by him as subject to military duty as provided by section 1901 of the Political Code.

9. The district attorney, four thousand dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the district attorney the following assistant, deputies and employees, who shall be appointed by the district attorney of said county, and who shall be paid salaries as follows: One assistant district attorney, whose salary is hereby fixed at the sum of two hundred seventy-five dollars per month; one chief deputy district attorney, whose salary is hereby fixed at the sum of two hundred fifty dollars per month; two deputies district attorney, whose salaries are hereby fixed at the sum of two hundred twenty-five dollars per month each; two deputies district attorney, whose salaries are hereby fixed at the sum of two hundred dollars per month each; two deputies district attorney, whose salaries are hereby fixed at the sum of one hundred seventy-five dollars per month each; one deputy district attorney, whose salary is hereby fixed at the sum of one hundred fifty dollars per month; two deputies district attorney, whose salaries are hereby fixed at the sum of two hundred dollars per month each, whose duty it shall be, in addition to performing services as deputies district attorney, to attend the sessions of the police courts in cities of the second class and conduct, on behalf of the people, all prosecutions for public offenses of which said police courts shall have jurisdiction; one clerk whose salary is hereby fixed at the sum of one hundred thirty-five dollars per month; one clerk and private exchange operator at a salary of nine hundred dollars per annum; one process server, whose salary is hereby fixed at the sum of one hundred dollars per month; three stenographers, whose salaries are hereby fixed at the sum of one hundred dollars per month each; one detective who shall assist the district attorney in the detection of crime and prosecution of criminal cases, whose salary is hereby fixed at the sum of one hundred seventy-five dollars per month; *and provided, further*, that nothing herein contained shall be construed to prevent the boards of supervisors of counties of this class from employing special counsel in civil cases, when in the judgment of said boards the interests of said county require it.

The salaries of said assistants, deputies, clerk, detective, process server, private exchange operator, stenographers and special counsel in this subdivision provided for shall be payable by the county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the district attorney is paid.

10. The coroner, four thousand dollars per annum and his necessary traveling expenses as follows: Ten cents per mile for distance actually traveled outside the cities of Oakland, Berkeley, Alameda, Piedmont, Emeryville and San Leandro, said traveling expenses not to exceed twenty dollars in any one calendar month; *provided, further*, that in counties of this class, there shall be, and there hereby is, allowed to the coroner one autopsy physician and surgeon whose salary is hereby fixed at the sum of eighteen hundred dollars per annum who shall perform all autopsies and inspections in all cases required by the coroner except that where the distance from the county seat exceeds twenty miles the coroner may subpena a physician or surgeon to perform such autopsy or to inspect the body; one deputy whose salary is hereby fixed at the sum of eighteen hundred dollars per annum and one stenographer, whose salary is hereby fixed at the sum of twenty-four hundred dollars per annum, and who shall be paid, in addition thereto, for transcribing all the testimony and proceedings taken by him at any inquest, the sum of fifteen cents per one hundred words for one copy, and ten cents per one hundred words for two copies made at one time and in every case where the death of any person shall have been caused by the criminal act of another, such stenographer shall make a copy of the transcript of the testimony and proceedings taken at such inquest for the use of the district attorney of such county; in all inquests so reported, the fees for transcribing, as provided herein, shall be paid out of the county treasury upon the order of the coroner.

When such testimony is taken down by such stenographer as herein set forth his transcription thereof, duly certified to by him, shall constitute the deposition of the witnesses testifying at such inquest so reported by such stenographer. The autopsy physician and surgeon, deputy and stenographer herein provided for shall be appointed by the coroner, and their salaries shall be paid by said county in equal monthly installments at the same time, and in the same manner and out of the same fund, as is the salary of the county officers in counties of this class. The coroner must hold inquests as prescribed by chapter 2, title XII, part II of the Penal Code, and he, or any other officer holding the inquest upon the body of a deceased person, may subpoena a chemist to make an analysis of the contents of the stomach or of the tissues of the body.

11. The public administrator such fees as are now or may be hereafter allowed by law.

12. The superintendent of schools, four thousand dollars per annum; *provided*, that in counties of this class there shall be and hereby is allowed to the superintendent of schools one assistant superintendent of schools, one chief deputy superintendent of schools and one deputy superintendent of schools, all of whom shall be appointed by the superintendent of schools of said county, and whose salaries shall be as follows: The salary of the assistant superintendent of schools shall be two hundred dollars per month; the salary of the chief deputy superintendent of schools shall be one hundred fifty dollars per month; and that of the deputy superintendent of schools shall be one hundred twenty-five dollars per month. The salaries shall be paid out of the same fund and in the same manner as the salary of the superintendent of schools is paid.

13. The surveyor shall receive a salary of four thousand dollars per annum; *provided*, that in counties of this class there shall be, and there is hereby allowed to the surveyor, one deputy, whose salary is hereby fixed at the sum of twenty-seven hundred dollars per annum. The salary of such surveyor shall be paid by such county in equal monthly installments, at the same time and in the same manner and out of the same fund as the salaries of other county officers are paid. All work which the surveyor is directed or charged to perform by law, or by order of the board of supervisors of such county shall be performed by the said surveyor at actual cost; *provided, however*, that on all such work other than block book work hereinafter provided for, transit men and office men when actually engaged on such county work shall receive a per diem of not to exceed six dollars, and chainmen when actually engaged on such county work shall receive a per diem of not to exceed three dollars; *and provided, further*, that for the making, plotting, tracing, or otherwise preparing maps, plats or block books for the use of the county or any municipality within such county there shall be and there hereby is allowed to the surveyor the following draftsmen who shall be paid salaries as follows:

One chief draftsman, whose salary is hereby fixed at the sum of one hundred seventy-five dollars per month; one assistant draftsman, whose salary is hereby fixed at the sum of one hundred thirty-five dollars per month; four assistant draftsmen for a period not to exceed eight months in any one year whose salaries are hereby fixed at the sum of one hundred thirty-five dollars per month each; *and provided, further*, that the surveyor shall be allowed all necessary expenses for work performed for the county by virtue of his office and all necessary expenses and transportation for work performed in the field. The said surveyor shall render to the auditor of said county a monthly sworn statement showing therein the kind or nature of work performed, the dates, amount paid to assistants and paid for expenses. The salary herein fixed for said surveyor shall be in lieu of all other fees, commissions or compensations of whatsoever kind or nature for services performed by said surveyor for said county.

The deputy, draftsman and assistant draftsmen herein provided for shall be appointed by the surveyor and their salaries shall be paid by said county in equal monthly installments at the same time and in the same manner and out of the same fund as is the salary of county officers in counties of this class.

14. Justices of the peace shall receive the following monthly salaries to be paid each month and in the manner and out of the same fund as county officers are paid, which shall be in full for all services rendered by them as justices of the peace: In townships having a population of more than seventy-five thousand, four thousand dollars per annum; in townships having a population of forty-five thousand and less than seventy-five thousand, twenty-four hundred dollars per annum; in townships having a population of twenty thousand and less than forty-five thousand, twenty-four hundred dollars per annum; in townships having a population of less than twenty thousand, thirteen hundred and eighty dollars per annum; *and provided, further*, that each justice of the peace must keep a book open for the inspection of the public during office hours in which must be entered at once and in detail the amount of all fees and fines collected by him as such justice of the peace and on the first Monday of each and every month he must pay such fees and fines so collected into the county treasury or city treasury as provided by law; *and provided, further*, that the board of supervisors of counties of the third class shall furnish each justice of the peace with a suitable office in which to hold court and shall also furnish the necessary furniture, books, blanks and supplies for said court; *and provided, further*,

that in townships having a population of more than seventy-five thousand there shall be one justice's clerk, and one deputy justice's clerk, who shall be appointed by the justice of the peace of said township or justices, if more than one, and who shall perform such duties as are required of them by law or the justice or justices of said township. The salary of said clerk is hereby fixed at the sum of eighteen hundred dollars per annum, and that of the deputy clerk at twelve hundred dollars per annum, payable in equal monthly installments out of the same fund and in the same manner and at the same time as the salary of the justice of the peace is paid. For the purpose of this section the population of townships in counties of this class is hereby determined to be the population of such townships as shown by the federal **census taken in the year A. D. 1910.**

Any increase in the compensation of any justice of the peace in this subdivision provided shall not become effective until the end of present term of office of the present incumbent; during the present term such justice shall receive the salary fixed by law prior to this amendment of this section.

15. Constables shall receive the following monthly salaries to be paid each month and in the same manner and out of the same fund as other county officers are paid which shall be in full for all services rendered by them in criminal cases. In townships having a population of more than seventy-five thousand, one hundred fifty dollars; in townships having a population of twenty thousand and less than seventy-five thousand, one hundred twenty-five dollars; in townships having a population of less than twenty thousand, one hundred fifteen dollars. In addition to the compensation received in criminal cases each constable may receive and retain for his own use such fees as are now or may be hereafter allowed by law for all services performed by him in civil cases; *provided*, that in counties of this class constables shall be and they are hereby allowed such expenses as are actually and necessarily incurred by them in conveying prisoners to and from the county jail, such expenses to be itemized and presented as a claim against the county and to be audited and allowed by the board of supervisors and paid out of the county treasury in the same manner as are other claims. For the purpose of this section the population of townships in counties of this class is hereby determined to be the population of such **townships as shown by the federal census taken in the year A. D. 1910.**

16. Each supervisor two hundred twenty-five dollars per month; *provided*, that in counties of this class supervisors charged as road commissioners with the inspection of five hundred or more miles of roads within their respective districts, shall be and they are hereby allowed their actual traveling expenses not to exceed the sum of seventy-five dollars in any one calendar month; *and provided, further*, that, in counties of this class supervisors charged as road commissioners with the inspection of two hundred fifty and not exceeding five hundred miles of roads within their respective districts, shall be, and they are hereby allowed their actual traveling expenses not to exceed fifty dollars in any one calendar month; *and provided, further*, that in lieu of the above-mentioned amounts for traveling expenses, said supervisors charged as road commissioners may be furnished with automobiles **by counties of the third class.**

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 4, 1917.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 971—An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds—has had the same under consideration, and respectfully reports the same back and recommends **that it do pass.**

TYRRELL, Chairman.

Senate Bill No. 971 ordered on file for second reading.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 4, 1917.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 645—An act to amend an act entitled "An act to create for the

State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain acts a felony and repealing an act entitled 'An act creating a commissioner of public works, defining his duties and powers and fixing his compensation,' approved February 9, 1860, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an apporpriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897; also repealing an act entitled 'An act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this act,' approved March 17, 1897, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to provide for the appointment, duties and compensation of a debris commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such commissioner,' approved March 24, 1893, and all acts or parts of act amendatory thereof; also repealing an act entitled 'An act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this act,' approved April 1, 1897, and all acts or parts of acts amendatory thereof," approved March 11, 1907, and all acts or parts of acts amendatory thereof, by amending sections 1, 9, 10, 13, 16 and 17 thereof, relating to the officers and employees of the Department of Engineering, their powers, duties and salaries, and by repealing section 14 thereof—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended, and be re-referred to Committee on Finance.

JOHNSON, Chairman.

Senate Bill No. 645 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 395—An act extending the Mono Lake Basin State Road easterly to a junction with the county road from Mono Lake post office to Mono Mills—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

JOHNSON, Chairman.

Assembly Bill No. 395 ordered on file for second reading.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 4, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 235—An act to repeal sections 3664, 3665, 3666, 3667, 3668, 3669, 3670 and 3671 of the Political Code, and to add thirty-six new sections to said code, to be numbered 3664, 3664*a*, 3664*b*, 3664*c*, 3664*d*, 3665, 3665*a*, 3665*b*, 3665*c*, 3666, 3666*a*, 3666*b*, 3666*c*, 3667, 3667*a*, 3667*b*, 3667*c*, 3668, 3668*a*, 3668*b*, 3668*c*, 3669, 3669*a*, 3669*b*, 3669*c*, 3669*d*, 3669*e*, 3670, 3670*a*, 3670*b*, 3670*c*, 3671, 3671*a*, 3671*b*, 3671*c* and 3671*d*, all relating to taxation of public service and other corporations, banks and insurance companies for the benefit of the State;

Also: Senate Bill No. 850—An act to amend an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance," approved May 10, 1915, relating to the terms and conditions upon which corporations may transact business in this State;

Also: Senate Bill No. 851—An act to amend section 400 of the Civil Code, and to repeal sections 405, 406, 408, 409 and 410 of said code, relating to corporations;

Also: Senate Bill No. 854—An act to amend section 341 of the Code of Civil Procedure, relating to time for commencement of actions;

Also: Senate Bill No. 430—An act to provide for the establishment within municipalities of districts or zones within which the use of property, height of improvements and required open spaces for light and ventilation of such buildings, may be regulated by ordinance;

Also: Senate Bill No. 870—An act to add two new sections, to be numbered 1617c and 1543b, to the Political Code, providing for the cooperative purchase of staple apparatus and supplies by trustees of common school districts and certain high school boards through the office of the county purchasing agent or the superintendent of schools;

Also: Senate Bill No. 413—An act to amend section 273h of the Penal Code, relating to work of convicts on roads, and payment therefor;

And reports that the same have been correctly engrossed.

CANEPA, Chairman.

REPORTS OF STANDING COMMITTEES (OUT OF ORDER).

The following reports of standing committees were received and read:

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, April 3, 1917.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the constitution of said State, by adding a new article thereto, to be numbered 24, establishing a state athletic commission and regulating boxing and sparring in the State—has had the same under consideration, and respectfully reports the same back and recommends that it be not adopted.

BALLARD, Chairman.

Senate Constitutional Amendment No. 19 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 16—A resolution proposing to the people of the State of California, by adding a new section to Article XI thereof, to be designated as section 20, of said Article XI, of the constitution of the State of California, relating to the taking of property for public use and additional adjoining or neighboring property, and for the payment therefor—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it be adopted, as amended.

BALLARD, Chairman.

Senate Constitutional Amendment No. 16 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 27—Resolution to propose to the people of the State of California an amendment to the constitution of the State of California by adding thereto a new section to be known as section 5 of Article XIII, providing for the exemption of certain property from taxation—has had the same under consideration, and respectfully reports the same back and recommends that it be not adopted.

Minority report: Be adopted.

BALLARD, Chairman.

Senate Constitutional Amendment No. 27 ordered on file.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 4, 1917.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1298—An act defining "industrial loan companies," providing for their incorporation, powers and supervision;

Also: Assembly Bill No. 695—An act to amend sections 15 and 20 of an act entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof" approved March 11, 1907, as amended;

Also: Senate Bill No. 787—An act to amend the act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance;

providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the juvenile court law approved March 8, 1909, as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 15, 1915, by adding a new section thereto to be numbered 19c, relating to probation officers and assistant probation officers in counties of the forty-sixth class and the salaries of such officers;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Assembly Bills Nos. 1298 and 695, and Senate Bill No. 787 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 1085—An act to amend the Penal Code by adding thereto a new section, to be numbered 506a, relating to and defining who is guilty of embezzlement;

Also: Senate Bill No. 142—An act to amend the Code of Civil Procedure by adding thereto four new sections, to be numbered 204a, 204b, 204c, and 204d, relating to jury commissioners, their duties, appointment and compensation;

Also: Assembly Bill No. 1217—An act to amend section 542a of the Code of Civil Procedure, relating to attachment liens;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

KEHOE, Chairman.

Senate Bills Nos. 1085 and 142, and Assembly Bill No. 1217 ordered on file for second reading.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Senator Canepa:

SENATE CHAMBER, SACRAMENTO, April 4, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2, Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act authorizing the State Board of Control for and on behalf of the State of California to re-transfer a certain tract of land back to original owners.

Request referred to Committee on Rules.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Concurrent Resolution No. 22.

Senate Concurrent Resolution No. 22—Relative to adoption of joint rules.

ASSEMBLY AMENDMENTS TO SENATE CONCURRENT RESOLUTION NUMBER TWENTY-TWO.

AMENDMENT NUMBER ONE.

On page 4, line 2, of the printed resolution after the comma add the words "or general law,".

AMENDMENT NUMBER TWO.

On page 14, line 13, of the printed resolution, strike out the figures "30" and insert in lieu thereof the figures "28".

AMENDMENT NUMBER THREE.

On page 5, line 21, of the printed resolution, strike out the period and all following the period, all of lines 22, 23 and 24, and up to and including the period in line 25, and insert in lieu thereof a comma and the words: "said brackets and parentheses to be of a different character from those provided for in Joint Rule 9. When a bill is amended in either House, the first or previous markings, except that showing change from code provision, shall be omitted."

AMENDMENT NUMBER FOUR.

On page 4, line 24, of the printed resolution, strike out the words "and the Legislative Counsel Bureau."

AMENDMENT NUMBER FIVE.

On page 11, line 7, of the printed resolution, strike out the words "on the bill".

The question being: Shall the Senate concur in Assembly amendments to Senate Concurrent Resolution No. 22?

The roll was called, and Assembly amendments to Senate Concurrent Resolution No. 22 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Barnett, Campbell, Duncan, Evans, Flaherty, Gates, Ingram, Johnson, Kehoe, Maddox, Perkins, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—23.

NOES—None.

Senate Concurrent Resolution No. 22 ordered to enrollment.

SECOND READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 1136—An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; providing for the issue by incorporated cities and towns, cities and counties, and counties of permits for the operation of such automobiles, jitney busses, auto trucks, stages and auto stages; empowering incorporated cities and towns, cities and counties, and counties to enact ordinances for the supervision and regulation of automobiles, jitney busses, auto trucks, stages and auto stages and providing penalties for the violation of such ordinances; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts and parts of acts inconsistent with the provisions of this act.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 4, after the word "property" insert the following: "as a common carrier".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, lines 9, 10 and 11, after the word "include" strike out the remainder of said lines and insert in lieu thereof the following: "corporations or persons, their lessees, trustees, receivers or trustees appointed by any court whatsoever, insofar as they own, control, operate or manage taxicabs, hotel busses or sight-seeing busses, or any other carrier which does not come within the term 'transportation company' as herein defined."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 36, after the word "property" insert "as a common carrier".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 37, after the word "state" insert the following: "between any fixed termini between which or over any route over which such corporation, their lessees, trustees, receivers or trustees appointed by any court whatsoever, are not actually operating in good faith on May 1, 1917,".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 4, beginning with line 23, strike out all of lines 23, 24, 25 and 26.

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 5, strike out all of line 3 and insert in lieu thereof: "regulations, the regulation of the rates, service and safety".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 5, between lines 14 and 15, following subdivision (f) insert a new subdivision to be known as subdivision (g), as follows:

(g) Nothing in this act contained shall be construed as in any way limiting or impairing the power of any incorporated city or town, city and county, or county, to prevent corporations and persons, their lessees, trustees, receivers or trustees appointed by any court whatsoever, engaged on May 1, 1917, in the transportation of persons or property for compensation over any public highway or highways in this state from thereafter using any public highway or highways within the territorial limits of such incorporated city or town, city and county, or county, unless they shall first have secured from such incorporated city or town, city and county, or county, a franchise or permit for the use of such public highway or highways in accordance with the organic law of such incorporated city or town, city and county, or county.

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 6, line 9, after the word "faith" strike out all down to and including the period following the word "county" in line 15 and insert in lieu thereof the following: "on May 1, 1917. A transportation company may apply for a certificate of public convenience and necessity in advance of securing any franchise or permit for the use of the public highways constituting the proposed route."

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 6, line 18, strike out the words "right or".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 6, line 19, strike out the comma following the word "privilege" and insert "sought,".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 6, line 22, following the word "time" strike out "at its discretion" and insert in lieu thereof "for a good cause".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 8, line 36, add the following: "The provisions of an act entitled 'An act providing for the sale of street railroad and other franchises in counties and municipalities and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting acts. (Approved March 22, 1905. Stats. 1905, p. 777)' are declared not to apply to the use of highways for the kind of transportation herein regulated."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 191—An act appropriating money for the construction of a convalescent cottage for females at the Napa State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 191 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, W. J., Chandler, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Kehoe, Maddux, Purkitt, Rigdon, Rominger, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 192—An act appropriating money for the construction of a pathological laboratory at the Napa State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 192 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Kehoe, McDonald, Maddux, Nealon, Purkitt, Rominger, Scott, Shearer, Slater, Stuckenbruck, and Thompson—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 201—An act to appropriate money to maintain the model and training schools at the several state normal schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 201 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Kehoe, Luce, McDonald, Maddux, Nealon, Purkitt, Rominger, Scott, Shearer, Slater, Stuckenbruck, and Thompson—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 204—An act appropriating money for the improvement of the grounds of the San Diego State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 204 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Kehoe, King, Luce, McDonald, Maddux, Nealon, Purkitt, Rominger, Scott, Shearer, Slater, Stuckenbruck, and Tyrrell—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 205—An act appropriating money for furniture and equipment for the San Diego State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 205 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Chandler, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Kehoe, King, Luce, McDonald, Maddux, Nealon, Purkitt, Rominger, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 209—An act to appropriate money for the construction of a manual training school building at the San Jose State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 209 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Kehoe, King, Luce, McDonald, Nealon, Purkitt, Rominger, Scott, Shearer, Stuckenbruck, Thompson, and Tyrrell—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 223—An act appropriating money for the construction of workers' cottage for men at the Agnews State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 223 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Kehoe, King, Luce, McDonald, Nealon, Purkitt, Rominger, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 224—An act appropriating money to cover the cost of furnishing workers' cottage for men at the Agnews State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 224 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Kehoe, King, Luce, McDonald, Nealon, Rominger, Scott, Shearer, Slater, Stuckenbruck, and Tyrrell—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 246—An act appropriating money for the construction of cottage for low-grade adult females at the Sonoma State Home.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 246 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Kehoe, King, Luce, McDonald, Nealon, Purkitt, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—29.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 247—An act appropriating money for the construction and equipment of bakery building at the Sonoma State Home.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 247 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Kehoe, King, Luce, McDonald, Nealon, Purkitt, Rigdon, Rominger, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—29.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 248—An act appropriating money for the construction and equipment of laundry building at the Sonoma State Home.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 248 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, King, Luce, McDonald, Nealon, Purkitt, Rigdon, Rominger, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—29.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 301—An act appropriating money to complete the heating plant of the California School for the Deaf and the Blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 301 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, King, Luce,

McDonald, Nealon, Purkitt, Rigdon, Rominger, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 304—An act to amend section 1 of an act approved April 25, 1911, and entitled "An act to carry into effect the provisions of subdivision (c) of section 14 of Article XIII of the Constitution of the State of California as the said article was amended on the eighth day of November in the year 1910, in so far as the same relates to the State University; and also to provide for the permanent support and improvement of the University of California; and to that end making a continuing appropriation and creating an annual fund therefor; and repealing an act entitled 'An act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor,' and to repeal an act approved February 14, 1887, entitled 'An act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor,' and also to repeal an act approved February 27, 1897, entitled 'An act to provide additional support and maintenance, and for the acquisition of necessary property and improvements of the University of California, by the levy of a rate of taxation, and the creation of a fund therefor,' approved March 20, 1909."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 304 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1147—An act making an appropriation to defray the expense of legislative printing for the forty-second session of the Legislature of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1147 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Kehoe, King, Luce, Lyon, McDonald, Maddux, Purkitt, Rigdon, Rominger, Scott, Shearer, Slater, Stuckenbruck, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 864—An act to appropriate money for the payment of compensation benefits accruing by reason of personal injury resulting from accident to state officers and employees while performing services accruing out of and incidental to their employment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 864 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Kehoe, King, Luce, Lyon, Maddux, Purkitt, Rigdon, Rominger, Scott, Slater, Stuckenbruck, and Tyrrell—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 46—An act appropriating money for painting the temporary buildings of Humboldt State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 46 passed by the following vote:

AYES—Senators Ballard, Breed, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, King, Luce, Lyon, McDonald, Maddux, Purkitt, Rigdon, Rominger, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 170—An act appropriating money for the care and improvement of grounds of the Fresno State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 170 passed by the following vote:

AYES—Senators Ballard, Breed, Canepa, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—28.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 171—An act appropriating money for the completing of the plant and equipment of the Fresno State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 171 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Canepa, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—31.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 195—An act appropriating money for the construction of a tubercular ward on the grounds of the Veterans' Home.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 195 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Canepa, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce,

McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—31.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 207—An act appropriating money for traveling expenses of directors of the Women's Relief Corps Home.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 207 passed by the following vote:

AYES—Senators Ballard, Breed, Canepa, Chandler, Crowley, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Kehoe, King, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR SHARKEY IN THE CHAIR.

At three o'clock and five minutes p.m., Senator Sharkey of the Ninth District was called to the chair.

SECRETARY CLIFTON E. BROOKS AT THE DESK.

Senate Bill No. 221—An act appropriating money for a sewer system at the Santa Barbara State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 221 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Canepa, Chandler, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, Luce, Rigdon, Rominger, Scott, Sharkey, Shearer, and Slater—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 240—An act appropriating money for sewerage and water system at the University of California Farm School at Davis.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 240 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Canepa, Chandler, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, McDonald, Maddux, Nealon, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 241—An act appropriating money for the construction and equipment of a creamery at the University of California Farm School at Davis.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 241 passed by the following vote:

AYES—Senators Ballard, Brown, Canepa, Chandler, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, Luce, McDonald, Nealon, Purkitt, Rigdon, Rominger, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 243—An act appropriating money for the construction of small buildings at the University of California Farm School at Davis.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 243 passed by the following vote:

AYES—Senators Breed, Brown, Burnett, Canepa, Chandler, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, Luce, McDonald, Purkitt, Rigdon, Rominger, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 244—An act appropriating money for repairs and improvements to buildings, structures and equipment at the Veterans' Home.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 244 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Canepa, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, Luce, McDonald, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—28.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 250—An act appropriating money to cover the cost of water softening plant at the Mendocino State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 250 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Canepa, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—28.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 252—An act appropriating money for repairs to flooring at the Mendocino State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 252 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Canepa, Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Johnson, Kehoe, Lyon, McDonald, Maddux,

Nealon, Rigdon, Rominger, Scott, Sharkey, Slater, Stuckenbruck, Thompson and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 258—An act appropriating money to cover the cost of four continuous baths for the Stockton State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 258 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Canepa, Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Kehoe, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Scott, Sharkey, Slater, Stuckenbruck, Thompson and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 260—An act appropriating money for the construction of a tubercular hospital at the Stockton State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 260 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 265—An act appropriating money for the completion of the buildings of Riverside Citrus Experiment Station of the University of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 265 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Canepa, Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, Lyon, McDonald, Rigdon, Rominger, Rush, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 280—An act appropriating money for the construction of a prison school building at the Folsom State Prison.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 280 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Canepa, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, Lyon, McDonald, Maddux, Nealon, Purkitt, Rominger, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 281—An act appropriating money for the purchase of new machinery and equipment for the machine and blacksmith shops at the Folsom State Prison.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 281 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Canepa, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Slater, Stuckenbruck, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 282—An act appropriating money for repairs and improvements to buildings, structures and equipment at the Folsom State Prison.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 282 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Canepa, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 296—An act appropriating money for the improvement of the grounds of the Industrial Home for the Adult Blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 296 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Canepa, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, King, Lyon, Maddux, Nealon, Purkitt, Rigdon, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 297—An act appropriating money to be used for water development at the Industrial Home for the Adult Blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 297 passed by the following vote:

AYES—Senators Ballard, Brown, Burnett, Canepa, Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Johnson, King, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 298—An act appropriating money for the purchase of a burial plot for the Industrial Home for the Adult Blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 298 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Canepa, Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 299—An act appropriating money for the purchase of equipment for the Industrial Home for the Adult Blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 299 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Canepa, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 300—An act appropriating money for repairs and improvements to buildings and equipment at the Industrial Home for the Adult Blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 300 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Canepa, Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Kehoe, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 302—An act appropriating money to complete the electric wiring of the California School for the Deaf and the Blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 302 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Canepa, Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Kehoe, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1167—An act appropriating money for the construction of sewage disposal system at the Folsom State Prison.

Bill read third time.

CASE OF URGENCY.

Section 2, setting forth the urgency clause, read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Canepa, Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Kehoe, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1167 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Canepa, Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Kehoe, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 816—An act to amend section 3 of an act entitled "An act relating to explosives and prescribing regulations for the transportation, storage and selling of explosives, and providing penalties for the violation of this act," in effect March 21, 1911, and known as Chapter 213, Statutes of 1911, and to repeal section 11 of said act.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Luce moved to refer Senate Bill No. 816 to Senator Inman as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 4, between lines 31 and 32 of the printed bill, insert the following paragraph:

The provisions of this subsection (b) shall not apply to mining operations.

AMENDMENT NUMBER TWO.

On page 5, line 13, strike out the figure "3" and insert in lieu thereof the figure "2".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 4, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 816, with instructions to amend, respectfully reports the same back, amended as per instructions.

INMAN, Special Committee.

Report read, and, on motion of Senator Luce, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 627—An act amending an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities therein; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements and for the acquisition and construction of such improvements," approved April 20, 1915, by amending the title of said act and by amending section 1 of said act.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Brown moved to refer Senate Bill No. 627 to Senator Lyon, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 4, of the printed bill, after the word "act" insert the following: "approved April 20, 1915,".

AMENDMENT NUMBER TWO.

On page 2, between lines 15 and 16 insert the following: "Sec. 3. Section two of said act approved April 20, 1915, is hereby amended to read as follows:".

AMENDMENT NUMBER THREE.

On page 2, line 16, strike out the figure "3" and insert in lieu thereof the figure "2".

AMENDMENT NUMBER FOUR.

On page 3, line 15, after the word "act" insert the following: "approved April 20, 1915,".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 4, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 627, with instructions to amend, respectfully reports the same back, amended as per instructions.

LYON, Special Committee.

Report read, and, on motion of Senator Brown, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 755—An act to amend sections 2239, 2283, 2287 and 2289 of the Civil Code, relating to trusts.

Bill read third time.

On motion of Senator Inman, Senate Bill No. 755 was passed on file.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At three o'clock and forty-five minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Senate Bill No. 1157—An act defining henceforth the exterior boundaries of Reclamation District No. 108, situate partly in the counties of Colusa and Yolo, and providing for the liquidation of the affairs of Reclamation District No. 108, as it now exists, its exterior boundaries being described in that certain act of the Legislature, approved May 18, 1915, and approving the acts and proceedings of the said district, as defined in the said act of May 18, 1915, and the board of trustees thereof, and providing for the continuation in office of the present

trustees of said district, and for the election and qualification of their successors, and providing that in the management and control of the affairs of said Reclamation District No. 108, as defined in this act, that it is subject to the provisions of the Political Code of the State of California, and to all other laws of the State, except as provided in the said act, in connection with the issuance and payment of warrants and the payment of assessments, providing that all moneys of the said district shall be paid and deposited with the county treasurer of Colusa County, and conferring jurisdiction upon the board of supervisors of the county of Colusa as to all matters concerning said district, and providing also for the management and control and administration of the affairs of said district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1157 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Canepa, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Shearer, Slater, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 845—An act amending sections 287, 288, 289 and 299 of the Code of Civil Procedure, relating to the causes for which courts may remove attorneys and counselors, the proceedings for removal or suspension, and the judgment in such proceedings.

In the absence of the author, Senate Bill No. 845 was ordered passed, to retain its place on the file.

Senate Bill No. 595—An act to add to the Civil Code a new section to be numbered 594, relating to the incorporation of associations mentioned in Title XII of Part IV of division first of said code and making further provisions respecting articles of incorporation of corporations formed from such associations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 595 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Canepa, Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Shearer, Slater, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1154—An act to add a new section to an act entitled "An act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams and watercourses, for the prevention of the overflow thereof, by widening, deepening, straightening and otherwise improving the same, and to authorize the boards of supervisors to levy and collect assessments from the property benefited to

pay the expenses of the same," approved March 27, 1895, as amended, to be numbered 20½, relating to refund of assessments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1154 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Canepa, Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 615—An act to add a new section to the Code of Civil Procedure, to be numbered 1166*a*, relating to actions for obtaining possession of real property, to the manner in which tenants may be ejected and providing the form of complaint, the form of the amount of the undertaking and the form of the writ of ejectment, and the manner of executing and serving the writ.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 615 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Canepa, Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 811—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications.

On motion of Senator Ballard, Senate Bill No. 811 was passed on file.

Senate Bill No. 616—An act to amend section 1167 of the Code of Civil Procedure, relating to service of summons in unlawful detainer.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 616 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 30—A resolution to propose to the people of the State of California to amend section 21 of Article XX of the Constitution, relative to workmen's compensation.

In the absence of the author, Senate Constitutional Amendment No. 30 was ordered passed, to retain its place on the file.

Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the Constitution by adding a new section 15 to Article XIII, relating to revenue and taxation.

On motion of Senator Benson, Senate Constitutional Amendment No. 31 was passed on file.

Senate Bill No. 431—An act authorizing and empowering municipalities to provide a procedure for the fixing and establishing of set-back lines on private property bordering on the whole or part of any street, avenue or highway, to prohibit the erection of buildings, fences or other structures between such set-back lines and the lines of any such street, avenue or highway, and to condemn any and all property necessary or convenient for that purpose.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 431 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Purkitt, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR TYRRELL IN THE CHAIR.

At four o'clock p.m., Senator Tyrrell of the Sixteenth District was called to the chair.

Senate Bill No. 234—An act to amend section 3692 of the Political Code, relating to the powers and duties of the State Board of Equalization.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 234 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Canepa, Carr, W. J., Crowley, Evans, Flaherty, Gates, Hans, Ingram, King, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—26.

NOES—Senators Benson, Chandler, Kehoe, and Thompson—4.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Joint Resolution No. 14—Relative to the universal military training bill before the United States Congress.

WHEREAS, It is vital to the life and liberty of this nation that it be put upon a basis of preparedness for war in order that it may not invite as it now does aggression and successful attack by warlike nations, and also in order that it may maintain and preserve our institutions of civil and religious liberty; now, therefore be it

Resolved by the Senate, the Assembly concurring, That the legislature of the State of California hereby endorses the principle of universal military training and respectfully requests the United States senators from California and the members

of the house of representatives from this state to support with all their ability a bill in congress having for its purpose the establishing throughout the United States of a system of universal military training.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 14 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Irwin, King, Lyon, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Stuckenbruck, Thompson, and Tyrrell—25.

NOES—None.

Title read and approved.

Resolution ordered transmitted to the Assembly.

Senate Joint Resolution No. 11—Relative to the presentation and due recognition of Ireland and Poland as accredited belligerents at the next peace conference of world powers.

WHEREAS, The president of this republic in a recent address before the senate of the United States proclaimed in no uncertain terms the right of small nationalities to govern themselves; and

WHEREAS, It is one of the fundamental principles of this nation that all governments should derive their just powers from the consent of the governed; and

WHEREAS, At present there are two nations in Europe who are not being and have not been governed according to this principle and whose struggle for freedom has excited the sympathy and admiration of lovers of liberty the world over; be it, therefore

Resolved, That having stated the foregoing we do endorse what our chief executive declared in his recent address before congress "that no world's peace can last or ought to last which does not recognize and accept the principle that governments derive all their just powers from the consent of the governed" and since the Irish and Polish peoples are not governed by right teaching or the principles laid down by our chief magistrate; be it further

Resolved, That we urge the president to use his best endeavors to obtain for Ireland and Poland representation and due recognition as accredited belligerents at the next peace conference of world powers; and be it further

Resolved, That a copy of this resolution be forwarded to the president, Woodrow Wilson, and that copies be given to the press.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 11 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Hans, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—26.

NOES—None.

Title read and approved.

Resolution ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Breed, the following messages from the Assembly were taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 608—An act to amend sections 2 and 3 of an act entitled "An act to prevent the introduction, and provide for the investigation and suppression of contagious or infectious diseases, and appropriating money to be used for such purpose," approved June 7, 1913—and respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS—(OUT OF ORDER).

On motion of Senator Rigdon, the Senate took up for consideration Assembly amendments to Senate bills, out of the regular order.

Senate Bill No. 608—An act to amend sections 2 and 3 of an act entitled "An act to prevent the introduction, and provide for the investigation and suppression of contagious or infectious diseases, and appropriating money to be used for such purpose," approved June 7, 1913.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER SIX HUNDRED EIGHT.

AMENDMENT NUMBER ONE.

On page 2, line 26, of the printed bill, strike out the word "twenty" and insert in lieu thereof the word "ten".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 608?

The roll was called, and Assembly amendment to Senate Bill No. 608 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Caneva, Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—None.

Senate Bill No. 608 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1342—An act to amend an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, by amending sections 1, 2, 4, 5, 7, 19, 21, 22, 23, 24, 25, 28, 30, and 33 thereof;

Also: Assembly Bill No. 690—An act to amend section 634 of the Penal Code of the State of California, relating to the protection of fish.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1342 read first time, and referred to Committee on Elections.

Assembly Bill No. 690 read first time, and referred to Committe on Fish and Game.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 4, 1917.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 769—An act to amend sections 2, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 24, 27, 31, 33, 36, 37, 38, 40, 41, 42, 43, 44, 46, 47, 48, and 49 of an act entitled "An act establishing and creating a department of the State Mining Bureau for the protection of the natural resources of petroleum and gas from waste and destruction through improper operations in production; providing for the appointment of a state oil and gas supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees;

providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act," approved June 10, 1915, and to add a new section thereto to be numbered 21*a*;

Also: Senate Bill No. 307—An act to amend sections 3607, 3608, 3627, 3628, 3629, 3643, 3663, 3678, 3701, 3728, 3734 and 3753 of the Political Code, and to repeal sections 3609, 3610, 3641, 3679, 3719, 3757, 3769*a*, 3839, 3840, 3841, 3842, 3843, 3844, 3845, 3846, 3847, 3848, 3849, 3850, 3851, 3852, 3853, 3854, 3855, 3856, 3857, 3858, 3859, 3860, 3861 and 3862, of said code, and to add to said code a new section to be numbered 3714*a*, all relating to revenue and taxation;

Also: Senate Constitutional Amendment No. 15—Resolution to propose to the people of the State of California an amendment to section 34 of Article IV of the Constitution of the State of California in relation to special appropriation bills;

And reports that the same have been correctly engrossed.

CANEPA, Chairman.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 2, 1917.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 457—An act to regulate the construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings, and the maintenance, use and occupancy of the premises and land on which dwellings are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

CARR, F. M., Chairman.

Senate Bill No. 457 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 800—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled 'An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," and approved June 13, 1913, Statutes of California, page 737, approved May 29, 1915—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

CARR, F. M., Chairman.

Senate Bill No. 800 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 433—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved June 16, 1913, Statutes of California of 1913, page 1429—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

CARR, F. M., Chairman.

Senate Bill No. 433 ordered on file for second reading.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, April 4, 1917.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 13—Relative to the emancipation of Russia from autocratic rule—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

RUSH, Chairman.

Senate Joint Resolution No. 13 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 15—Relative to passage by Congress of the United States the universal and compulsory military training bill to meet the present crisis, and provide for the perpetual safeguarding of the existence and interests of this nation—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

RUSH, Chairman.

Senate Joint Resolution No. 15 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 12—Relative to memorialization of Congress to support the President during the present crisis—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it be adopted, as amended.

RUSH, Chairman.

Senate Joint Resolution No. 12 ordered on file.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 4, 1917.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 257—An act to amend an act entitled "An act to allow incorporated towns and villages to establish, equip and maintain systems of street lights on public highways, to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and the creation of ex officio boards of supervisors," approved March 20, 1909, and the acts amendatory thereof, by adding a new section thereto to be numbered section 18½, relating to the annexation of additional territory to highway lighting districts—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

TYRRELL, Chairman.

Senate Bill No. 257 ordered on file for second reading.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, April 4, 1917.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 115—An act to amend the Penal Code by adding thereto a new section to be numbered 349*d*, relating to the fraudulent sale of foreign grown or foreign produced walnuts—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

KING, Chairman.

Senate Bill No. 115 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 460—An act to amend sections 2319, 2319*a*, 2319*b*, 2319*c*, 2319*d*, 2319*i* and 2319*j* of the Political Code; to add sections 2319*k* and 2319*l* as new sections to the Political Code, relating to the State Commissioner of Horticulture and prescribing the powers, duties and compensation of said State Commissioner of Horticulture and the officers and employees appointed by said commissioner and providing methods, means and penalties for the enforcement of such powers and duties, and providing for the appointment of additional officers, fixing their compensation and

prescribing their duties—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it be re-referred to Committee on Finance, with the recommendation that it do pass, as amended.

KING, Chairman.

Senate Bill No. 460 re-referred to Committee on Finance.

ON BANKING.

SENATE CHAMBER, SACRAMENTO, April 4, 1917.

MR. PRESIDENT: Your Committee on Banking, to which was referred Senate Bill No. 345—An act to amend sections 61 and 67 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," relating to the definition and regulation of the business of banking—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

HANS, Chairman.

Senate Bill No. 345 ordered on file for second reading.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 4, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 206—An act appropriating money for repairs and improvements, including fire protection, at the Women's Relief Corps Home;

Also: Senate Bill No. 557—An act to authorize the board of trustees of the San Jose State Normal School to exchange certain land belonging to said school for other land belonging to the San Jose High School District;

And reports that the same have been correctly engrossed.

STUCKENBRUCK, Acting Chairman.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 850—An act to amend an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance," approved May 10, 1915, by amending sections 1, 4, 7, 9, 10, 11, 12, 13, 14 and 15 thereof, all relating to the terms and conditions upon which corporations may transact business in this State.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Benson moved to refer Senate Bill No. 850 to Senator Flaherty, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 6, line 3, of the amended printed bill after the period add the following: "Building and loan companies and associations shall pay an annual license tax of ten dollars."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 4, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 850, with instructions to amend, respectfully reports the same back, amended as per instructions.

FLAHERTY, Special Committee.

Report read, and, on motion of Senator Benson, adopted.

Bill ordered to print, and re-engrossment.

RESOLUTION.

The following resolution was offered:

By Senator Benson:

Resolved, That the Senate Rules be amended as follows:

Amend Rule 30 to read: "No Senate bill shall be passed by the Senate within seven days of the time set for adjournment sine die of the two Houses of the Legislature, unless permission to vote on such bill be granted by a three-fourths vote of the Senate, after being recommended by the President or President pro tempore of the Senate."

Amend Rule 79 by inserting after the word "except" in the next to the last sentence of said rule, the following words and figures: "Rule 6, Rule 30, and".

Resolution referred to Committee on Rules.

ADJOURNMENT.

At four o'clock and fifty-five minutes p.m., on motion of Senator Benson, the acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Thursday, April 5, 1917.

The Senate met at ten o'clock a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—38.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal, of Wednesday, April 4, 1917, its further reading was dispensed with, on motion of Senator Sharkey.

LEAVES OF ABSENCE.

Senator Carr, F. M., was, on motion of Senator Ingram, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Tyrrell, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. and Mrs. Hirshberg and Miss Rachael Hirshberg of Oakland.

PETITION.

The following petition was presented and ordered printed in the Journal:

To the Honorable Senate and Assembly of California:

We, the undersigned voters of the county of Los Angeles, do hereby make a vigorous protest against the passage of the bill, fathered by Assemblyman Prendergast, providing that impounded dogs not claimed may be sold to be vivisected.

We most earnestly urge every Senator and Assemblyman to use his voice and vote to defeat this barbarous measure, that would have a most brutalizing effect upon society.

MRS. G. O. RICH, and 24 others.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 3d passed Assembly Bill No. 470—An act to provide for the extermination of ground squirrels in certain districts in counties and cities and counties authorizing the filing of petitions with boards of supervisors or other governing board of such county or city and county, praying for the establishment of districts for the extermination of such squirrels and creating the office of squirrel commissioner, providing the method of his appointment and providing for his compensation and expenses and those of his deputies and assistants; making the charges and expenses of such extermination primarily a county charge; and providing for the assessment and collection of certain charges therefor against certain property owners, for purpose of reimbursing the county; providing for the imposition of fines on delinquent owners and occupants; imposing certain duties upon owners and occupants of certain lands and declaring persons violating same guilty of a misdemeanor; and for the dissolution of the district.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 470 read first time, and referred to Committee on Agriculture.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 2d passed Assembly Bill No. 1009—An act to amend section 474 of the Political Code of the State of California, relating to the powers and duties of the Attorney General.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1009 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1241—An act to amend section 3881 of the Political Code, relating to clerical errors in assessment books, correction;

Also: Assembly Bill No. 253—An act to amend section 4251 of the Political Code, relating to salaries and fees of officers of counties of the twenty-second class;

Also: Assembly Bill No. 489—An act to amend sections 1, 2, 3, 4 and 27 of an act entitled "An act to provide for the formation, organization and government of storm water districts, for the purpose of protecting the land therein from damage from storm water and from the waters from any innavigable stream, water-course, canyon or wash, for the construction of the necessary works of protection by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909, as amended;

Also: Assembly Bill No. 246—An act to amend section 1580 of the Code of Civil Procedure, relating to the procedure for the sale of mining property belonging to an estate;

Also: Assembly Bill No. 213—An act to amend sections 540, 554, 555, and 868 of the Code of Civil Procedure, all relating to the attachment of property as security for the satisfaction of judgments;

Also: Assembly Bill No. 733—An act to amend section 273*b* of the Penal Code, relating to the abandonment and neglect of children and the nonsupport of wife.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1241 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 253 read first time, and referred to Committee on County Government.

Assembly Bill No. 489 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 246 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 213 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 733 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1218—An act to amend section 241 of the Civil Code, relating to appointment of guardians by will or by deed;

Also: Assembly Bill No. 1409—An act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 479*a*, relating to arrests in civil actions;

Also: Assembly Bill No. 927—An act providing for hours of rest for persons employed by municipal corporations during more than one hundred twenty hours per week;

Also: Assembly Bill No. 191—An act to amend section 1768 of the Political Code of the State of California, relating to the composition, qualifications, term of office and organization of members of county boards of education.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1218 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1409 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 927 read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 191 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 896—An act to add a new section to the Penal Code, to be numbered 109*a*, relating to escapes from state hospitals;

Also: Senate Bill No. 886—An act to amend section 2141 of the Political Code, relating to the powers of the Lunacy Commission.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 896 and 886 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 5, 1917.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 291—An act appropriating money for the purchase of live stock at the San Quentin State Prison;

Also: Senate Bill No. 293—An act appropriating money for the construction of new additions to farm buildings for San Quentin State Prison;

Also: Senate Bill No. 294—An act appropriating money for repairs and improvements to buildings, structures and equipment at the San Quentin State Prison:

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

CHANDLER, Chairman.

Senate Bills Nos. 291, 293 and 294 ordered on file for second reading.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 5, 1917.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 18—An act to amend section 1 of an act entitled "An act to prohibit the use of nets, seines, traps, or weirs in the Napa River and its tributaries in the counties of Sonoma, Napa and Solano," approved March 4, 1911;

Also: Senate Bill No. 67—An act to further divide the State into fish and game districts by establishing a district specially suited for propagation of game, and to provide for the management and protection thereof;

Also: Assembly Bill No. 289—An act to amend section 3 of an act entitled "An act to regulate and license the taking and catching of game fishes, and to define game fish and to provide revenue therefrom, for fish preservation and restoration," approved June 16, 1913;

Also: Assembly Bill No. 529—An act to add a new section to the Penal Code, to be numbered 626*t*, relating to the protection of game;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

SLATER, Chairman.

Senate Bills Nos. 18 and 67 and Assembly Bills Nos. 289 and 529 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1151—An act to amend section 626 of the Penal Code, relating to the protection of fish and game—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

Minority recommends: Do not pass.

SLATER, Chairman.

Assembly Bill No. 1151 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 147—An act to amend section 628*f* of the Penal Code, relating to the protection of shellfish;

Also: Assembly Bill No. 327—An act to amend section 636½ of the Penal Code, relating to the protection of fish and game;

Also: Assembly Bill No. 673—An act to add a new section to the Penal Code, to be numbered 626*u*, relating to the protection of game;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

SLATER, Chairman.

Assembly Bills Nos. 147, 327 and 673 ordered on file for second reading.

ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, April 5, 1917.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 234—An act to amend section 1616 of the Penal Code, relating to the care of female prisoners in county jails;

Also: Assembly Bill No. 235—An act to amend section 1613 of the Penal Code, relating to the working of prisoners in the county jail;
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

BROWN, Chairman.

Assembly Bills Nos. 234 and 235 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Senate Bill No. 200—An act authorizing the State Board of Prison Directors to make and enforce rules and regulations to establish and maintain an earning system to apply to the inmates of state prisons engaged in productive activity, and making an appropriation to carry out the provisions of this act—has had the same under consideration, and respectfully reports the same back and recommends that it do pass and be re-referred to Committee on Finance.

BROWN, Chairman.

Senate Bill No. 200 re-referred to Committee on Finance.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 5, 1917.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 126—An act to amend sections 12, 18, 19, and 20 of an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913—has had the same under consideration, and respectfully reports the same back and recommends that it do not pass.

MADDUX, Chairman.

Senate Bill No. 126 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 117—An act to amend section 23 of the Water Commission Act, approved June 16, 1913, relating to fees to be collected by the State Water Commission;

Also: Assembly Bill No. 156—An act to repeal an act entitled "An act to preserve and maintain the lakes, ponds, brooks, creeks, rivers, and streams of this State and to prevent the waters thereof from being carried by pipes, conduits, ditches, tunnels, or canals into other states, for use therein," approved March 3, 1911;

Also: Assembly Bill No. 158—An act to add a new section to the "Water Commission Act," approved June 16, 1913, to be numbered 15a, relating to the right to use the waters of an interstate stream;
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

MADDUX, Chairman.

Assembly Bills Nos. 117, 156 and 158 ordered on file for second reading.

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 4, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Slater to introduce a bill entitled: "An act to authorize the Board of State Harbor Commissioners to acquire by purchase, condemnation, gift, grant or cession, certain property in the city and county of San Francisco, including Mission Rock, and extending the jurisdiction of said board over the same, and providing for the payment for the same"—has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Canepa to introduce a bill entitled: "An act authorizing the State Board of Control for and on behalf of the State of California to re-transfer a certain tract of land back to original owners"—has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, King, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—34.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS.

The following bills were introduced, in accordance with the above reports:

By Senator Slater (by request): Senate Bill No. 1177—An act to authorize the Board of State Harbor Commissioners to acquire by purchase, condemnation, gift, grant or cession, certain property in the city and county of San Francisco, including Mission Rock, and extending the jurisdiction of said board over the same, and providing for the payment of the same.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Canepa: Senate Bill No. 1178—An act authorizing the State Board of Control for and on behalf of the State of California to re-transfer a certain tract of land back to original owners.

Bill read first time, and referred to Committee on Judiciary.

REPORT OF STANDING COMMITTEE—(RESUMED).

The following report of standing committee was received and read:

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, April 4, 1917.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 1142—An act to amend section 4149 of the Political Code, relating to county livestock inspector—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

KING, Chairman.

Senate Bill No. 1142 ordered on file for second reading.

RESOLUTION.

The following resolution was offered:

By Senator Crowley:

WHEREAS, Many members and attaches of the Senate desire to attend religious services between the hours of twelve o'clock noon and three o'clock p.m. on Friday, April sixth, and in accordance with the general cessation of business during those hours; now, therefore, be it

Resolved, That the Senate of the Legislature of the State of California take a recess on Friday, the 6th day of April, 1917, from twelve o'clock noon until three o'clock p.m. of that day.

Resolution read, and, on motion of Senator Crowley, adopted.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 121—An act providing for the organization of water districts by the board of supervisors of any county of the State upon petition therefor by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of said county in which the lands contained in said district are located; providing for the acquisition and construction by said district of waterworks, for the irrigation of the lands embraced therein and for the distribution of water for irrigation purposes and domestic use; providing for the payment of the debts thereof by a tax levied on the property embraced therein; providing for the issuance and sale of bonds thereby

On motion of Senator Carr, W. J., Senate Bill No. 121 was passed on file.

Senate Bill No. 152—An act to provide for the establishment of passenger transportation facilities upon The Embarcadero, in the city and county of San Francisco.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 152 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Maddux, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Thompson—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 755—An act to amend sections 2239, 2283, 2287 and 2289 of the Civil Code, relating to trusts.

Bill read third time, previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Purkitt moved to refer Senate Bill No. 755 to Senator Irwin, as a Special Committee of One, to amend as follows:

On page 3, line 23, of the printed bill, strike out the period after the word "competent", and insert the following: "*provided, however*, that nothing in this act shall be construed as affecting existing trusts."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 4, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 755, with instructions to amend, respectfully reports the same back, amended as per instructions.

IRWIN, Special Committee.

Report read, and, on motion of Senator Purkitt, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 516—An act to amend section 1521 of the Political Code, relating to the compensation and expenses of members of the State Board of Education and Assistant Superintendents of Public Instruction.

On motion of Senator Ballard, Senate Bill No. 516 was passed on file.

Senate Bill No. 782—An act to amend section 4275 of the Political Code, relating to the salaries of county officers in counties of the forty-sixth class, and fixing the mileage and per diem of jurors in counties of the forty-sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 782 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, and Stuckenbruck—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 845—An act amending sections 287, 288, 289 and 299 of the Code of Civil Procedure, relating to the causes for which courts may remove attorneys and counselors, the proceedings for removal or suspension, and the judgment in such proceedings.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 845 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Canepa, Carr, W. J., Chamberlin, Crowley, Duncan, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, and Slater—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 811—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications.

On motion of Senator Ballard, Senate Bill No. 811 was passed on file.

Senate Constitutional Amendment No. 30—A resolution to propose to the people of the State of California to amend section 21 of Article XX of the Constitution, relative to workmen's compensation.

Resolution read.

COMMITTEE AMENDMENTS.

During reading of resolution, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 16, strike out the word "labor" and insert the word "employment".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 3, strike out the word "labor" and insert the word "employment".

Amendment adopted.

Resolution ordered to print.

Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the Constitution by adding a new section 15 to Article XIII, relating to revenue and taxation.

Resolution read.

COMMITTEE AMENDMENT.

During reading of resolution, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 10, after the word "Legislature" insert the following: "subject to provisions of section one of article four."

Amendment adopted.

Resolution ordered to print.

Senate Bill No. 764—An act to add a new section to the Penal Code of the State of California, to be numbered section 630*a*, relating to the protection of fish and game and providing additional penalties for the violation of the laws relating thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 764 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Kehoe, Luce, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, and Thompson—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 343—An act to amend section 628*a* of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Ingram moved to refer Senate Bill No. 343 to Senator Luce, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, strike out the word "fifteenth" and substitute in lieu thereof the word "sixth".

AMENDMENT NUMBER TWO.

On page 1, line 10, strike out the word "fourteenth" and insert in lieu thereof the word "thirty-first".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 5, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 343, with instructions to amend, respectfully reports the same back, amended as per instructions.

LUCE, Special Committee.

Report read, and, on motion of Senator Ingram, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 350—An act to amend section 628c of the Penal Code of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 350 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Kehoe, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 763—An act to amend section 626g of the Penal Code of the State of California, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 763 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Kehoe, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 49—An act to repeal section 55a of the Penal Code, relative to soliciting, demanding, or pledging votes for or against any particular bill or measure.

On motion of Senator Duncan, Senate Bill No. 49 was passed on file.

Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending section 1 of Article IV thereof, relating to legislative powers, and reserving to the people of the State of California the power to propose laws, statutes and amendments to the Constitution and to enact the same at the polls, independent of the Legislature, and also reserving to the people of the State of California the power to approve or reject at the polls any act or section or part of any act of the Legislature.

On motion of Senator Duncan, Senate Constitutional Amendment No. 5 was passed on file.

Senate Constitutional Amendment No. 44—A resolution to propose to the people of the State of California to amend section 13 of Article VI of the Constitution of the State, relating to inferior courts.

On motion of Senator Ballard, Senate Constitutional Amendment No. 44 was passed on file.

Senate Bill No. 1090—An act to amend sections 1, 2, 3, 6, 7, 12, 15 and 16 of an act entitled "An act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911, as amended.

On motion of Senator Scott, Senate Bill No. 1090 was passed on file.

SPECIAL ORDER.

Senator Duncan moved that Senate Bill No. 872 be made a special order for Monday, April 9th, at eleven o'clock and thirty minutes a.m.

Motion carried.

Senate Bill No. 651—An act to repeal an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a state civil service commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913.

On motion of Senator Stuckenbruck, Senate Bill No. 651 was ordered to unfinished business.

Senate Bill No. 1110—An act to promote the development of the California fruit industry and to protect the State's reputation in the fruit markets by establishing a standard for the packing of certain fresh fruits specified herein, prescribing penalties for violations of the provisions hereof, and repealing all acts inconsistent herewith.

On motion of Senator Benson, Senate Bill No. 1110 was passed on file.

Senate Bill No. 235—An act to repeal sections 3664, 3665, 3666, 3667, 3668, 3669, 3670 and 3671 of the Political Code, and to re-enact said sections, and to add twenty-nine new sections to said code, to be numbered sections 3664*a*, 3664*b*, 3664*c*, 3664*d*, 3665*a*, 3665*b*, 3665*c*, 3666*a*, 3666*b*, 3666*c*, 3667*a*, 3667*b*, 3667*c*, 3668*a*, 3668*b*, 3668*c*, 3669*a*, 3669*b*, 3669*c*, 3669*d*, 3669*e*, 3670*a*, 3670*b*, 3670*c*, 3671*a*, 3671*b*, 3671*c*, 3671*d* and 3671*e*, all relating to taxation of public service and other corporations, banks and insurance companies for the benefit of the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 235 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 307—An act to amend sections 3607, 3608, 3627, 3628, 3629, 3643, 3663, 3678, 3701, 3728, 3734 and 3753 of the Political Code, and to repeal sections 3609, 3610, 3641, 3679, 3719, 3757, 3769*a*, 3839, 3840, 3841, 3842, 3843, 3844, 3845, 3846, 3847, 3848, 3849, 3850, 3851, 3852, 3853, 3854, 3855, 3856, 3857, 3858, 3859, 3860, 3861 and 3862.

On motion of Senator Breed, Senate Bill No. 307 was passed on file.

Senate Bill No. 851—An act to amend section 400 of the Civil Code, and to repeal sections 405, 406, 408, 409, and 410 of said code, relating to corporations.

On motion of Senator Benson, Senate Bill No. 851 was passed on file.

Senate Bill No. 854—An act to amend section 341 of the Code of Civil Procedure, relating to time for commencement of actions.

On motion of Senator Benson, Senate Bill No. 854 was passed on file.

Senate Bill No. 825—An act to repeal an act entitled "An act to provide for temporary floors in buildings more than three stories high in the course of construction and for the protection of the life and limb of workmen employed in such buildings from falling joists or girders and from falling bricks, rivets, etc.," approved March 6, 1909, and known as Chapter 107, Statutes of 1909.

On motion of Senator Luce, Senate Bill No. 825 was re-referred to Committee on Labor and Capital.

Senate Bill No. 1141—An act to add a new section to the Penal Code, to be numbered 1202*a*, relating to imprisonment in the state prison.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1141 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Kehoe, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 430—An act to provide for the establishment within municipalities of districts or zones within which the use of property, height or improvements and required open spaces for light and ventilation of such buildings, may be regulated by ordinance.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Evans moved to refer Senate Bill No. 430 to Senator Carr, W. J., as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3, line 32, of the printed bill, add the following:

"Sec. 6. The council may establish penalties for violations of such an ordinance once established and in effect."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 5, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 430, with instructions to amend, respectfully reports the same back, amended as per instructions.

CARR, W. J., Special Committee.

Report read, and, on motion of Senator Evans, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 404—An act to repeal an act entitled "An act to provide for the reporting of occupational diseases," approved April 21, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 404 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 405—An act providing for the inspection of all institutions treating syphilis and gonococcus infections, and defining the powers and duties of the State Board of Health in relation thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 405 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Thompson, and Tyrrell—34.
NOES—Senator Stuckenbruck—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 558—An act to amend sections 1 and 2 of an act entitled "An act to prevent the supply of water dangerous to health for domestic purposes and to provide for the installation of sanitary water system," approved June 13, 1913, so as to prevent the supply of water impure, unwholesome, unpotable or polluted for domestic purposes and to compel the furnishing of pure, wholesome and potable water supplies for domestic purposes.

On motion of Senator Benson, Senate Bill No. 558 was passed on file.

Senate Bill No. 559—An act to amend sections 2 and 3 of an act entitled "An act for the preservation of the public health of the people of the State of California and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907, amended April 1, 1911, June 13, 1913, so as to prevent the maintenance of sewer farms or the making of any addition or modification in sewage works, plant, place or manner of disposal without a permit from the State Board of Health and to prevent the creation of nuisance by said works or disposal.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 559 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—35.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 870—An act to add two new sections, to be numbered 1617*c* and 1543*b*, to the Political Code, providing for the cooperative

purchase of staple apparatus and supplies by trustees of common school districts and certain high school boards through the office of the county purchasing agent or the superintendent of schools.

Bill read third time.

POINT OF ORDER.

Senator Kehoe raised the point of order that "debate was being engaged in under the pretext of asking questions."

DECISION ON POINT OF ORDER.

The President anounced his decision, and declared the point of order well taken.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 870 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Duncan, Evans, Gates, Hans, Ingram, Inman, Jones, Kehoe, Luce, Lyon, Purkitt, Rominger, Sharkey, Thompson, and Tyrrell—22.

NOES—Senators Ballard, Chandler, Crowley, Irwin, McDonald, Maddux, Nealon, Rigdon, Scott, Shearer, Slater, and Stuckenbruck—12.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Senator Inman gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 870 was passed.

Senate Bill No. 213—An act to amend sections 850, 852, 855, 860, 871, 879, 880, and 890 of the Code of Civil Procedure, and to repeal sections 854, 857, 858, and 872 thereof, all relating to civil actions in justices' courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 213 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Gates, Hans, Ingram, Inman, Irwin, Jones, Kehoe, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Scott, Sharkey, Shearer, Slater, Thompson, and Tyrrell—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 215—An act to amend section 430 of the Code of Civil Procedure of the State of California, relating to the demurrer to the complaint.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 215 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Jones, Kehoe, Luce, McDonald, Maddux, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 216—An act to amend section 1054 of the Code of Civil Procedure of the State of California, relating to the extension of time within which an act is to be done.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 216 passed by the following vote:

AYES—Senators Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Jones, Kelso, Lees, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Sharkey, Shearer, Stuckenbruck, and Thompson—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

At twelve o'clock and thirty minutes p.m., on motion of Senator Irwin, the President pro tempore declared the Senate at recess until the hour of two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Minute Clerk Joseph A. Beck at the desk.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 706—An act to amend sections 7 and 8 and to add three new sections to be known as section 8½, section 8*e* and section 8*f* of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2 of the title strike out the word "three" and insert in lieu thereof the word "four".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 3 of the title strike out the word "and" at the end of the line and insert in lieu thereof a comma.

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 4 of the title, after the word "eight *f*" insert the words "and eight *g*".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 7, of the printed bill, after the comma following the words "Indian hemp" insert the following: "Pellote or Mescale Button,".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 5, line 28, after the word "preparations" insert the following: "of the United States Pharmacopoeia and National Formulary or other recognized or established formula or remedies".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 5, line 30, after the word "than" strike out the brackets and insert the following: "two grains of opium, or one-fourth grain of morphine, or one grain of codeine, or one-eighth grain of heroin, or".

Amendment adopted.

AMENDMENT NUMBER SIX AND ONE-HALF.

On page 7, line 6, after the comma after the word "state" insert the following: "or person holding an unrevoked license to practice osteopathy,".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 7, line 22, after the word "shall" strike out the word "not".

Amendment adopted.

AMENDMENT NUMBER SEVEN AND ONE-HALF.

On page 7, line 24, after the word "state" insert the following: "or person holding an unrevoked license to practice osteopathy,".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 7, line 31, strike out the words "upon such fact being" and all of lines 32, 33, 34, 35, 36, 37 and on page 8, lines 1, 2, 3, 4 and on line 5 the words: "mic syringe or hypodermic needle.", and insert in lieu thereof a period and the following: "*Provided, further*, that the board of pharmacy may upon application and at its discretion issue a permit, revocable at the discretion of the said board, to any duly registered pharmacist, for a limited period, permitting and authorizing such pharmacist to sell and dispense hypodermic syringes and needles for specified purposes, to persons not addicted to the use of the narcotic drugs enumerated in this act, and sales made under the authority of and in conformity with the terms of such permit shall not be construed to be in violation of the provisions of this section."

Amendment adopted.

AMENDMENT NUMBER EIGHT AND ONE-HALF.

On page 9, line 2, after the comma insert the following: "or certificate to practice medicine and surgery,".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 9, after line 5, add the following:

SEC. 6. A new section is hereby added to said act, approved March 6, 1907, to be numbered 8*g* and to read as follows:

SEC. 8*g*. A permit fee of three dollars is hereby levied upon each and every person, firm, corporation or association, owning, conducting or maintaining within the State of California a drug store, pharmacy, hospital or other institution where any of the narcotic drugs mentioned in section 8 of this act are sold, distributed, furnished or dispensed. Said fee shall be paid to the California state board of pharmacy to be used by the said board for the enforcement of this act. Upon the receipt of said sum from any such person, firm, corporation or association hereinabove mentioned desiring to sell, distribute, furnish or dispense such narcotics, the secretary of said California state board of pharmacy shall issue an annual permit to such person, firm, corporation or association to sell, distribute, furnish or dispense such narcotics; *provided, however*, that nothing in this act shall be construed as permitting any such person, firm, corporation or association to sell, distribute, furnish or dispense such narcotics in any manner or otherwise than in accordance with the provisions of this act and the laws of the State of California and of the United States.

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 765—An act to define commercial feeding stuffs and to establish a standard therefor, providing for the branding and labeling of same, empowering the State Board of Health to enforce the provisions of the act and providing penalties for the violation of the same.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, strike out lines 16 to 19, inclusive.

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

SENATOR INGRAM IN THE CHAIR.

At two o'clock and five minutes p.m., Senator Ingram of the Third District was called to the chair.

Assembly Bill No. 395—An act extending the Mono Lake Basin State Road easterly to a junction with the county road from Mono Lake post office to Mono Mills.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1217—An act to amend section 542*a* of the Code of Civil Procedure, relating to attachment liens.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 3, after the figures "542*a*," strike out the rest of the line, also, all of lines 4 and 5 and down to and including the period after the word "county" in line 6, and insert in lieu thereof the following:

The lien of the attachment on real property attaches and becomes effective upon the filing of a copy of the writ, together with a description of the property attached, and a notice that it is attached are filed with the county recorder of the county wherein said real property is situate; *provided, however*, that in event that the sheriff does not complete the execution of said writ in the manner prescribed in section five hundred forty-two of this code within a period of fifteen days next following said filing in the recorder's office then said lien shall cease at the expiration of said period of fifteen days.

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 1298—An act to add a new section to the Penal Code of the State of California, to be numbered 1617, relating to the taking, preservation, destruction and use of photographs, Bertillon measurements, finger prints, and other methods of identification.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 695—An act to amend sections 15 and 20 of an act entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, as amended.

Bill read second time, and ordered on file for third reading.

SECOND READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 309—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as heretofore amended.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1111—An act amending section 330 of the Penal Code of the State of California, relative to games played with cards, dice, or any device for money in public places.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

After the title insert the following: "The people of the State of California do enact as follows:".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, before the figures "330" insert the following "Sec."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 14, after the word "other" insert the word "public".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1112—An act amending the Penal Code of the State of California by adding thereto a new section, to be numbered section 321*a*, relating to the punishment of persons having in their possession lottery tickets or tools or devices used in connection with any lottery.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill strike out all of lines 4 to 14, inclusive, and insert in lieu thereof the following:

321*a*. Every person who has upon him, or in his possession, any lottery ticket, or any ticket, bill, paper, device, certificate or instrument purporting to be sold as, or represented to be a ticket, chance, share or interest in any lottery, knowing or having reason to believe that such lottery ticket, or ticket, bill, paper, device, certificate or instrument purporting to be sold as or represented to be a ticket, chance, share or interest in any lottery is intended to be used in the setting up, conducting, or drawing of any lottery, shall be guilty of a misdemeanor.

Every person who has upon him or in his possession any tool, instrument, stamp, die, cut or device capable of being used in or for contriving, setting up, preparing, printing, stamping, writing or getting ready for sale any lottery ticket, knowing or having reason to believe that such tool, instrument, stamp, die, cut or device is intended to be used in or for contriving, setting up, preparing, printing, stamping, writing or getting ready for sale any lottery ticket used or capable of being used in connection with the drawing of any lottery, shall be guilty of a misdemeanor.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 24—An act to regulate the examination of applicants for license, and the practice of those licensed to treat diseases, injuries, deformities, or other physical or mental conditions of human beings without the use of drugs, or what are known as medical preparations, and without in any manner severing or penetrating any of the tissues of human beings except the severing of the umbilical cord. To establish a board of examiners of drugless physicians for the State of California; to provide for their appointment and prescribe their powers and duties, and to provide penalties to enforce the provisions of this act; to provide that such board may suspend or revoke the right to practice of drugless practitioners, or drugless physicians; to revoke the licenses or certificates of such practitioners or physicians; to provide that the powers and duties of such board shall be exclusive; to provide for the transfer of a portion of the Board of Medical Examiners' Contingent Fund to the Board of Drugless Examiners' Contingent Fund, and to repeal all acts and parts of acts inconsistent with, or in conflict with, this act.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Amend title to said printed bill, as follows: After the word "to" in line 3 of said title, strike out the words "treat diseases" and insert in lieu thereof "practice any drugless branch of the healing art in the treatment of disease,".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 5 of the title after the word "or" strike out the remainder of the line and all of line 6 and all of line 7 down to and including the word "beings", and insert in lieu thereof "the practice of surgery".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 8 of the title after the words "board of" insert the word "drugless".

Amendment adopted.

AMENDMENT NUMBER FOUR.

In line 9 of the title strike out the words "of drugless physicians".

Amendment adopted.

AMENDMENT NUMBER FIVE.

In the title strike out all of lines 13 and 14 and including the word "physicians" in line 15, and insert in lieu thereof "the licenses or certificates to practice of any person licensed under the provisions of this act".

Amendment adopted.

AMENDMENT NUMBER SIX.

In the title, line 16, after the word "exclusive" strike out the remainder of said line and all of line 17 and the words "contingent fund to" in line 18 and insert in lieu thereof "to provide for the creating of".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 1, line 1 of the printed bill strike out the words "examiners of drugless physicians" and insert in lieu thereof the words "drugless examiners".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 1, line 2, strike out the word "eleven" and insert in lieu thereof the word "seven".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 1, strike out the words "examiners of drugless physicians" and insert in lieu thereof the words "drugless examiners".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 5, strike out the word "five" and insert in lieu thereof the word "two".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 2, strike out all of lines 7, 8, 9 and 10 and down to and including the word "thereof" in line 11, and insert in lieu thereof "be from among persons who practice one or more of the branches of drugless practice, and no graduate of medicine or surgery nor any graduate from any school which said school shall certify its graduates to the examination for 'physician and surgeon' certificate or 'chiropody certificate' as issued under the medical practice act of the State of California or graduates from any schools other than a drugless school, shall be eligible to appointment on said board."

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 2, line 13, strike out the words "drugless physician certificate" and insert in lieu thereof the words "certificate as".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 2, line 15, strike out the word "four" and insert in lieu thereof the word "three".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 2, line 16, strike out the word "three" and insert in lieu thereof the word "two".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 2, line 17, strike out the words "three for two years" and insert in lieu thereof the words "two for two years and".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 2, line 17, strike out the words "and two for".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 2, line 18, strike out the words "four years".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 2, line 19, strike out the word "four" and insert in lieu thereof the word "three".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 2, line 26, strike out the word "therapy" and insert in lieu thereof the word "practice".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 3, line 31, after the words "this act", strike out the words "or which" and all of lines 32, 33, 34, 35, 36 and 37, also lines 1 and 2 and down to and including the word "cord" in line 3, on page 4.

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 4, line 15, after the word "act", strike out all of lines 15, 16, 17, 18 and down to and including the word "practice" in line 19.

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 5, line 5, after the period following the word "it", strike out all of said line and insert the following: "when an application is made to the board by any person who is a graduate in a drugless practice and it occurs that said drugless practice is not represented on the board at the time of the filing of such application, the board shall".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 5, line 8, after the word "act" insert the word "and".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 5, line 9, strike out the word "and" and insert in lieu thereof the words "but upon appointment".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 5, line 25, strike out the word "three" and insert in lieu thereof the word "one".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 5, line 26, strike out the words "thousand dollars ($3,000)" and insert in lieu thereof "thousand five hundred dollars ($1,500)".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 6, line 21, after the period following the word "California", strike out all of said line and all of remainder of page and down to and including all of line 6 on page 7.

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 7, beginning with line 16, strike out all down to and including the word "cord" in line 25, and insert in lieu thereof the following:

SEC. 8. The certificates of license to be issued under this act shall be issued by said board under the seal thereof and signed by the president and secretary, which said certificates shall at the discretion of the applicant be designated either "drugless practitioner certificate" or "drugless physician certificate" and further, said certificate shall have indicated thereon the particular branch or branches of drugless practice in which the applicant has qualified and shall so state the branch or branches as follows: License to practice ———— ———— ———— (insert name

of branch or branches). The license issued hereunder shall authorize the holder thereof to practice the profession or professions specified upon his certificate within the terms of section 8a of this act.

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 7, strike out all of line 29 and insert in lieu thereof the following: "holder thereof duly licensed under the provisions of this act in accordance".

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 7, after line 30, insert the following:

SEC. 8a. A drugless practitioner or drugless physician within the meaning of this act is hereby declared to be any person who is a graduate of a school, the course of instruction in which said school shall be or shall have been of a character intended to qualify persons to practice a physical system of the healing art without the use of drugs or the practice of surgery except the severing of the umbilical cord.

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 7, line 35, strike out the words "approved by the said board".

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 8, line 7, strike out the words "drugless physician certificate" and insert in lieu thereof the following: "certificate as provided in this act".

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 8, line 12, after the words "preceding course" strike out the word "provided" in said line and all of lines 13, 14, 15, 16, 17, 18, 19, 20 and down to and including the word "certificate" in line 21.

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 8, line 28, strike out the words "California High School or other" and insert in lieu thereof the words "high school or".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 8, line 32, strike out the words "approved by the said board".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 8, line 35, after the word "instruction" strike out all of said line and lines 36, 37 and 38 of same page and remainder of section down to and including line 13 on page 9.

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 9, line 14, strike out the words "drugless physician certificate" and insert in lieu thereof the words "certificate as provided in this act".

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

On page 9, line 16, strike out the words "approved by the said board hereby" and the word "established" in line 17.

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

On page 9, line 32, strike out the words "manipulative and mechanical therapy" and insert in lieu thereof the words "theory, practice and technic".

Amendment adopted.

AMENDMENT NUMBER FORTY.

On page 10, line 8, strike out the words "drugless physician".

Amendment adopted.

AMENDMENT NUMBER FORTY-ONE.

On page 10, line 9, before the word "must" insert the words "as provided in this act".

Amendment adopted.

AMENDMENT NUMBER FORTY-TWO.

On page 10, line 12, strike out the word "General".

Amendment adopted.

AMENDMENT NUMBER FORTY-THREE.

On page 10, line 19, after the word "profession" insert the following: "and shall be according to the teachings thereof".

Amendment adopted.

AMENDMENT NUMBER FORTY-FOUR.

On page 10, line 21, after the period following the word "writing" insert the following:

The member or members of the board appointed by the governor as the representatives of any of the several branches of drugless practice shall constitute the examiners for their respective branches of drugless practice and said persons shall have the exclusive authority over all matters pertaining to the educational qualifications of all applicants for examination and license in their respective professions.

Amendment adopted.

AMENDMENT NUMBER FORTY-FIVE.

On page 10, line 28, strike out the words "drugless physician".

Amendment adopted.

AMENDMENT NUMBER FORTY-SIX.

On page 10, line 29, before the word "obtaining" insert the word "under the provisions of this act".

Amendment adopted.

AMENDMENT NUMBER FORTY-SEVEN.

On page 11, line 2, strike out the words "drugless physician".

Amendment adopted.

AMENDMENT NUMBER FORTY-EIGHT.

On page 11, line 3, before the word "which" insert the words "as provided by this act".

Amendment adopted.

AMENDMENT NUMBER FORTY-NINE.

On page 11, line 18, strike out the words "drugless physician".

Amendment adopted.

AMENDMENT NUMBER FIFTY.

On page 11, line 23, strike out the words "drugless physician".

Amendment adopted.

AMENDMENT NUMBER FIFTY-ONE.

On page 11, line 29, after the word "practice" strike out the remainder of said line and all of line 30 down to and including the word "afflicted" and insert in lieu thereof as follows: "as is provided in this act".

Amendment adopted.

AMENDMENT NUMBER FIFTY-TWO.

On page 11, line 31, strike out the words "practice a drugless" and all of line 32 down to and including the word "afflicted" and insert in lieu thereof the words "so practice".

Amendment adopted.

AMENDMENT NUMBER FIFTY-THREE.

On page 12, line 1, after the word "school" strike out the remainder of said line and all of lines 2, 3, 4 and 5 and insert in lieu thereof the following: "and that he enrolled in said school prior to the passage or approval of this act shall be admitted to an oral, practical and clinical examination for "a".

Amendment adopted.

AMENDMENT NUMBER FIFTY-FOUR.

On page 12, line 25, strike out the words "the provisions" and insert in lieu thereof the words "section eight".

Amendment adopted.

AMENDMENT NUMBER FIFTY-FIVE.

On page 12, line 26, strike out the words "drugless physician" and all of lines 27 and 28 and insert in lieu thereof the words "certificate to practice as authorized by this act to any".

Amendment adopted.

AMENDMENT NUMBER FIFTY-SIX.

On page 12, line 33, strike out all of said line and insert in lieu thereof the words "practice as".

Amendment adopted.

AMENDMENT NUMBER FIFTY-SEVEN.

On page 12, line 36, strike out the following: "such a system or mode of treating the sick or afflicted either".

Amendment adopted.

AMENDMENT NUMBER FIFTY-EIGHT.

On page 13, line 4, strike out the words "Said certificate" and all of line 5 and line 6 down to and including the words "and the" and insert in lieu thereof the word "The".

Amendment adopted.

AMENDMENT NUMBER FIFTY-NINE.

On page 13, line 10, strike out all of said line and insert in lieu thereof the words "as provided in this act shall".

Amendment adopted.

AMENDMENT NUMBER SIXTY.

On page 13, line 13, strike out the word "system" and all of line 14 down to and including the word "afflicted" and insert in lieu thereof the words "branch of drugless practice".

Amendment adopted.

AMENDMENT NUMBER SIXTY-ONE.

On page 13, line 17, strike out said line down to and including the word "certificate" in line 18.

Amendment adopted.

AMENDMENT NUMBER SIXTY-TWO.

On page 13, line 23, after the period following the word "issuance" strike out the remainder of said line and the remainder of page 13, all of page 14 and all of page 15 down to and including the word "section" in line 15.

Amendment adopted.

AMENDMENT NUMBER SIXTY-THREE.

On page 15, line 21, after the word "shall" insert the following "in addition to the provisions of section eight of this act".

Amendment adopted.

AMENDMENT NUMBER SIXTY-FOUR.

On page 15, line 22, beginning with the word "the" strike out all of said line and the remainder of page 15 and all of page 16, all of page 17, all of page 18 down to and including line 20 and insert in lieu thereof the following:

Sec. 13. Said board shall revoke the certificate of license issued under this act to any person guilty of unprofessional conduct. Said board shall adopt rules of practice and procedure pursuant and under and by virtue of the laws of the State of California, by which any person charged with unprofessional conduct may be tried. In every instance where a person is charged with unprofessional conduct, such person, before suspension or revocation of his license, shall be cited to appear and be given an opportunity to defend himself by counsel or otherwise in said trial by said board. In the event the certificate of license of any person is revoked or suspended, the secretary shall enter upon the register the fact of such suspension or revocation, under the seal of the board, to the county clerk of the county or counties in which the certificate of the person whose certificate has been revoked is recorded at the time of such revocation. The words "unprofessional conduct" as used in this act, are hereby declared to mean:

Amendment adopted.

AMENDMENT NUMBER SIXTY-FIVE.

On page 19, line 12, beginning with the word "drugless" strike out the remainder of said line and all of lines 13, 14, 15, 16, 17, 18, 19 and 20 and insert in lieu thereof the following: "certificate under the provisions of this act of drugs or the practice of surgery except the".

Amendment adopted.

AMENDMENT NUMBER SIXTY-SIX.

On page 20, line 3, strike out the word "was" and insert the word "is".

Amendment adopted.

AMENDMENT NUMBER SIXTY-SEVEN.

On page 20, line 5, strike out all of lines 5, 6 and 7 and insert in lieu thereof the following: "procuring practice for the holder of a license issued under this act".

Amendment adopted.

AMENDMENT NUMBER SIXTY-EIGHT.

On page 20, line 16, beginning with the word "any" strike out the remainder of said line and the words "sick or afflicted" in line 17.

Amendment adopted.

AMENDMENT NUMBER SIXTY-NINE.

On page 20, line 20, strike out all of said line and insert in lieu thereof "of not more than one".

Amendment adopted.

AMENDMENT NUMBER SEVENTY.

On page 20, line 22, strike out the words "less than thirty days nor".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-ONE.

On page 20, line 30, beginning with the word "any" strike out the remainder of line and all of line 31 down to and including the word "afflicted" and insert in lieu thereof the words "any branch of drugless practice".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-TWO.

On page 21, line 4, after the words "drugless physician" insert the words "or drugless practitioner".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-THREE.

On page 21, line 14, beginning with the word "less", strike out the remainder of the line and the word "nor", in line 15.

Amendment adopted.

AMENDMENT NUMBER SEVENTY-FOUR.

On page 21, line 16, strike out the words "less than sixty days nor".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-FIVE.

On page 21, line 31, strike out the words "less than ten (10) days nor".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-SIX.

On page 21, line 32, strike out the words "less than one hundred dollars ($100) nor".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-SEVEN.

On page 21, line 37, strike out the words "any system" and all of line 38, down to and including the word "afflicted", and insert in lieu thereof the word "hereunder".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-EIGHT.

On page 22, line 9, strike out all of line 9 and the words "sick or afflicted", in line 10, and insert in lieu thereof the following: "practice under the provisions of this act".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-NINE.

On page 22, line 13, strike out all of lines 13, 14 and the words "sick or afflicted", in line 15, and insert in lieu thereof the following: "or attempt to practice as provided for under this act".

Amendment adopted.

AMENDMENT NUMBER EIGHTY.

On page 22, line 19, strike out the words "administer such treatment" and insert in lieu thereof the words "so practice".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-ONE.

On page 22, line 25, strike out the words "the treatment", and in line 26 the words "of the sick or afflicted", and insert in lieu thereof the following: "drugless practice as provided for herein".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-TWO.

On page 22, line 29, strike out all of said line and the word "afflicted," in line 30, and insert in lieu thereof "employed by him in such practice".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-THREE.

On page 22, line 38, strike out the words "drugless system" and insert in lieu thereof the word "branch".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-FOUR.

On page 23, line 1, strike out all of said line down to and including the word "afflicted", and insert in lieu thereof "of drugless practice".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-FIVE.

On page 23, line 12, beginning with the words "of any system", strike out all of line 12 and the words "or afflicted", in line 13, and insert in lieu thereof "of any branch of drugless practice".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-SIX.

On page 23, line 22, strike out the words "less than one hundred dollars ($100) nor".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-SEVEN.

On page 23, line 24, strike out the words "less than sixty (60) nor".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-EIGHT.

On page 23, line 32, strike out all of lines 32, 33, 34, 35, 36 and 37.

Amendment adopted.

AMENDMENT NUMBER EIGHTY-NINE.

On page 24, line 3, strike out all of lines 3, 4, 5, 6, 7, 8, and 9, and insert in lieu thereof, the following: "any 'drugless practitioner certificate' or any certificate, license, or authorization authorizing the holder thereof to practice any branch of drugless practice as specified and set forth in this act, or do any act relating to the authorization or regulation of drugless practice in this state and from such time all power and authority over drugless practice in".

Amendment adopted.

AMENDMENT NUMBER NINETY.

On page 24, line 15, beginning with the word "nor", strike out all the remainder of line 15, and all of lines 16, 17 and 18, and all of line 19, down to and including the word "dentistry".

Amendment adopted.

AMENDMENT NUMBER NINETY-ONE.

On page 24, line 22, beginning with the word "if", strike out all of lines 22, 23, and down to and including the word "resides", in line 24.

Amendment adopted.

AMENDMENT NUMBER NINETY-TWO.

On page 24, line 27, beginning with the words "to apply", strike out all of lines 27, 28 and 29, down to and including the word "nor", in line 30.

Amendment adopted.

AMENDMENT NUMBER NINETY-THREE.

On page 24, line 33, strike out the words "message or of".

Amendment adopted.

AMENDMENT NUMBER NINETY-FOUR.

On page 24, line 34, strike out the words "or of any medicinal preparation".

Amendment adopted.

AMENDMENTS FROM THE FLOOR.

During second reading of bill, the following amendments were offered and their adoption moved by Senator Scott:

AMENDMENT NUMBER ONE.

On page 2, line 23, strike out the word "by" and insert in lieu thereof the word "to".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 4, line 36, strike out the word "seven" and insert in lieu thereof the word "four".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 6, line 8, strike out all of lines 8 and 9 and insert in lieu thereof the following: "the purposes hereinafter authorized, the said fund shall be deemed to".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 8, line 35, after the period after the word "instruction" insert the following: "Every applicant shall make affidavit stating that each and every statement made in, and all entries made upon the application presented by him to said board, are correct and true."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 10, between lines 16 and 17 insert the following: "8. Theory, practice and technic."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 10, line 32, after the word "proof" insert the word "satisfactory".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 10, line 36, after the comma after the word "thereof" insert the following: "and that said license was issued upon the proof of competency or other qualification in a practice as regulated under this act,".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 11, line 33, after the word "person" insert the following: "who is a citizen of the State of California and".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 20, strike out all of lines 9 and 10 and insert in lieu thereof the following: "provisions of this act, must have it".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 20, line 32, strike out the word "or" before the word "who" and insert in lieu thereof the following: "as authorized and regulated under the provisions of this act, and".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 21, line 5, strike out the word "doctor" and insert in lieu thereof the word "practitioner".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 971—An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1085—An act to amend the Penal Code of the State of California by adding thereto a new section to be numbered 506*a*, relating to and defining who is guilty of embezzlement.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 3, after the word "who" insert a comma; also after the word "collector" insert a comma.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 4, strike out the word "and" and insert in lieu thereof the word "or".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 5, after the word "person" insert a comma.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 12, after the word "shall" insert the word "also".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 13, after the word "collects" insert a comma.

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 1, line 15, after the word "property" strike out the words "or not" and insert in lieu thereof the following: "or money, or otherwise" comma.

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 1, line 16, after the word "indirect" insert a comma.

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 1, line 17, after the word "money" insert a comma.

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 1, line 18, after the word "use" insert a comma and the following: "or the use of any person other than the true owner, or person entitled thereto" comma; also after the word "property" insert the words "or money" comma.

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 1, line 19, after the word "thereof" insert a comma; also after the word "own" strike out the period and insert in lieu thereof a comma, and add the following: "with a fraudulent intent to appropriate it to any use or purpose not in the due and lawful execution of his trust."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 142—An act to amend an act entitled "The Code of Civil Procedure of California," by adding thereto four new sections, to be numbered 204*a*, 204*b*, 204*c* and 204*d*, relating to jury commissioners, their duties, appointment and compensation.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 4 of the title, after the comma following the words "two hundred four *c*," strike out the word "and"; also, after the words "two hundred four *d*," add "and two hundred four *e*,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 10, after the comma following the word "jurors," insert the following: "and whenever in their opinion the business of the court requires it,".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 10, after the word "may" insert a comma and the following: "in their discretion,".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, after line 9, add a new section as follows:

204*c*. In any county or city and county where there is a secretary of the superior judges of such county or city and county, a majority of the superior judges may in their discretion require such secretary to perform the duties of jury commissioner in addition to his regular duties as secretary. In such case the salary of the secretary of the superior judges shall be three hundred and fifty dollars a month

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 787—An act to amend the act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 15, 1915, by adding a new section thereto to be numbered section 19*x*, relating to probation officers and assistant probation officers in counties of the forty-sixth class and the salaries of such officers.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 457—An act to regulate the construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings, and the maintenance, use and occupancy of the premises and land on which dwellings are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 10, strike out the word "law" and insert in lieu thereof the word "act".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 30 of the printed bill, strike out the words "yards or courts".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, line 30 of the printed bill, insert the words "incorporated town" between the words "any" and "incorporated", and in line 31 of the printed bill, strike out the words "incorporated town" after the word "county".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4, line 35 of the printed bill, insert the word "towns," between the words "such" and "cities" and in line 36 of the printed bill, strike out the word "towns".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 5, lines 34 and 35 of the printed bill, strike out the words "fire commissioner,"".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 6, line 23 of the printed bill, strike out the quotation marks before the word "front" and after the word "lot".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 6, line 25 of the printed bill, strike out the quotation marks before the word "front" and after the word "lot".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 6, line 32 of the printed bill, strike out the words "Type 1." and insert in lieu thereof the letter "(a)", and in line 34 of the printed bill, strike out the period after the word "rooms" and insert in lieu thereof a comma and insert the word "or" after the word "rooms" with a comma thereafter.

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 6, line 35 of the printed bill, strike out the words "Type 2." and insert in lieu thereof the letter "(b)"; in line 37 of the printed bill, strike out the period after the word "apartments" and insert in lieu thereof a comma and insert the word "or" after the word "apartments" with a comma thereafter.

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 7, line 1 of the printed bill, strike out the words "Type 3." and insert in lieu thereof the letter "(c)".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 7, line 2, after the word "story" insert the following: "and not more than two stories".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 7, line 4 of the printed bill, insert a parenthesis after the word "families" and, in line 5 of the printed bill, strike out the comma after the word "apartments" and insert in lieu thereof a parenthesis.

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 7, line 6 of the printed bill, strike out the words "the others" and insert in lieu thereof the words "each other".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 7, line 11 of the printed bill, insert the words "the street or from" between the words "from" and "an".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 7, strike out lines 15, 16 and 17.

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 7, line 25 of the printed bill, strike out the words "living together", placing a period after the word "guests".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 7, strike out all of lines 35 and 36.

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 8, line 21, of the printed bill, strike out the quotation marks before the word "front" in both instances and after the word "lot" in both instances.

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 8, line 29, of the printed bill, strike out the word "or", place a comma after the word "altered", and insert the words "or occupied" after the word "converted".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 9, line 5, of the printed bill, strike out the word "properly" and in line 6 of the printed bill, strike out the words "to the satisfaction of the department charged with the enforcement of this act", placing a period after the word "ventilated".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 10, between lines 3 and 4, of the printed bill, insert as a second paragraph to section 14 the sentence "A cornice may extend into the unoccupied area two inches for each one foot in width of such unoccupied area".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 10, line 12, of the printed bill, insert the words "a street or onto" between the words "onto" and "unoccupied".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 10, line 14, of the printed bill, insert the words "measured at right angles to the windows" before the word "and".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 10, line 15, of the printed bill, insert the words "street or" between the words "the" and "unoccupied".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 11, line 11, of the printed bill, strike out the word "slop-hoppers" and insert in lieu thereof the word "slop-sinks".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 11, line 26, of the printed bill, insert the words "over the same" after the word "shelter" and in line 27 of the printed bill strike out the words "over the same", placing a period after the word "elements".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 11, line 31, of the printed bill, strike out the word "more" and insert in lieu thereof the word "nearer".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 12, line 14, of the printed bill, strike out the word "sink" and insert in lieu thereof the word "slop-sink" and strike out the words "toilet room,".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 12, line 20, of the printed bill, strike out the word "sink" and insert in lieu thereof the word "slop-sink".

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 13, lines 14, 15 and 16, of the printed bill, strike out the words "and every compartment or room containing any such plumbing fixture shall also be kept clean, sanitary and well painted", placing a period after the word "order", in lieu of the semicolon.

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 13, line 34, of the printed bill, strike out the word "sink" and insert in lieu thereof the word "slop-sink".

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 13, line 36, of the printed bill, strike out the words "yards, courts".

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 14, line 1, strike out the word "dirt" and insert in lieu thereof the word "debris".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 800—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled 'An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities and cities and counties, and to

provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," and approved June 13, 1913, Statutes of California, page 737, approved May 29, 1915.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 15, of the printed bill, strike out the word "law" and insert in lieu thereof the word "act".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 26, after the quotation after the word "department" insert the following: "or if there is no housing department the health department".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 36, after the word "department" insert "or health department".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4, line 7, after the word "erect" insert a comma.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 7, line 14, after the word "filed" strike out the semicolon.

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 7, line 16, strike out the words "and for" and insert in lieu thereof the word "upon": also after the comma after the word "issued" insert the following: "with the approval of the department with which they are filed, stamped or written thereon".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 7, line 25, strike out the word "of" and insert in lieu thereof the word "or".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 8, line 3, strike out the words "Certificates required."

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 8, line 20, strike out the word "since".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 10, line 11, at the end of line insert the words "health department".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 11, line 15, after the word "side" insert "or end".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 11, line 30, insert a comma after the word "department" and before the word "or" also the words "the health department".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 12, line 12, strike out the comma after the word "board".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 12, line 13, insert a comma after the word "board".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 12, line 25, after the word "houses" insert a comma, also the word "hotels".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 12, lines 29, 30 and 31, strike out "regulating the maintenance and occupancy of buildings or structures and of the health and sanitary requirements," and insert in lieu thereof the following: "relating to the protection of the public health."

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 14, line 10, strike out the comma after the word "story".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 14, line 20, strike out the word "built" and insert in lieu thereof the word "constructed".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 14, line 32, after the word "rooms" insert "and hallways".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 14, line 37, after the word "having" insert "a".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 15, line 3, strike out the words "shall be deemed to be" and insert in lieu thereof "is".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 15, line 19, strike out the word "be" and insert in lieu thereof "is".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 15, line 23, following the quotation after the word "house" insert a period, then strike out the words "as defined in", also in line 24 strike out "this act."

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 16, strike out all of lines 19 to and including 37; also on page 17, strike out beginning with line 1 to and including line 18.

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 17, line 19, strike out the number "13" and insert in lieu thereof the number "12".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 18, line 7, strike out the word "wooden" and insert in lieu thereof the words "semi-fireproof".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 18, line 23, strike out the number "14" and insert in lieu thereof the number "13".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 18, line 32, strike out the word "rear"; and in the same line after the word "the" and before the word "yard" insert the word "rear".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 19, line 6, strike out the word "rear" and in line 7, same page, after the word "the" and before the word "yard" insert the word "rear".

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 19, line 10, strike out the number "15" and insert in lieu thereof the number "14".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 19, line 13, strike out the number "16" and insert in lieu thereof the number "15".

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 19, line 19, after the word "absolute" insert the word "lawful"; also after the word "control" insert the following: "and in the lawful possession".

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 19, line 20, strike out the word "building".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 19, lines 24, 25 and 26, strike out the following: "or twelve feet, if either building exceeds the height of two stories, but not the height of three stories,".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 19, line 28, strike out the word "two" and insert in lieu thereof the word "one".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 19, line 29, strike out the number "17" and insert in lieu thereof the number "16".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 19, line 32, strike out the number "18" and insert in lieu thereof the number "17".

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

On page 20, line 1, strike out the letter "s" in the word "yards".

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

On page 20, line 21, strike out the number "19" and insert in lieu thereof the number "18".

Amendment adopted.

AMENDMENT NUMBER FORTY.

On page 21, line 6, strike out the number "20" and insert in lieu thereof the number "19".

Amendment adopted.

AMENDMENT NUMBER FORTY-ONE.

On page 21, line 18, strike out the number "21" and insert in lieu thereof the number "20".

Amendment adopted.

AMENDMENT NUMBER FORTY-TWO.

On page 21, line 23, strike out the number "22" and insert in lieu thereof the number "21".

Amendment adopted.

AMENDMENT NUMBER FORTY-THREE.

On page 22, line 1, strike out the number "23" and insert in lieu thereof the number "22".

Amendment adopted.

AMENDMENT NUMBER FORTY-FOUR.

On page 22, line 6, before the figure "2" and the word "stories" insert the figure "1" and the word "or".

Amendment adopted.

AMENDMENT NUMBER FORTY-FIVE.

On page 22, line 19, strike out the word "computed" and insert in lieu thereof the words "considered a part of the lot".

Amendment adopted.

AMENDMENT NUMBER FORTY-SIX.

On page 22, line 21, strike out the number "24" and insert in lieu thereof the number "23".

Amendment adopted.

AMENDMENT NUMBER FORTY-SEVEN.

On page 22, line 26, before the figure "2" and the word "stories" insert "1 or".

Amendment adopted.

AMENDMENT NUMBER FORTY-EIGHT.

On page 23, line 7, before the figure "2" and the word "stories" insert "1 or".

Amendment adopted.

AMENDMENT NUMBER FORTY-NINE.

On page 23, line 17, strike out the number "25" and insert in lieu thereof the number "24".

Amendment adopted.

AMENDMENT NUMBER FIFTY.

On page 23, line 24, strike out the number "26" and insert in lieu thereof the number "25".

Amendment adopted.

AMENDMENT NUMBER FIFTY-ONE.

On page 24, line 7, after the word "with" insert the words "at least".

Amendment adopted.

AMENDMENT NUMBER FIFTY-TWO.

On page 24, line 14, after the word "with" insert the words "at least".

Amendment adopted.

AMENDMENT NUMBER FIFTY-THREE.

On page 24, line 21, strike out the number "27" and insert in lieu thereof the number "26".

Amendment adopted.

AMENDMENT NUMBER FIFTY-FOUR.

On page 24, line 30, strike out the number "28" and insert in lieu thereof the number "27".

Amendment adopted.

AMENDMENT NUMBER FIFTY-FIVE.

On page 25, line 5, strike out the number "29" and insert in lieu thereof the number "28".

Amendment adopted.

AMENDMENT NUMBER FIFTY-SIX.

On page 26, line 13, strike out the word "concrete" and insert in lieu thereof the word "masonry".

Amendment adopted.

AMENDMENT NUMBER FIFTY-SEVEN.

On page 26, line 16, strike out the number "30" and insert in lieu thereof the number "29".

Amendment adopted.

AMENDMENT NUMBER FIFTY-EIGHT.

On page 26, line 36, strike out the word "clear" and after the word "in" insert the word "clear".

Amendment adopted.

AMENDMENT NUMBER FIFTY-NINE.

On page 27, line 5, after the word "area" strike out the comma and insert in lieu thereof a parenthesis; also in line 8, same page, after the word "room" strike out the comma and insert in lieu thereof a parenthesis.

Amendment adopted.

AMENDMENT NUMBER SIXTY.

On page 27, line 18, strike out the word "thirty-four" and insert in lieu thereof the word "thirty-three".

Amendment adopted.

AMENDMENT NUMBER SIXTY-ONE.

On page 27, line 19, strike out the number "31" and insert in lieu thereof the number "30".

Amendment adopted.

AMENDMENT NUMBER SIXTY-TWO.

On page 27, line 21, before the word "except" insert a parenthesis, and in line 22, same page, strike out the comma after the word "cellar" and insert in lieu thereof a parenthesis.

Amendment adopted.

AMENDMENT NUMBER SIXTY-THREE.

On page 27, line 23, after the comma after the word "street" insert the words "or upon a".

Amendment adopted.

AMENDMENT NUMBER SIXTY-FOUR.

On page 27, line 33, strike out the word "sixty-two" and insert in lieu thereof the word "sixty-one".

Amendment adopted.

AMENDMENT NUMBER SIXTY-FIVE.

On page 27, line 37, after the word "depth" insert the following: "measured at right angles to the windows".

Amendment adopted.

AMENDMENT NUMBER SIXTY-SIX.

On page 28, line 4, strike out the number "32" and insert in lieu thereof the number "31".

Amendment adopted.

AMENDMENT NUMBER SIXTY-SEVEN.

On page 28, line 13, strike out the number "33" and insert in lieu thereof the number "32".

Amendment adopted.

AMENDMENT NUMBER SIXTY-EIGHT.

On page 28, line 24, strike out the number "34" and insert in lieu thereof the number "33".

Amendment adopted.

AMENDMENT NUMBER SIXTY-NINE.

On page 28, line 25, strike out the syllable "enter-" and in line 26, strike out "tainment, amusement" and insert in lieu thereof the words "amusement, entertainment"; and in the same line after the comma after the word "room" and before the word "which" insert the following: "or any room used for similar purposes,".

Amendment adopted.

AMENDMENT NUMBER SEVENTY.

On page 29, line 12, strike out the words "Failure, neglect or refusal by", also in the same line strike out the small letter "a" in the word "any" and insert in lieu thereof a capital "A".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-ONE.

On page 29, line 14, after the comma after the word "required" insert the following: "who fails, neglects or refuses".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-TWO.

On page 29, line 19, strike out the words "entertainment, amusement" and insert in lieu thereof the words "amusement, entertainment", also in the same line after the word "room" insert the following: ", or any room used for similar purposes,".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-THREE.

On page 29, line 25, strike out the number "35" and insert in lieu thereof the number "34".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-FOUR.

On page 30, line 5, strike out the word "open" and insert in lieu thereof the word "opened".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-FIVE.

On page 30, line 12, strike out the comma after the word "feet" and insert in lieu thereof a parenthesis; also in same line strike out the comma after the word "line" and insert in lieu thereof a parenthesis.

Amendment adopted.

AMENDMENT NUMBER SEVENTY-SIX.

On page 30, line 23, strike out the number "36" and insert in lieu thereof the number "35".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-SEVEN.

On page 31, line 2, after the word "from" insert the words "at least", also insert a comma after the word "story" in the same line; also in line 3 strike out the word "only" and the comma thereafter.

Amendment adopted.

AMENDMENT NUMBER SEVENTY-EIGHT.

On page 31, line 7, strike out the word "thirty-five" and insert in lieu thereof the word "thirty-four".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-NINE.

On page 31, line 18, strike out the number "37" and insert in lieu thereof the number "36".

Amendment adopted.

AMENDMENT NUMBER EIGHTY.

On page 31, line 25, strike out the number "38" and insert in lieu thereof the number "37".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-ONE.

On page 32, line 7, strike out the number "39" and insert in lieu thereof the number "38".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-TWO.

On page 32, line 25, strike out the word "such".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-THREE.

On page 33, line 9, strike out the number "40" and insert in lieu thereof the number "39".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-FOUR.

On page 33, line 24, strike out the number "41" and insert in lieu thereof the number "40".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-FIVE.

On page 34, line 3, strike out the number "42" and insert in lieu thereof the number "41".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-SIX.

On page 34, in line 17, strike out the words "or some other means of sewage", also all of line 18 to and including the word "act" and the semicolon in line 19.

Amendment adopted.

AMENDMENT NUMBER EIGHTY-SEVEN.

On page 34, line 23, strike out the number "43" and insert in lieu thereof the number "42".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-EIGHT.

On page 34, line 29, strike out the number "44" and insert in lieu thereof the number "43"; also in same line strike out "slop-hop" and the syllable "pers" in line 30 and insert in lieu thereof the word "slop-sinks".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-NINE.

On page 35, line 12, after the word "shelter" insert the words "over the same"; and in line 13, same page, insert a period after the word "elements", then strike out the words "over the same", also the comma; and before the word "openings" strike out the small letter "t" in the word "the" and insert in lieu thereof a capital "T".

Amendment adopted.

AMENDMENT NUMBER NINETY.

On page 35, line 22, strike out the number "45" and insert in lieu thereof the number "44".

Amendment adopted.

AMENDMENT NUMBER NINETY-ONE.

On page 35, line 30, strike out the word "slop-hopper" and insert in lieu thereof the word "slop-sink"; also in line 32, same page, strike out the word "slop-hopper" and insert in lieu thereof the word "slop-sink".

Amendment adopted.

AMENDMENT NUMBER NINETY-TWO.

On page 36, line 17, strike out the number "46" and insert in lieu thereof the number "45".

Amendment adopted.

AMENDMENT NUMBER NINETY-THREE.

On page 36, line 27, strike out the number "47" and insert in lieu thereof the number "46".

Amendment adopted.

AMENDMENT NUMBER NINETY-FOUR.

On page 37, line 6, after the word "first" insert the word "floor".

Amendment adopted.

AMENDMENT NUMBER NINETY-FIVE.

On page 37, line 10, strike out the number "48" and insert in lieu thereof the number "47".

Amendment adopted.

AMENDMENT NUMBER NINETY-SIX.

On page 37, line 18, strike out the number "49" and insert in lieu thereof the number "48".

Amendment adopted.

AMENDMENT NUMBER NINETY-SEVEN.

On page 37, line 33, after the word "room" insert a comma and the following: "the walls and ceiling of which are"; and after the word "constructed" strike out balance of line to and including the word "materials." in line 34, and insert in lieu thereof the following: "as required for a boiler room by section sixty-three of this act.".

Amendment adopted.

AMENDMENT NUMBER NINETY-EIGHT.

On page 38, line 1, strike out the number "50" and insert in lieu thereof the number "49".

Amendment adopted.

AMENDMENT NUMBER NINETY-NINE.

On page 38, line 22, after the word "of" and before the word "stairways" insert the word "wooden"; also on same page, in line 23, after the word "stairways" insert a comma and the following: "except outside stairway,"; also in the same line strike out the comma after the word "and", then strike out balance of line to and including the word "in" in line 24.

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED.

On page 38, line 32, strike out the number "51" and insert in lieu thereof the number "50".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED ONE.

On page 39, line 6, strike out the number "52" and insert in lieu thereof the number "51".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWO.

On page 40, line 3, strike out the number "53" and insert in lieu thereof the number "52".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THREE.

On page 40, line 6, strike out the number "54" and insert in lieu thereof the number "53".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FOUR.

On page 40, line 7, after the comma after the word "height" insert the following: "which contains more than three apartments,".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIVE.

On page 43, line 24, strike out the number "55" and insert in lieu thereof the number "54".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SIX.

On page 43, line 31, strike out the number "56" and insert in lieu thereof the number "55".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SEVEN.

On page 44, line 8, strike out the number "57" and insert in lieu thereof the number "56".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED EIGHT.

On page 44, line 15, strike out the number "58" and insert in lieu thereof the number "57".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED NINE.

On page 44, line 36, strike out the word "given" and insert in lieu thereof the word "giving".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TEN.

On page 45, line 11, strike out the number "59" and insert in lieu thereof the number "58".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED ELEVEN.

On page 45, line 16, strike out the number "60" and insert in lieu thereof the number "59".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWELVE.

On page 45, line 20, strike out the word "on" and insert the word "or".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTEEN.

On page 46, line 4, strike out the number "61" and insert in lieu thereof the number "60".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FOURTEEN.

On page 46, line 34, strike out the number "62" and insert in lieu thereof the number "61".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIFTEEN.

On page 47, line 1, after the word "thereof" strike out the comma and insert in lieu thereof a parenthesis, also in same line after the word "side" strike out the comma and insert in lieu thereof a parenthesis, also in line 2, same page, strike out the letter "s" in the word "laths".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SIXTEEN.

On page 47, line 33, strike out the number "63" and insert in lieu thereof the number "62".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SEVENTEEN.

On page 48, line 12, strike out the number "64" and insert in lieu thereof the number "63".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED EIGHTEEN.

On page 49, line 16, strike out the number "65" and insert in lieu thereof the number "64".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED NINETEEN.

On page 49, line 35, strike out the figures "64" and insert in lieu thereof the figures "63".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY.

On page 50, line 1, strike out the number "66" and insert in lieu thereof the number "65".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY-ONE.

On page 50, line 5, strike out the number "67" and insert in lieu thereof the number "66".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY-TWO.

On page 50, line 27, strike out the number "68" and insert in lieu thereof the number "67".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY-THREE.

On page 50, line 29, strike out the word "sink" and insert in lieu thereof the word "slop-sink".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY-FOUR.

On page 51, line 3, strike out the word "sink" and insert in lieu thereof the word "slop-sink".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY-FIVE.

On page 51, line 24, strike out the number "69" and insert in lieu thereof the number "68".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY-SIX.

On page 51, line 28, strike out the word "bath".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY-SEVEN.

On page 52, line 1, strike out the number "70" and insert in lieu thereof the number "69".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY-EIGHT.

On page 52, line 13, strike out the number "71" and insert in lieu thereof the number "70".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY-NINE.

On page 52, line 19, strike out the number "72" and insert in lieu thereof the number "71".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY.

On page 52, line 32, strike out the number "73" and insert in lieu thereof the number "72".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY-ONE.

On page 53, line 1, strike out the number "74" and insert in lieu thereof the number "73".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY-TWO.

On page 53, line 9, strike out the number "75" and insert in lieu thereof the number "74".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY-THREE.

On page 53, line 12, strike out the word "sink" and insert in lieu thereof the word "slop-sink".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY-FOUR.

On page 53, line 16, strike out the word "dirt" and insert in lieu thereof the word "debris".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY-FIVE.

On page 53, line 29, strike out the number "76" and insert in lieu thereof the number "75".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY-SIX.

On page 53, line 34, strike out the number "77" and insert in lieu thereof the number "76".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY-SEVEN.

On page 54, line 8, strike out the number "78" and insert in lieu thereof the number "77".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY-EIGHT.

On page 54, line 28, strike out the number "79" and insert in lieu thereof the number "78".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY-NINE.

On page 54, line 33, strike out the number "80" and insert in lieu thereof the number "79".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY.

On page 55, line 28, strike out the number "81" and insert in lieu thereof the number "80".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY-ONE.

On page 56, line 4, strike out the number "82" and insert in lieu thereof the number "81".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY-TWO.

On page 56, line 25, strike out the number "83" and insert in lieu thereof the number "82".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY-THREE.

On page 57, line 13, strike out the number "84" and insert in lieu thereof the number "83".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY-FOUR.

On page 57, line 22, strike out the number "85" and insert in lieu thereof the number "84".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY-FIVE.

On page 57, line 23, after the word "sections" insert the words "eighty-two and"; and in the same line strike out the words "and eighty-four" and insert in lieu thereof the word "hereof".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY-SIX.

On page 57, line 28, strike out the number "86" and insert in lieu thereof the number "85".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY-SEVEN.

On page 57, line 31, strike out the number "87" and insert in lieu thereof the number "86".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY-EIGHT.

On page 58, line 1, strike out the number "88" and insert in lieu thereof the number "87".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY-NINE.

On page 58, line 20, strike out the words "ordinance or" and after the word "law" insert the words "or ordinance".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIFTY.

On page 59, line 3, strike out the number "89" and insert in lieu thereof the number "88".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIFTY-ONE.

On page 59, line 11, strike out the number "90" and insert in lieu thereof the number "89".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 433—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved June 16, 1913, Statutes of California of 1913, page 1429.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 1, after the word "the" insert the word "erection".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 5, strike out the word "Scope."; also in same line strike out the word "law" and insert in lieu thereof the words "and lodging house act".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 9, strike out "Enforcement."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 16, after the quotation mark after the word "department" insert the following: "and if there is no housing department the health department".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 25, after the word "department" insert the words "or health department".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 28, strike out "Unlawful to violate."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 4, line 9, strike out "Unlawful to alter or change contrary to law."

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 4, line 22, strike out "Buildings converted, moved, or altered."

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 4, line 37, strike out "General penalty."

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 5, line 18, strike out "Permit to build, alter or move required."

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 6, line 36, strike out the words "and for" and insert in lieu thereof the word "upon"; and in the same line after the comma after the word "issued" insert the following: "with the approval of the department with which they are filed, stamped or written thereon".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 7, line 22, strike out "Certificates required."

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 8, line 2, strike out the word "since".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 8, line 32, insert the letter "a" after the word "deemed" and before the word "nuisance".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 8, line 37, strike out "Entry, inspection."

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 9, line 20, strike out "Definitions."

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 9, line 29, after the quotation mark after the word "department" insert the following: "health department,".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 10, line 29, after the word "side" insert the words "or end".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 11, line 6, strike out "Department."

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 11, line 8, insert a comma after the syllable "ment"; also the words "the health department".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 11, line 13, after the word "separate" insert the word "guest".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 11, line 29, strike out the comma after the word "board".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 12, strike out all of lines 28 and 29, inclusive, and insert in lieu thereof the following: "relating to the protection of the public health."

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 13, line 35, strike out the word "built" and insert in lieu thereof the word "constructed".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 14, line 10, after the word "rooms" insert the words "and hallways".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 15, line 9, strike out "Rear hotel restricted."

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 15, strike out all of lines beginning with line 17 down to and including line 37; also on page 16, strike out all of lines beginning with 1 down to and including 17.

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 16, line 18, strike out the number "13" and insert in lieu thereof the number "12"; also in line 18 strike out "Height of building."

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 17, line 21, strike out the number "14" and insert in lieu thereof the number "13"; also in same line strike out "Yards, courts, two buildings."

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 17, line 27, after the word "absolute" insert the word "lawful"; also in same line after the word "control" insert the words "and in the lawful possession".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 17, strike out balance of line 32 beginning with the word "or"; also all of line 33, to and including the word "stories" and the comma in line 34.

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 17, line 35, strike out the word "two" and insert in lieu thereof the word "one".

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 17, line 37, strike out the number "15" and insert in lieu thereof the number "14"; also in same line strike out "Rear yard measurement."

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 18, line 3, strike out the number "16" and insert in lieu thereof the number "15"; also in same line strike out "Rear yard, size of."

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 18, line 14, strike out the number "17" and insert in lieu thereof the number "16"; also in same line strike out "Rear yard access."

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 18, line 26, strike out the number "18" and insert in lieu thereof the number "17"; also in same line strike out "Excavated front yard."

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 18, line 31, strike out the number "19" and insert in lieu thereof the number "18"; also in same line strike out "Side yard."

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

On page 19, line 3, strike out the number "20" and insert in lieu thereof the number "19"; also in same line strike out "Outer court sizes."

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

On page 19, line 23, strike out the word "computed" and insert in lieu thereof the words "considered a part of the lot".

Amendment adopted.

AMENDMENT NUMBER FORTY.

On page 19, line 25, strike out the number "21" and insert in lieu thereof the number "20"; also in same line strike out "Inner court sizes."

Amendment adopted.

AMENDMENT NUMBER FORTY-ONE.

On page 20, line 17, strike out the number "22" and insert in lieu thereof the number "21"; also in same line strike out "Recesses from a court, yard or street."

Amendment adopted.

AMENDMENT NUMBER FORTY-TWO.

On page 20, line 25, strike out the number "23" and insert in lieu thereof the number "22"; also in same line strike out "Air intakes to inner courts."

Amendment adopted.

AMENDMENT NUMBER FORTY-THREE.

On page 21, line 9, after the word "with" insert the words "at least".

Amendment adopted.

AMENDMENT NUMBER FORTY-FOUR.

On page 21, line 16, after the word "with" insert the words "at least".

Amendment adopted.

AMENDMENT NUMBER FORTY-FIVE.

On page 21, line 23, strike out the number "24" and insert in lieu thereof the number "23"; also in same line strike out "Cellar living prohibited."

Amendment adopted.

AMENDMENT NUMBER FORTY-SIX.

On page 21, line 32, strike out the number "25" and insert in lieu thereof the number "24"; also in same line strike out "Basement living rooms."

Amendment adopted.

AMENDMENT NUMBER FORTY-SEVEN.

On page 22, line 7, strike out the number "26" and insert in lieu thereof the number "25"; also in same line strike out "Lowest floor ventilation and rat proofing."

Amendment adopted.

AMENDMENT NUMBER FORTY-EIGHT.

On page 22, line 9, strike out the word "and" after the word "soil".

Amendment adopted.

AMENDMENT NUMBER FORTY-NINE.

On page 22, line 18, after the word "inches" strike out the comma and insert in lieu thereof a parenthesis; also in line 19, after the word "soil" strike out the comma and insert in lieu thereof a parenthesis.

Amendment adopted.

AMENDMENT NUMBER FIFTY.

On page 23, line 16, strike out the word "concrete" and insert in lieu thereof the word "masonry".

Amendment adopted.

AMENDMENT NUMBER FIFTY-ONE.

On page 23, line 19, strike out the number "27" and insert in lieu thereof the number "26"; also in same line strike out "Rooms, size of."

Amendment adopted.

AMENDMENT NUMBER FIFTY-TWO.

On page 23, line 28, after the word "in" insert the word "clear" and after the word "width" insert a comma, and after the word "such" insert the words "water closet" and after the word "compartment" insert a comma.

Amendment adopted.

AMENDMENT NUMBER FIFTY-THREE.

On page 23, line 35, strike out the comma after the word "area" and insert in lieu thereof a parenthesis; also on page 24, line 1, strike out the comma after the word "room" and insert a parenthesis.

Amendment adopted.

AMENDMENT NUMBER FIFTY-FOUR.

On page 24, line 10, strike out the word "one".

Amendment adopted.

AMENDMENT NUMBER FIFTY-FIVE.

On page 24, line 15, strike out the number "28" and insert in lieu thereof the number "27"; also in same line strike out "Windows required".

Amendment adopted.

AMENDMENT NUMBER FIFTY-SIX.

On page 24, line 22, after the comma after the word "street" insert the words "or upon a".

Amendment adopted.

AMENDMENT NUMBER FIFTY-SEVEN.

On page 24, line 34, strike out the word "fifty-eight" and insert in lieu thereof the word "fifty-seven".

Amendment adopted.

AMENDMENT NUMBER FIFTY-EIGHT.

On page 25, line 1, strike out the word "sixty-two" and insert in lieu thereof the word "sixty-one".

Amendment adopted.

AMENDMENT NUMBER FIFTY-NINE.

On page 25, line 6, after the comma after the word "depth" insert the words "measured at right angles to the windows".

Amendment adopted.

AMENDMENT NUMBER SIXTY.

On page 25, line 16, strike out the word "sixty-two" and insert in lieu thereof the word "sixty-one".

Amendment adopted.

AMENDMENT NUMBER SIXTY-ONE.

On page 25, line 17, strike out the number "29" and insert in lieu thereof the number "28"; also in same line strike out "Windows, size of in rooms."

Amendment adopted.

AMENDMENT NUMBER SIXTY-TWO.

On page 25, line 31, strike out the number "30" and insert in lieu thereof the number "29"; then strike out balance of line, also the word "rooms" and the period thereafter in line 32.

Amendment adopted.

AMENDMENT NUMBER SIXTY-THREE.

On page 26, line 6, strike out the number "31" and insert in lieu thereof the number "30"; then strike out balance of line, also the word "rooms" and the period thereafter in line 7.

Amendment adopted.

AMENDMENT NUMBER SIXTY-FOUR.

On page 26, line 23, strike out the number "32" and insert in lieu thereof the number "31"; also in same line strike out "Windows, skylights, public hallways."

Amendment adopted.

AMENDMENT NUMBER SIXTY-FIVE.

On page 27, line 23, strike out the number "33" and insert in lieu thereof the number "32"; also in same line strike out "Skylights over stairways, stair wells."

Amendment adopted.

AMENDMENT NUMBER SIXTY-SIX.

On page 27, line 35, after the word "openings" and before the word "shall" insert a comma.

Amendment adopted.

AMENDMENT NUMBER SIXTY-SEVEN.

On page 28, line 3, after the word "from" insert the words "at least", and in same line after the word "story" insert a comma, and in same line strike out the word "only" and the comma thereafter.

Amendment adopted.

AMENDMENT NUMBER SIXTY-EIGHT.

On page 28, line 7, strike out the word "thirty-two" and insert in lieu thereof the word "thirty-one".

Amendment adopted.

AMENDMENT NUMBER SIXTY-NINE.

On page 28, line 18, strike out the number "34" and insert the number "33"; also in same line strike out "Water-closets required."

Amendment adopted.

AMENDMENT NUMBER SEVENTY.

On page 28, line 26, after the word "with" insert the word "private".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-ONE.

On page 29, line 12, strike out the number "35" and insert in lieu thereof the number "34"; also in same line strike out "Water closets required, existing buildings."

Amendment adopted.

AMENDMENT NUMBER SEVENTY-TWO.

On page 30, line 15, strike out the number "36" and insert in lieu thereof the number "35"; also in same line strike out "Bath and other plumbing fixtures."

Amendment adopted.

AMENDMENT NUMBER SEVENTY-THREE.

On page 30, line 29, strike out the number "37" and insert in lieu thereof the number "36"; also in same line strike out "Bath, shower, sink required, existing building."

Amendment adopted.

AMENDMENT NUMBER SEVENTY-FOUR.

On page 31, line 10, strike out the number "38" and insert in lieu thereof the number "37"; also in same line strike out "Water and sewer connections."

Amendment adopted.

AMENDMENT NUMBER SEVENTY-FIVE.

On page 31, line 28, strike out the number "39" and insert in lieu thereof the number "38"; also strike out in same line "Water faucets, existing buildings."

Amendment adopted.

AMENDMENT NUMBER SEVENTY-SIX.

On page 31, line 35, strike out the number "40" and insert in lieu thereof the number "39"; then strike out balance of line beginning with the word "When" to and including the word "installed" and the period thereafter in line 36.

Amendment adopted.

AMENDMENT NUMBER SEVENTY-SEVEN.

On page 32, line 1, strike out the word "slop-hoppers" and insert in lieu thereof the word "slop-sinks".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-EIGHT.

On page 32, line 20, before the word "to" insert the words "over the same"; also insert a period after the word "elements"; then strike out the words "over

the"; also in line 21 strike out the word "same" and the comma thereafter. Also in the same line, before the word "openings" strike out the small "t" in the word "the" and insert in lieu thereof a capital "T".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-NINE.

On page 32, line 30, strike out the number "41" and insert in lieu thereof the number "40"; also in same line strike out "Plumbing connections and sanitation."

Amendment adopted.

AMENDMENT NUMBER EIGHTY.

On page 33, line 1, strike out the word "slop-hopper" and insert in lieu thereof "slop-sink".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-ONE.

On page 33, line 3, strike out the word "slop-hopper" and insert in lieu thereof the word "slop-sink".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-TWO.

On page 33, line 23, strike out the number "42" and insert in lieu thereof the number "41"; also in same line strike out "Two means of egress."

Amendment adopted.

AMENDMENT NUMBER EIGHTY-THREE.

On page 33, line 25, strike out the words "three or more suites or" and insert in lieu thereof the words "more than five".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-FOUR.

On page 33, line 33, strike out the number "43" and insert in lieu thereof the number "42"; also in same line strike out "Stairways required."

Amendment adopted.

AMENDMENT NUMBER EIGHTY-FIVE.

On page 34, line 1, after the word "hotel" insert the following: "two or more stories in height".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-SIX.

On page 34, line 5, after the word "hotel" insert the following: "two or more stories in height".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-SEVEN.

On page 34, line 9, after the word "hotel" insert the following: "two or more stories in height".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-EIGHT.

On page 34, line 16, strike out the number "44" and insert in lieu thereof the number "43"; also in same line strike out the words "Stairways, floor area in relation to."

Amendment adopted.

AMENDMENT NUMBER EIGHTY-NINE.

On page 34, line 24, strike out the number "45" and insert in lieu thereof the number "44"; also in same line strike out "Stairways, location of."

Amendment adopted.

AMENDMENT NUMBER NINETY.

On page 34, line 34, strike out the word "lowest" and insert in lieu thereof the word "entrance".

Amendment adopted.

AMENDMENT NUMBER NINETY-ONE.

On page 35, line 3, after the word "room" insert a comma and the following: "the walls and ceiling of which are"; and in same line strike out the word "entirely"; also the words "of approved incombustible materials" and the period thereafter, in line 4, and insert in lieu thereof the following: "as required for a boiler room by section fifty-nine of this act."

Amendment adopted.

AMENDMENT NUMBER NINETY-TWO.

On page 35, line 7, strike on the number "46" and insert in lieu thereof the number "45"; also in same line strike out "Stairways, general requirements."

Amendment adopted.

AMENDMENT NUMBER NINETY-THREE.

On page 35, line 29, after the word "of" insert the word "wooden".

Amendment adopted.

AMENDMENT NUMBER NINETY-FOUR.

On page 35, line 30, after the word "stairways" insert a comma; also the following: "except outside stairways"; and in same line strike out the comma after the word "semifireproof"; also strike out the words "in all stair"; also in line 31, strike out the following: "ways, except outside stairways, in".

Amendment adopted.

AMENDMENT NUMBER NINETY-FIVE.

On page 36, line 4, strike out the number "47" and insert in lieu thereof the number "46"; also in same line strike out "Closets under stairs."

Amendment adopted.

AMENDMENT NUMBER NINETY-SIX.

On page 36, line 14, strike out the number "48" and insert in lieu thereof the number "47"; also in same line strike out "Stairway roof egress."

Amendment adopted.

AMENDMENT NUMBER NINETY-SEVEN.

On page 37, line 11, strike out the number "49" and insert in lieu thereof the number "48"; also in same line strike out "Public hallway, sizes of."

Amendment adopted.

AMENDMENT NUMBER NINETY-EIGHT.

On page 37, line 15, strike out the number "50" and insert in lieu thereof the number "49"; also in same line strike out "Fire escapes required."

Amendment adopted.

AMENDMENT NUMBER NINETY-NINE.

On page 37, line 17, strike out the words "or lodging house".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED.

On page 40, line 33, strike out the number "51" and insert in lieu thereof the number "50"; also in same line strike out "Fire escape, stairway combined."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED ONE.

On page 41, line 3, strike out the number "52" and insert in lieu thereof the number "51"; also in same line strike out "Fire escapes, location of."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWO.

On page 41, line 18, strike out the number "53" and insert in lieu thereof the number "52"; also in same line strike out "Fire escape, floor area in relation to."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THREE.

On page 41, line 26, strike out the number "54" and insert in lieu thereof the number "53"; also in same line strike out "Fire escapes, general requirements."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FOUR.

On page 42, line 22, strike out the number "55" and insert in lieu thereof the number "54"; also in same line strike out "Fire escapes, maintenance of."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIVE.

On page 42, line 27, strike out the number "56" and insert in lieu thereof the number "55"; also in same line strike out "Exterior standpipes."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SIX.

On page 43, line 13, strike out the number "57" and insert in lieu thereof the number "56"; also in same line strike out "Shafts, elevator, dumbwaiter."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SEVEN.

On page 44, line 7, strike out the number "58" and insert in lieu thereof the number "57"; also in same line strike out "Vent shaft."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED EIGHT.

On page 44, line 11, after the word "thereof" strike out the comma and insert in lieu thereof a parenthesis; also after the word "side" strike out the comma and insert in lieu thereof a parenthesis.

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED NINE.

On page 45, line 6, strike out the number "59" and insert in lieu thereof the number "58"; also in same line strike out "Inner court walls."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TEN.

On page 45, line 22, strike out the number "60" and insert in lieu thereof the number "59"; also in same line strike out "Boiler and furnace rooms."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED ELEVEN.

On page 46, line 24, strike out the number "61" and insert in lieu thereof the number "60"; also in same line strike out "Automobile storage garage room."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWELVE.

On page 47, line 10, strike out the word "sixty" and insert in lieu thereof the word "fifty-nine".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTEEN.

On page 47, line 12, strike out the number "62" and insert in lieu thereof the number "61"; also in same line strike out "Exhaust draft ventilation."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FOURTEEN.

On page 47, line 31, after the colon add the following: "Kitchens; pantries or other rooms used for cooking, storing or preparing of food; barber shops; turkish baths; laundries."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIFTEEN.

On page 47, strike out all of lines 32 to 37, inclusive.

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SIXTEEN.

On page 48, line 2, after the first word "room" insert a comma; after the word "purposes" insert a semicolon, then strike out the word "or" after the word "purposes".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SEVENTEEN.

On page 48, line 3, strike out the comma after the word "rooms" and insert in lieu thereof a semicolon.

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED EIGHTEEN.

On page 48, line 6, after the colon add the following: "Water-closets; shower compartments; bath, toilet or slop-sink rooms or sculleries."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED NINETEEN.

On page 48, strike out all of lines 7 to 9, inclusive.

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY.

On page 48, line 10, strike out the words "Failure, neglect or refusal by"; then strike out the letter "a" in the word "any" and insert in lieu thereof a capital "A".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY-ONE.

On page 48, line 12, after the comma after the word "required" insert the words "who fails, neglects or refuses".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY-TWO.

On page 48, line 14, strike out the comma after the syllable "tion" and insert in lieu thereof a parenthesis; also strike out the comma after the word "air" and insert in lieu thereof a parenthesis.

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY-THREE.

On page 48, line 18, strike out the number "63" and insert in lieu thereof the number "62"; also in same line strike out "Dormitories".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY-FOUR.

On page 48, line 23, strike out the word "sixty-six" and insert in lieu thereof the word "sixty-five".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY-FIVE.

On page 48, line 29, strike out the word "and" and insert in lieu thereof the word "to".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY-SIX.

On page 48, line 30, after the word "thereof" insert a comma, also insert the word "tier" after the word "one" in same line.

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY-SEVEN.

On page 48, line 36, after the word "dormitory" strike out balance of line; also in line 37, strike out the word "beds" and the comma thereafter; and after the comma after the word "street" insert the words "or onto a".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY-EIGHT.

On page 49, line 1, strike out the comma after the word "act".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY-NINE.

On page 49, line 18, strike out the number "64" and insert in lieu thereof the number "63"; also in same line strike out "Rooms, hallways, additional."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY.

On page 49, line 23, strike out the number "65" and insert in lieu thereof the number "64"; also in same line strike out "Rooms, hallways, ventilation, existing building."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY-ONE.

On page 50, line 9, strike out the number "66" and insert in lieu thereof the number "65"; also in same line strike out "Cooking, sleeping, living."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY-TWO.

On page 50, line 17, strike out the word "sink" and insert in lieu thereof the word "slop-sink".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY-THREE.

On page 50, line 22, after the word "which" strike out the comma.

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY-FOUR.

On page 51, line 3, strike out the number "67" and insert in lieu thereof the number "66"; also in same line strike out "Artificial illumination."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY-FIVE.

On page 51, line 7, strike out the word "bath".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY-SIX.

On page 51, line 16, strike out the number "68" and insert in lieu thereof the number "67"; also in the same line strike out "Painting."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY-SEVEN.

On page 51, line 28, strike out the number "69" and insert in lieu thereof the number "68"; also in the same line strike out "Wall paper."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY-EIGHT.

On page 51, line 69, strike out the number "70" and insert in lieu thereof the number "69"; also in the same line strike out "Repairs and drainage."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY-NINE.

On page 52, line 12, strike out the number "71" and insert in lieu thereof the number "70"; also in same line strike out "Mosquito screening."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY.

On page 52, line 19, strike out the number "72" and insert in lieu thereof the number "71"; also in same line strike out "Garbage and ash receptacles."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY-ONE.

On page 52, line 26, strike out the number "73" and insert in lieu thereof the number "72"; also in same line strike out "Cleanliness."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY-TWO.

On page 52, line 28, strike out the comma after the word "water-closet".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY-THREE.

On page 52, line 29, strike out the word "sink" and insert in lieu thereof the word "slop-sink".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY-FOUR.

On page 52, line 33, strike out the word "dirt" and insert in lieu thereof the word "debris".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY-FIVE.

On page 53, line 9, strike out the number "74" and insert in lieu thereof the number "73"; also, in the same line, strike out "Beds and bedding."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY-SIX.

On page 53, line 17, strike out the number "75" and insert in lieu thereof the number "74"; also, in same line, strike out "Combustible materials prohibited."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY-SEVEN.

On page 53, line 29, strike out the number "76" and insert in lieu thereof the number "75"; also, in same line, strike out "Prohibitive uses."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY-EIGHT.

On page 54, line 4, strike out the number "77" and insert in lieu thereof the number "76"; also, in same line, strike out "Janitor or housekeeper."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY-NINE.

On page 54, line 9, strike out the number "78" and insert in lieu thereof the number "77"; also, in same line, strike out "Restraining order."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIFTY.

On page 55, line 3, strike out the number "79" and insert in lieu thereof the number "78"; also, in same line, strike out "Fine is a lien."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIFTY-ONE.

On page 55, line 15, strike out the number "80" and insert in lieu thereof the number "79"; also, in same line, strike out "Notice of pendency."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIFTY-TWO.

On page 56, line 1, strike out the number "81" and insert in lieu thereof the number "80"; also, in same line, strike out "Owner to file date."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIFTY-THREE.

On page 56, line 23, strike out the number "82" and insert in lieu thereof the number "81"; also, in same line, strike out "Name of agent."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIFTY-FOUR.

On page 56, line 32, strike out the number "83" and insert in lieu thereof the number "82"; also, in same line, strike out "Names and addresses accessible."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIFTY-FIVE.

On page 56, line 33, strike out the word "eighty", after the word "sections", and insert in lieu thereof the word "seventy-nine"; also, after the last word "eighty", strike out the hyphen; also strike out the word "one", in line 34.

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIFTY-SIX.

On page 57, line 3, strike out the number "84" and insert in lieu thereof the number "83"; also, in same line, strike out "Time of service."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIFTY-SEVEN.

On page 57, line 6, strike out the number "85" and insert in lieu thereof the number "84"; also, in same line, strike out "Method of service."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIFTY-EIGHT.

On page 57, line 13, strike out the number "86" and insert in lieu thereof the number "85"; also, in same line, strike out "Minimum requirements for protection declared."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIFTY-NINE.

On page 58, line 15, strike out the number "87" and insert in lieu thereof the number "86"; also, in same line, strike out the following "Validity of each separate section, sentence, clause,"; also strike out "etc.", in line 16.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 257—An act to amend an act entitled "An act to allow incorporated towns and villages to establish, equip and maintain systems of street lights on public highways, to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and the creation of ex officio boards of supervisors," approved March 20, 1909, and the acts amendatory thereof, by adding a new section thereto to be numbered section 18½, relating to the annexation of additional territory to highway lighting districts.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 2 of the title, strike out the word "incorporated" and insert in lieu thereof the word "unincorporated".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 10 of the title, strike out the letter "A" and insert in lieu thereof the word "two", also add the letter "s" to the word "Section" after the word "new", also add the letter "s" to the word "Section" after the word "numbered" in the same line; also in the same line after the word "Eighteen" and before the word "and" insert the letter "a".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 11 of the title, strike out the word "one-half" and insert in lieu thereof "eighteen *b*".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 12 of the title, strike out the period after the word "districts" and insert in lieu thereof a comma and add the following: "and to the annexing to incorporated cities or cities and counties of territory embraced in highway lighting districts."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 1, strike out the word "incorporated" and insert in lieu thereof the word "unincorporated".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 2, strike out the words "and one-half" and insert in lieu thereof the letter "a".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 3, strike out the figure "½" after the figures "18" and insert in lieu thereof the letter "a".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 7, strike out the words "more than one-half" and insert in lieu thereof the words "at least one-fourth".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 8, strike out the words "more than one-half" and insert in lieu thereof the words "at least one-fourth".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 11, after the word "property" insert a comma; also in the same line strike out the word "which".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 2, line 31, after the word "petition" strike out the period and insert in lieu thereof a comma, then add the following: "and any objections thereto which may be filed or to the inclusion of any property in said district."

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 2, strike out all of lines beginning with 32 down to and including the word "petition." in line 37, and insert in lieu thereof the following:

Said board of supervisors shall have the power, by order entered on its minutes, to grant said petition either in whole or in part, and by order entered on its minutes, to alter the boundaries of said lighting district, and annex thereto all, or such portion of said contiguous territory, described in said petition, as will be benefited by inclusion in said lighting district. No territory which will not be so benefited, or which is not contiguous to said lighting district, or which is not described in said petition shall be included in said district.

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 3, after line 6 add the following:

SEC. 2. Said act approved March 20, 1909, as amended is hereby amended by adding a new section to be numbered 18*b* and to read as follows:

SEC. 18*b*. Upon the annexation of all or of any portion of the territory embraced in any such lighting district to an incorporated city or city and county, all funds paid into the county treasury to the credit of the lighting fund of such district, if the whole of such district shall be so annexed, shall be turned over by the board of supervisors of such district to the treasurer of said incorporated city, or city and county, and administered by the legislative body of said incorporated city, or city and county; said legislative body shall have all of the powers and perform all of the duties granted to or imposed upon the board of supervisors of the county in which such district is located and of the board of supervisors of said district, and shall carry out the provisions of this act as to such district to the same purpose and extent as if originally constituted, under the provisions of this act, the governing body thereof. Upon the expenditure of the funds and the discharge of the obligations and liabilities of any such lighting district, the whole of which has been annexed to an incorporated city, or city and county, such district shall ipso facto be dissolved with the same force and effect as if dissolved under the provisions of section eighteen of this act. In the event of the annexation of a portion of the territory embraced in any such lighting district to an incorporated city, or city and county, such proportionate part of the funds collected for the benefit of such district and remaining unexpended as the area of the territory so annexed bears to the total area of said district, shall be paid over to the treasurer of such incorporated city, or city and county, in the manner hereinabove provided, and administered by the legislative body of such city, or city and county, until the same are expended, for the benefit of the portion of such district so annexed. Upon the expenditure of such funds in the manner required in this act the territory of such district so annexed shall be deemed to be withdrawn from said lighting district and thereafter the remaining territory embraced in said district and not so annexed shall, upon a resolution adopted by the board of supervisors of the county in which such territory is located, be and become a lighting district within the meaning of this act and so remain until dissolved as provided in this act.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 115—An act to amend the Penal Code by adding thereto a new section to be numbered 349*d*, relating to the fraudulent sale of foreign-grown or foreign-produced walnuts.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 345—An act to amend sections 61 and 67 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," relating to the definition and regulation of the business of banking.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 4 of the printed bill, strike out line 4 and all following it, and insert in lieu thereof, the following:

SEC. 61. Any savings bank may purchase, hold and convey real or personal property as follows:

1. The lot and building in which the business of the bank is carried on; furniture and fixtures, vaults and safe deposit vaults and boxes necessary or proper to carry on its banking business; such lot and building, furniture and fixtures, vaults and safe deposit vaults and boxes shall not, in the aggregate, be carried on the books of such bank as an asset to an amount exceeding its paid up capital and surplus; and hereafter, the authority of a two-thirds vote of all of the directors shall be necessary to authorize the purchase of such lot and building, or the construction of such building.

2. Such as may have been mortgaged, pledged or conveyed to it in trust for its benefit in good faith, for money loaned in pursuance of the regular business of the corporation.

I. A closed first mortgage or deed of trust; or

II. A first mortgage or deed of trust containing provisions restricting the issuance of further bonds until such time as the income of said corporation shall have been at least sufficient, during the twelve months next preceding the issuance of any additional bonds, to meet the earning requirements specified in the respective subdivisions of this paragraph applicable to such corporation after including the additional bonds then proposed to be issued; or

III. A refunding mortgage or deed of trust providing for the retirement of all prior lien mortgage debts of said corporation, and restricting the issuance of further bonds until such time as the income of said corporation shall have been at least sufficient, during the twelve months next preceding the issuance of any additional bonds, to meet the earning requirements specified in the respective subdivisions of this paragraph applicable to such corporation after including the additional bonds then proposed to be issued; or

IV. An underlying or divisional closed mortgage or deed of trust of property which forms a part of the operating system of the corporation then owning such property. In the case of bonds secured by an underlying or divisional closed mortgage or deed of trust, the net income required by this section shall be based exclusively upon the income, maintenance charges, operating expenses, taxes and mortgage indebtedness of or against the property covered by such underlying or divisional closed mortgage or deed of trust, or if such income, maintenance charges or operating expenses can not be definitely ascertained on the proper proportionate basis of such property in the general income, maintenance charges, operating expenses and taxes of the corporation then owning such property, plus the mortgage indebtedness of or against the property covered by such underlying or divisional closed mortgage or deed of trust; *provided, however*, that if the payment of the bonds secured by such underlying or divisional closed mortgage or deed of trust shall be guaranteed or assumed by the corporation then owning the property covering the same, such bonds shall be legal investments for savings banks, if the net income of such corporation from all sources shall equal the amount herein required notwithstanding the insufficiency of the income derived from the property covered by such underlying or divisional closed mortgage or deed of trust to meet the requirements of this section.

No savings bank shall purchase the bonds of any railroad corporation derriving less than twenty per centum of its gross receipts from passenger tolls.

The term "railroad corporation" when used in paragraph (1) of subdivision (3) of this section shall have the meaning defined in the Public Utilities Act.

(*a*) Bonds of any street railroad corporation, or of any gas (water, pipe line, light; power, light and power, gas, light and power, electrical, heating, telegraph, or telephone and telegraph) corporation, or of any other public utility incorporated under the laws of the State of California, and

(1) Operating exclusively in the State of California, provided said corporation has had, for the period herein fixed, net earnings amounting to one and one-half times the interest on all its outstanding mortgage indebtedness; or

(2) Operating its property in part within the State of California, provided said corporation has had, for each of its two fiscal years next preceding such investment, net earnings amounting to one and one-half times the interest on all its outstanding mortgage indebtedness; or

(3) The payment of which is guaranteed, both as to principal and interest, by a public utility corporation meeting the requirements of either subdivision (1) or (2) of paragraph (*a*) of this section, provided that such guaranteeing corporation has had for the period required in the respective subdivisions of this paragraph relating thereto, net earnings amounting to at least one and one-half times the interest on all of said guaranteeing corporation's outstanding mortgage indebtedness, and, in addition thereto, sufficient, taken with the earnings of all corporations whose bonds it has guaranteed, to qualify as investments for savings banks, as in this section provided, all such guaranteed bonds; *provided*, that the excess of income of any corporation whose bonds have been so guaranteed over the amount required by this section for such corporation, shall not apply to or be included in determining the income so required.

In determining the income of any corporation specified in paragraph (*a*) of subdivision (3) of this section, there shall be included the income of any corporation or corporations out of which it shall have been formed through consolidation or merger, and of any corporation the entire business and income producing property of which the corporation issuing such bonds has wholly acquired.

All bonds authorized for investment by paragraph (*a*) of subdivision (3) of this section must be secured by a mortgage or deed of trust which is at the time of making such investment, either

I. A closed first mortgage or deed of trust; or

II. A first mortgage or deed of trust containing provisions restricting the issuance of further bonds until such time as the income of said corporation shall have been at least sufficient, during the twelve months next preceding the issuance of any additional bonds, to meet the earning requirements specified in the respective

subdivisions of this paragraph applicable to such corporation after including the additional bonds then proposed to be issued; or

III. A refunding mortgage or deed of trust providing for the retirement of all prior lien mortgage debts of said corporation and restricting the issuance of further bonds until such time as the income of said corporation shall have been at least sufficient, during the twelve months next preceding the issuance of any additional bonds, to meet the earning requirements of such corporation after including the additional bonds then proposed to be issued; or

IV. An underlying or divisional closed mortgage or deed of trust of property which forms a part of the operating system of the corporation then owning said property. In the case of bonds secured by an underlying or divisional closed mortgage or deed of trust, the net income required by this section shall be based exclusively upon the income, maintenance charges, operating expenses, taxes and mortgage indebtedness of or against the property covered by such underlying or divisional closed mortgage or deed of trust or, if such income, maintenance charges or operating expenses can not be definitely ascertained, on the proper proportionate share of such property in the general income, maintenance charges, operating expenses and taxes of the corporation then owning such property and on the mortgage indebtedness of or against the property covered by such underlying or divisional closed mortgage or deed of trust; *provided, however*, that if the payment of the bonds secured by such underlying or divisional closed mortgage or deed of trust shall be guaranteed or assumed by the corporation then owning the property securing the same, such bonds shall be legal investments for savings banks, if the net income of such corporation from all sources shall equal the amount herein required, notwithstanding any insufficiency of the income derived from the property covered by such underlying or divisional closed mortgage or deed of trust to meet the requirements of this section.

The terms, "street railroad corporation," "pipe line corporation," "gas corporation," "electrical corporation," "telephone corporation," "telegraph corporation," "water corporation," and "public utility," when used in paragraph (*g*) of subdivision (3) of this section, shall such have the meaning defined in the "Public Utilities Act."

(*h*) Notes or bonds secured by first mortgage or deed of trust or other first lien upon real estate, improved or unimproved; *provided*, that the entire note or bond issue shall not exceed sixty per centum of the market value of such real estate, or such real estate with improvements, taken as security; *and provided, further*, in case the said note or bond issue is created for a building loan on real estate, that at no time shall the entire outstanding note or bond issue exceed sixty per centum of the market value of the real estate and the actual cost of the improvements thereon taken as security.

In determining the market value of any real estate under the provisions of paragraph (*h*) subdivision (3) of this section where such real estate, improved or unimproved, consists of oil or other mineral or timber land, the value represented by such oil or other mineral or timber shall not be included in fixing such market value. Nothing herein contained shall prevent savings banks from making loans secured by mortgage or deed of trust upon lands wherein redwood timber is included in fixing the market value thereof.

(*i*) Collateral trust bonds or notes when secured by either:

(1) Deposit of bonds authorized for investment by this section of a market value at least fifteen per centum in excess of the par value of the collateral trust bonds or notes issued; or

(2) Deposit of bonds authorized for investment by this section and other securities of a combined market value at least twenty per centum in excess of the par value of the collateral trust bonds or notes issued; *provided*, that the par value of said collateral trust bonds or notes shall in no case exceed the market value of that portion of the security represented by bonds authorized for investment by this section.

(3) Deposit of any notes or bonds authorized for investment by this section and other securities of a combined market value of at least thirty per centum in excess of the par value of the collateral trust bonds or notes issued; *provided*, that the par value of such collateral trust bonds or notes issued shall in no case exceed the market value of that portion of the security represented by notes or bonds authorized for investment by this section; *provided, further*, that the collateral pledged consist of bonds authorized for investment by this section of the market value of at least seventy-five per centum of the par value of such collateral trust bonds or notes issued.

(*j*) Bonds legal for investment by savings banks in the states of New York or Massachusetts; *provided, however*, that as to bonds of the character specified in paragraph (*c*) of subdivision (3) of this section, such bonds shall also conform to the requirements of such paragraph.

(*k*) Notes or bonds secured by mortgage or deed of trust, payment of which is guaranteed by a policy of mortgage insurance, and mortgage participation certificates, issued by a mortgage insurance company in accordance with the provisions of chapter eight of title two of part four of division first of the Civil Code.

"Net earnings" as used in this section shall be deemed to mean the amount remaining after deducting from the gross earnings all taxes, maintenance charges

and operating expenses except depreciation charges, sinking fund charges and interest on indebtedness.

Unless herein otherwise expressly provided the period for which any corporation must have "net earnings" sufficient to qualify its bonds as an investment for savings banks under this section shall be either the fiscal year of such corporation next preceding the investment therein by any savings bank or twelve consecutive months in the fourteen months next preceding such investment.

No notes, bonds, or other securities shall be deemed to come within or conform to the requirements of either of paragraphs (*f*), (*g*), (*h*), or (*i*) of subdivision (3) of this section, unless such notes, bonds or other securities shall, in the manner provided in this act, have been certified by the superintendent of banks to come within and fully conform to the requirements of one or the other of said paragraphs; *provided, however*, that any bank may, without such certification by the superintendent of banks, purchase any note or bond or issue of notes or bonds provided for in said paragraph (*h*), whenever such purchase constitutes the entire amount of notes or bonds executed by the makers thereof and secured by the same real estate; *and provided, further*, that notes, bonds or other securities, the payment of which is secured by any mortgage or deed of trust executed on or before September 1, 1913, and now owned by any savings bank in this state, if otherwise in full conformity with the requirements of this section, need not be so certified by the superintendent of banks, in order to be legal as investments for savings banks.

The legality of investments heretofore lawfully made pursuant to the provisions of this section, or of any law of this state as it existed on and subsequent to July 1, 1909, shall not be affected by any amendments to this section or this act; nor shall any such amendments require the changing of investments once lawfully made under this act.

Any bonds authorized by this section as a legal investment for savings banks may be carried on the books of said bank at their investment value, based on their market value at the time they were originally bought, unless the superintendent of banks shall require any or all of the bonds which may thereafter have a market value less than the original investment value to be written down to such new market value which shall be done gradually if practicable and in such manner as he may determine; or he may, by a plan of amortization to be determined by him, require such gradual extinction of premium as will bring such bonds to par at maturity.

No savings bank shall hereafter purchase or loan money upon any bond, note or other evidence of indebtedness, issued by any "public utility," subject to the jurisdiction, regulation or control of the railroad commission of this state under the provisions of the "public utilities act," approved December 23, 1911, and acts amendatory thereof or supplemental thereto, unless each such bond, note or other evidence of indebtedness was either:

(*a*) Issued prior to the taking effect of the "public utilities act"; or

(*b*) Issued under authority of the railroad commission, in accordance with the provisions of said act; or

(*c*) A note issued for a period not exceeding twelve months, in accordance with the provisions of subdivision (*b*) of section fifty two of said act.

No provision of this act, and no act or deed, done or performed under or in connection therewith, and no finding made or certificate issued under any provision thereof, shall be held or construed to obligate the State of California to pay, or be liable for the payment of, or to guarantee in any manner whatsoever, the regularity or the validity of the issuance of any stock or bond certificate, or bond, note, or other evidence of indebtedness certified under any provision of this act, by the superintendent of banks.

It shall not be lawful for any individual, firm, association, bank, trust company, stock company, copartnership or corporation to advertise by newspaper or circular or in any other manner that any securities are legal investments for savings banks in this state or to use any advertisement which might lead the public to believe that any securities conform to the requirements of law relating to investments by savings banks unless such securities are such as are specified in paragraphs (*a*), (*b*), (*c*), (*d*), (*e*), (*j*), or (*k*) of subdivision (3) of this section or shall, in the manner provided in this act, have been certified by the superintendent of banks to come within and fully conform to the requirements of one or the other of paragraphs (*f*), (*g*), (*h*), or (*i*) of subdivision (3) of this section or unless such advertisement shall have been approved in writing by the superintendent of banks prior to publishing, circulating or otherwise issuing the same. Any individual, firm, association, bank, trust company, stock company, copartnership or corporation who shall advertise any securities in violation of the provisions of this paragraph shall be guilty of a misdemeanor and shall be punishable by a fine not exceeding one thousand dollars or by imprisonment in a county jail not exceeding one year or by both such fine and imprisonment.

SEC. 2. Section sixty-one *a* of said act is hereby amended to read as follows:

SEC. 61*a*. The superintendent of banks shall have power, when any issue of bonds or securities is presented to him for that purpose, to investigate and ascertain whether such bonds or securities come within and fully conform to all the

requirements of paragraphs (*f*), (*g*), (*h*), or (*i*) of subdivision (3) of section sixty-one of this act, or of either of said paragraphs. He may also investigate and ascertain for what period of time, and upon what conditions, any franchise granted to or held by any corporation issuing any such bonds or securities will remain in force, and any other facts or conditions bearing upon the value or sufficiency of such bonds. The superintendent of banks may accept and act upon the opinions and appraisements of any attorneys, engineers, or appraisers which may be presented by such person or corporation so applying, and the reports of any of the executive officers of the corporation issuing such bonds or securities, on any question of fact concerning or affecting such bonds or securities, the security thereof, the franchise conditions herein mentioned, or the financial condition of the corporation issuing the same. In lieu of or in addition to such opinions, appraisements and reports, the superintendent of banks may, if he deems proper, have any or all such matters passed upon and certified to him by attorneys, engineers, appraisers or accountants of his own selection at the expense of the applicant. If the superintendent of banks shall find from such investigation that the bonds or securities so presented come within and fully conform to all the requirements of any of said paragraphs of subdivision (3) of section sixty-one of this act, and is satisfied from such investigation as to such franchise conditions, he shall so certify unless for any reason he shall be of the opinion that such bonds are not a safe or proper investment for savings banks, and in such event or if such bonds shall fail to meet the requirements of this act such certificate must be refused. The superintendent of banks also shall have power to investigate and ascertain the status and sufficiency as investments for savings banks of any bonds specified in paragraph (*e*) of subdivision (3) of section sixty-one of this act. If upon such investigation it shall be determined in the opinion of the superintendent of banks that any bonds specified in said paragraph (*e*) of subdivision (3) of section sixty one of this act constitute a proper investment for savings banks he shall so certify.

Any certificate issued by the superintendent of banks under authority of the provisions of this section may be revoked at any time in his discretion. Any certificate issued in relation to notes or bonds specified in paragraphs (*f*), (*g*), or (*i*) of subdivision (3) of section sixty-one of this act shall expire not later than three months after the end of the then current fiscal year of the corporation issuing such notes or bonds.

The actual expense of investigating any issue of bonds or securities so presented shall be paid by the person, district or corporation presenting the same for investigation, and the superintendent of banks, before making such investigation, may require a cash deposit of such amount as he may deem necessary to cover such expense. The superintendent of banks shall keep an official list of all bonds and securities certified by him.

SEC. 3. Section sixty-seven of said act is hereby amended to read as follows:

Sec. 67. 1. No savings bank shall loan money except on adequate security of real or personal property, and no such loan shall be made for a period longer than ten years. No such loan shall be made on unsecured notes; *provided*, that a savings bank may discount or purchase bankers' acceptances of which the acceptor is a bank or trust company having a paid in capital of one million dollars. Said bankers' acceptances shall be bills of exchange of the kind and character defined and made eligible under the federal reserve act and the then current regulation of the federal reserve board for rediscount or for purchase in the open market by a federal reserve bank; *provided, however*, that no savings bank shall at any time acquire by discount or purchase an amount of such bankers' acceptances greater than five per centum of its deposits nor shall any savings bank acquire, directly or indirectly, by discount or purchase, any such bankers' acceptances from any one acceptor in an amount which shall exceed five per centum of the capital and surplus of such bank; *and provided*, that a savings bank may discount or purchase a bill which must comply with the following requirements:

(*a*) It must be a bill issued by a solvent individual or firm or corporation engaged in mercantile or manufacturing business in the United States that makes statements of its condition duly ascertained and certified to by a certified public accountant. Copy of such a certified statement shall be on file in the office of the savings bank discounting or purchasing such bill in a file maintained for such purpose. Said statement shall have been issued within the preceding twelve months and shall consist of a balance sheet showing quick assets, slow assets, permanent or fixed assets, current liabilities and accounts, short term loans, long term loans, capital and surplus. Accompanying said balance sheet shall be a copy of a statement from the borrower concerning the following:

(1) The nature of the business.

(2) All contingent liabilities such as endorsements or guarantees.

(3) Particulars respecting any mortgage debts and whether there is any lien on current assets.

(4) The maximum and minimum liabilities of the individual, firm or corporation during the twelve months previous to the date of audit.

(*b*) It must be issued by an individual, firm or corporation whose net worth is not less than two and one-half times the amount of its outstanding liabilities,

nor less than two hundred thousand dollars. The quick assets of said individual, firm or corporation, consisting of merchandise, finished, raw, and in the process of manufacture, accounts receivable, bills receivable and cash, shall not be less than two times its outstanding quick liabilities as shown by said statement.

(*c*) It must have a maturity of not more than six months.

(*d*) It must have arisen out of actual commercial transactions; that is, be a bill which has been issued or drawn for industrial or commercial purposes or the proceeds of which have been or are to be used for such purpose.

No bill shall be eligible for discount or purchase by a savings bank, the proceeds of which have been used or are to be used for any of the following purposes:

(1) For permanent or fixed investments of any kind such as lands, buildings, machinery, including therein additions, alterations or other permanent improvements except such as are properly to be regarded as costs of operation.

(2) For investments of a merely speculative character whether made in goods or otherwise.

(3) Must not have been issued for carrying or trading in stocks, bonds or other investment securities.

(4) Must not be a bill of any individual, firm or corporation which has under pledge or hypothecation any of its personal assets, or which has any contingent liability arising from the rediscount of bills receivable, or from accommodation endorsements of such individual, firm, or corporation

The word "bill" when used in this section shall be construed to include notes, drafts or bills of exchange and the word "goods" shall be construed to include goods, wares or merchandise.

Any savings bank purchasing or discounting such paper shall have in a file maintained for the purpose, letters from banks and merchants or mercantile reports bearing upon the credit and standing of the person, firm, co-partnership or corporation whose paper is under discount.

No savings bank shall at any time acquire by discount or purchase an amount of such commercial paper greater than five per centum of its deposits nor shall any savings bank acquire, directly or indirectly, by discount or purchase, any such commercial paper of any one person, firm, copartnership or corporation in an amount which shall exceed five per centum of the capital and surplus of such bank

2. No savings bank shall invest or loan an amount greater than fifty per centum of its actual paid-up capital and surplus on any one bond issue of the class specified in paragraph (*h*) of subdivision (3) of section sixty-one of this act, nor more than five per centum of its assets on any one bond issue of any other class, except bonds of the United States, of the State of California, bonds for which the faith and credit of the United States or of the State of California are pledged, or bonds of any county, city and county, city or school district in this state, or bonds of any irrigation district such as are legal for investment by savings banks.

3. No savings bank shall loan money:

(*a*) On bonds of the character specified in paragraph (*a*), (*b*), (*c*), and (*d*) of subdivision (3) of section sixty-one of this act, or on bonds of the character specified in paragraph (*e*) of subdivision (3) of section sixty one of this act the principal and interest of which are to be paid in whole or in part by taxes levied upon the property in the district issuing such bonds, unless such bonds shall have a market value at least ten per centum in excess of the amount loaned thereon; or.

(*b*) On bonds of the character specified in paragraphs (*e*) and (*g*) or on bonds or notes of the character specified in paragraph (*i*) of subdivision (3) of section sixty-one of this act, or on bonds of the character specified in paragraph (*e*) of subdivision (3) of section sixty one of this act other than those specified in the preceding paragraph of this section, unless such bonds or notes shall have a market value at least fifteen per centum in excess of the amount loaned thereon, or.

(*c*) On bonds legal for investment by savings banks in the states of New York or Massachusetts, unless such bonds shall have a market value at least fifteen per centum in excess of the amount loaned thereon; or.

(*d*) On personal property unless such personal property shall have a market value at least fifty per centum in excess of the amount loaned thereon; or.

(*e*) On other bonds, or on the capital stock of any corporation, unless such bonds or stock shall have a market value at least fifty per centum in excess of the amount loaned thereon; *provided, however*, that no loan shall be made upon the capital stock of any bank unless such bank has been in existence at least two years and has earned and paid a dividend on its capital stock.

4. No savings bank shall make any loan on the security of real estate, except it be a first lien, and in no event to exceed sixty per centum of the market value of any real estate taken as security except for the purpose of facilitating the sale of property owned by such savings bank; *provided*, that a second lien may be accepted to secure the repayment of a debt previously contracted in good faith; *and provided, also*, that any savings bank holding a first mortgage or deed of trust on real estate may take or purchase and hold or loan upon another and immediately subsequent mortgage or deed of trust thereon, but all such loans shall not exceed in the aggregate sixty per centum of the market value of the real estate securing

the same; *provided, further*, that a savings bank may loan not to exceed ninety per centum of the face value of a note or bond secured by a first mortgage or deed of trust on real estate, but in no event shall any such loan exceed ninety per centum of sixty per centum of the market value of the real estate covered by said mortgage or deed of trust.

5. No savings bank shall loan to any one borrower on the security of the capital stock of any corporation an amount exceeding ten per centum of the capital stock and surplus of such savings bank; *provided*, that all loans on the capital stock of any one corporation shall not exceed in the aggregate twenty-five per centum of the capital stock and surplus of such savings bank. No savings bank shall purchase, invest or loan its capital, surplus or the money of its depositors, or any part of either, in mining shares or stock.

Any president or managing officer who knowingly consents to a violation of any provision of this section shall be guilty of a felony.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

THIRD READING OF SENATE BILLS, ETC.—(OUT OF ORDER).

Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XX thereof a new section, to be numbered section 22, relative to health insurance.

Resolution read.

AMENDMENT FROM FLOOR.

During reading of resolution, the following amendment was offered and its adoption moved by Senator Kehoe:

AMENDMENT NUMBER ONE.

Strike out all of the printed bill, beginning with the word "it", on line 8, page 1, down to and including the word "thereof", on page 2, line 11, and insert in lieu thereof the following:

SEC. 22. It is hereby declared to be the policy of the State of California to make special provision for the health and welfare and the support during illness of any and all persons, and their dependents, whose incomes, in the determination of the legislature, are not sufficient to meet the hazards of sickness and disability, and for the general industrial welfare in this connection. The legislature may establish a health insurance system applicable to any or all such persons, and for the financial support of such system may provide for contributions, either voluntary or compulsory, from each of the following, namely, from such persons, from employers, and from the state by appropriations.

The legislature may confer upon any commission or court, now or hereafter created, such power and authority as the legislature may deem requisite to carry out the provisions of this section.

The provisions of this section shall not be controlled or limited by any other provision of this constitution, except the provisions thereof, relating to the passage and approval of acts by the legislature and to the referendum thereof.

Resolution ordered to print.

Senate Bill No. 749—An act authorizing the Governor to appoint a commission to investigate and advise the Legislature concerning the adoption of a system of social insurance, and to make a report to the forty-third session of the Legislature and making an appropriation therefor.

On motion of Senator Kehoe, Senate Bill No. 749 was re-referred to Committee on Finance.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

SECRETARY CLIFTON E. BROOKS AT THE DESK.

Assembly Bill No. 268—An act to amend section 1469 of the Code of Civil Procedure, relating to administration of estate not exceeding two thousand dollars in value.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 268 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Johnson, Jones, Kehoe, Luce, Lyon, McDonald, Maddux, Scott, Slater, Stuckenbruck, and Thompson—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 262—An act to amend section 1 and to repeal section 2 of an act entitled "An act granting to the city of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Berkeley, and regulating the management, use and control thereof," approved June 11, 1913, also approved May 27, 1915.

On motion of Senator Benson, Assembly Bill No. 262 was passed on file.

Assembly Bill No. 206—An act to amend section 1 and to repeal section 2 of an act entitled "An act granting to the city of Alameda the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Alameda, and regulating the management, use and control thereof," approved June 11, 1913.

On motion of Senator Benson, Assembly Bill No. 206 was passed on file.

Assembly Bill No. 488—An act to amend sections 4 and 24 of an act entitled "An act to provide for the acquisition by municipalities of land for public park or playground purposes by condemnation, and for the establishment of assessment districts and the assessment of property therein to pay the expenses of acquiring such land," approved April 22, 1909, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 488 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Johnson, Jones, King, Luce, Lyon, Maddux, Nealon, Rush, Scott, Stuckenbruck, and Thompson—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 980—An act relating to and regulating the carrying, possession, sale or other disposition of firearms capable of being

[illegible]

[illegible]

[illegible]

Assembly Bill No. 369—An act entitled "An act relating to the liquidation of banks by the Superintendent of Banks; empowering him to levy assessments against the members and stockholders of any bank in process of liquidation by him to an amount which he may determine to be necessary to promptly pay the creditors of such bank in full; to enforce such assessments by suit and empowering the superior court to determine the equities of the members and stockholders of any such bank to any surplus which may remain after the payment of the creditors of such bank in full and to award and distribute the same accordingly."

On motion of Senator Benson, Assembly Bill No. 369 was passed on file.

Assembly Bill No. 580—An act to amend section 2643 of the Political Code, relating to the powers of boards of supervisors respecting roads.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 580 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Rominger, Scott, Shearer, Slater, and Stuckenbruck—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 102—An act to amend sections 12 and 16 of an act entitled "An act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, as amended March 23, 1907, April 15, 1909, and May 1, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 102 passed by the following vote:

AYES—Senators Benson, Breed, Canepa, Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, King, Luce, McDonald, Nealon, Rigdon, Rominger, Scott, Shearer, Slater, and Stuckenbruck—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 366—An act to amend the Penal Code of the State of California by amending section 561 thereof and adding new sections to be known as sections 561*a*, 561*b*, 561*c*, 561*d* and 563*a* thereto, all relating to frauds in the management of banks and prescribing penalties for violations of the provisions of the act.

On motion of Senator Benson, Assembly Bill No. 366 was passed on file.

Assembly Bill No. 937—An act to amend section 570 of the Code of Civil Procedure, relating to the disposition of unclaimed funds in the hands of a receiver.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 937 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Scott, Shearer, Slater, and Stuckenbruck—29.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 198—An act to amend section 50 of the "Public Utilities Act," approved April 23, 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 198 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—33.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 936—An act to amend section 17 of the act known as the "Public Utilities Act," approved April 23, 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 936 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—31.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1006—An act to prevent fraud upon the traveling public by adding a new section to the Penal Code of the State of California, to be known and numbered as section 483, making it a misdemeanor to sell, transfer or deliver to another for the use of any person other than the person entitled by the terms thereof to the use of same, any ticket scrip, mileage or commutation book, coupon, etc.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Irwin moved to refer Assembly Bill No. 1006 to Senator Inman, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, after the letters "tion" insert the following: "except the original purchaser".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 5, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 1006, with instructions to amend, respectfully reports the same back, amended as per instructions.

INMAN, Special Committee.

Report rejected.

On motion of Senator Crowley, Assembly Bill No. 1006 was passed on file.

Assembly Bill No. 958—An act to amend sections 1, 5, 6 and 7 of Chapter 653, approved June 8, 1915, the same being "An act defining public weighmaster; describing his duties; providing for rules and regulations governing the performance of his duties; prescribing a bond and fixing the amount thereof; and providing penalties for any violations of the provisions of this act."

On motion of Senator Stuckenbruck, Assembly Bill No. 958 was passed on file.

Assembly Bill No. 1096—An act to amend section 1576 of the Political Code, relating to separate school districts in cities except cities of the sixth class and additional territory.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1096 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Neadon, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 487—An act to repeal section 259 of the Penal Code, requiring certain newspaper articles to be signed.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 487 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Neadon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Thompson, and Tyrrell—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 189—An act to amend section 928 of the Penal Code, relating to the duty of grand juries relative to examination of books.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 189 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates,

Ingram, Johnson, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Thompson, and Tyrrell—33.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1159—An act to amend section 4286 of the Political Code, relating to counties of the fifty-seventh class, and salaries of officers thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1159 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—34.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 5, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 314—An act to amend sections 1578 and 1579 of the Political Code, relating to the organization of elementary school districts;

Also: Senate Bill No. 931—An act to add a new section to the Political Code, to be numbered section 1734*b*, relating to the exclusion of an elementary school district from a high school district and the annexation of such elementary school district to another contiguous high school district;

Also: Senate Bill No. 989—An act to amend section 1380 of the Code of Civil Procedure, relating to giving special notices to heirs, devisees, and legatees during the administration of estates of decedents;

Also: Senate Bill No. 991—An act to amend section 963 of the Code of Civil Procedure, relating to cases in which an appeal may be taken;

Also: Senate Joint Resolution No. 14—Relative to the universal military training bill before the United States Congress;

Also: Senate Joint Resolution No. 11—Relative to the representation and due recognition of Ireland and Poland as accredited belligerents at the next peace conference of world powers;

And reports that the same have been correctly engrossed.

CANEPA, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 86—An act to provide for the creation of the "State Market Commission" and the organization thereof; to define its other duties and powers; to create the position of State Market Director; to define his duties and powers; to create the State Market Commission Fund, and a revolving fund; and repealing that act known as "State Commission Market Act," approved June 10, 1915, Chapter 713 of the Statutes of 1915, and all other acts and parts of acts in conflict with the provisions of this act;

Also: Senate Bill No. 676—An act to amend section 453*cc* of the Civil Code, relating to mortgage insurance;

And reports that the same have been correctly engrossed.

STUCKENBRUCK, Acting Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 381—An act to amend section 632 of the Penal Code, relating to the protection of fish—and reports that the same has been correctly re-engrossed.

STUCKENBRUCK, Acting Chairman.

REPORTS OF STANDING COMMITTEES (OUT OF ORDER).

The following reports of standing committees were received and read:

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 5, 1917.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 1145—An act authorizing and empowering irrigation and reclamation districts to enter into contracts with the United States Reclamation service for the reclamation of lands within such districts and the provisions of the so-called "twenty-year extension act"—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

JONES, Chairman.

Senate Bill No. 1145 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 730—An act to amend section 3480 of the Political Code, relating to swamp and overflowed, salt marsh and tidelands;

Also: Senate Bill No. 731—An act to amend sections 3446, 3447, 3449, 3452, 3453, 3454, 3455, 3456, 3457, 3459, 3460, 3462, 3463, 3465, 3466, and 3491, and to repeal sections 3467 and 3468, of the Political Code, relating to swamp and overflowed, salt marsh and tidelands;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

JONES, Chairman.

Senate Bills Nos. 730 and 731 ordered on file for second reading.

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, April 4, 1917.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 334—An act providing for reciprocal and interexchanges of indemnities, prescribing regulations therefor and fixing a license fee, and repealing an act entitled "An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor and fixing a license fee," approved December 24, 1911—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

BURNETT, Chairman.

Senate Bill No. 334 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 1120—An act to provide for the establishment and maintenance by fire insurance corporations of guaranty surplus funds and special reserve funds and thereby limiting liability and to provide for the waiver by policyholders of recourse against stockholders of such corporations—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

BURNETT, Chairman.

Assembly Bill No. 1120 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 281—An act to add a new section to the Political Code to be numbered 633*b*, concerning insurance and surety companies, agents and brokers, requiring that policies or contracts of insurance, or surety bonds shall show the correct premium consideration and the risks insured thereunder; prohibiting the giving of rebates on insurance or surety bonds and providing penalty therefor and for the suspension of certificate of authority of any insurance or surety company and the revoking or suspension of the license of any agent or broker violating the same, and prescribing the powers and duties of the Insurance Commissioner in relation thereto—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

BURNETT, Chairman.

Assembly Bill No. 281 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 283—An act to add a new section to the Political Code to be numbered 633*a*, concerning the licensing of insurance brokers, and providing for the issuance and revoking of licenses by the Insurance Commissioner, and providing penalties for a violation thereof—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

BURNETT, Chairman.

Assembly Bill No. 283 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 284—An act to amend section 633 of the Political Code, relating to the licensing of insurance agents—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

BURNETT, Chairman.

Assembly Bill No. 284 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 926—An act prohibiting discrimination in favor of individuals between insurants of the same class and expectation of life in the amount or payment of premiums, or rates charged for policies of insurance, or in the dividends or other benefits payable thereon; also prohibiting the giving or the acceptance of rebates on life insurance policies and providing penalty therefor—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

BURNETT, Chairman.

Assembly Bill No. 926 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 925—An act providing for the licensing of life insurance agents, limiting the payment of commissions or other compensation for services in procuring new insurance to licensed agents only and providing penalty for the violation of this act—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

BURNETT, Chairman.

Assembly Bill No. 925 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 1119—An act to amend an act entitled "An act to establish a standard form of fire insurance policy and to prevent variations therefrom, excepting under certain stated conditions and restrictions," approved March 18, 1909, by amending section 6 thereof, relating to what may be added to the standard form of fire insurance policy—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BURNETT, Chairman.

Assembly Bill No. 1119 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 812—An act providing for state insurance on public buildings—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

BURNETT, Chairman.

Senate Bill No. 812 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 5, 1917.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 156—An act to amend the Political Code by adding thereto a new section to be numbered 1618*a*, relating to the powers and duties of boards of school trustees

and city boards of education; also to repeal an act entitled "An act to provide for health and development supervision in the public schools of the State of California," approved April 15, 1909;

Also: Senate Bill No. 541—An act to amend section 1858 of the Political Code relating to the number of teachers each school is entitled to and to the apportionment of school funds;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

GATES, Chairman.

Senate Bills Nos. 156 and 541 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 5, 1917.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 1134—An act to amend section 131 of the Civil Code, relating to judgment in an action for divorce, and to repeal section 132 of the Civil Code—has had the same under consideration, and respectfully reports the same back and recommends that it do not pass.

KEHOE, Chairman.

Senate Bill No. 1134 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 359—An act to amend section 172 of the Civil Code, relating to the management and control of community property—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

Minority report: Do not pass.

KEHOE, Chairman.

Senate Bill No. 359 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 117—An act to amend section 737 of the Political Code, relating to the salaries of superior judges—has had the same under consideration, and respectfully reports the same back and recommends that it do pass, and be re-referred to Committee on Finance.

KEHOE, Chairman.

Senate Bill No. 117 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 1175—An act permitting daily payment into the county treasury of duplicate or excess payments of taxes made to the tax collector and providing for the refund of such payments;

Also: Senate Bill No. 596—An act to add a new section to the Code of Civil Procedure, to be numbered 1490*a*, relating to notice to creditors of decedents;

Also: Assembly Bill No. 266—An act to amend sections 1107, 1214 and 1217 of the Civil Code, relating to the effect of transfers of real property and of the recording and nonrecording thereof;

Also: Senate Bill No. 987—An act to repeal section 280*a* of the Code of Civil Procedure, relating to diplomas granted by Hastings College of Law;

Also: Senate Bill No. 665—An act to repeal section 280*b* of the Political Code, relating to admission of graduates of law school to practice law;

Also: Senate Bill No. 1094—An act to amend section 410 of the Political Code, relating to the distribution of the laws, resolutions and journals of Legislature; of reports of Supreme Court;

Also: Senate Bill No. 485—An act to amend section 4295 of the Political Code, relating to official services and fees;

Also: Assembly Bill No. 1157—An act to describe, establish and permanently locate the boundary line between the counties of Kern and San Bernardino;

Has had the same under consideration and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Senate Bills Nos. 1175, 596, 987, 665, 1094 and 485, and Assembly Bills Nos. 266 and 1157 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1400—An act declaring certain drainage work, already done within Drainage District No. 1, Butte County, to have been legally done, validating the same, and making such work a proper subject for the levy of an assessment to pay therefor; authorizing the levy and collection of such assessment in said district to provide for such payment and interest; the original assessment levied and collected being insufficient to provide for such payment—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to Committee on Drainage, Swamp and Overflowed Lands.

KEHOE, Chairman.

Assembly Bill No. 1400 re-referred to Committee on Drainage, Swamp and Overflowed Lands.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, April 4, 1917.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 1132—An act to establish a nautical school at the port of San Francisco, to provide for the conduct and maintenance thereof, to make an appropriation therefor, and to authorize the Governor to request and to receive aid from the United States in compliance with the provisions of an act of Congress approved March 4, 1911—has had the same under consideration, and respectfully reports the same back and recommends that it do pass, and be re-referred to Committee on Finance.

McDONALD, Chairman.

Senate Bill No. 1132 re-referred to Committee on Finance.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 5, 1917.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Concurrent Resolution No. 23—Relating to supplementary textbooks used in elementary schools—has had the same under consideration, and respectfully reports the same back and recommends that same be adopted.

GATES, Chairman.

Senate Concurrent Resolution No. 23 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 575—An act to add a new section to the Political Code, to be numbered 1733*a*, relating to the exclusion of elementary school districts from union and joint union high school districts, for the purpose of organizing a new union or joint union high school district, and providing for the organization of such new union or joint union high school district;

Also: Assembly Bill No. 1154—An act to provide for the adoption of textbooks for use in the public high schools of the State and for furnishing textbooks for the use of pupils of such schools;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

GATES, Chairman.

Assembly Bills Nos. 575 and 1154 ordered on file for second reading.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 5, 1917.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 587—An act to add a new section to the Political Code to be numbered 2983, relating to the office of attorney for the State Board of Health, and repealing all acts inconsistent therewith;

Also: Senate Bill No. 1021—An act to amend sections 4 and 7 of an act entitled "An act to create a commission for the purpose of making a survey of local historical material in the State of California; defining the power and duties of said commission; and making an appropriation therefor," approved June 12, 1915, extending the purpose, power and duties of said commission and making an appropriation therefor;

Also: Senate Bill No. 1155—An act making an appropriation for the purchase of an automobile for the use of the Governor of the State of California;
Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

CHANDLER, Chairman.

Senate Bills Nos. 587, 1021 and 1155 ordered on file for second reading.

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 4, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred the following resolution by Senator Benson:

Resolved, That the Senate Rules be amended as follows:

Amend Rule 30 to read: "No Senate Bill shall be passed by the Senate within seven days of the time set for adjournment sine die of the two Houses of the Legislature, unless permission to vote on such bill be granted by a three-fourths vote of the Senate, after being recommended by the President or President pro tempore of the Senate."

Amend Rule 79 by inserting after the word "except" in the next to the last sentence of said rule, the following words and figures: "Rule 6, Rule 30, and"
Has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

BREED, Chairman.

Senator Benson moved that the report and the resolution be adopted.

The roll was called, and the report and the resolution adopted by the following vote:

AYES—Senators Benson, Breed, Brown, Burnett, Canepa, Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Stuckenbruck, Thompson, and Tyrrell—29.

NOES—None.

REQUESTS FOR INTRODUCTION OF BILLS (OUT OF ORDER).

The following requests for permission to introduce bills were presented:

By Senator Flaherty:

SENATE CHAMBER, SACRAMENTO, April 5, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2, Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to encourage, stimulate and assist the fishing industry of the State of California; to authorize the State Market Director to carry out the business of catching and taking food fish and to lend money of the State to citizens to enable them so to do; to appropriate money to carry out the provisions of this act, and to repeal all other acts and parts of acts in conflict with this act.

Request referred to Committee on Rules.

Also:

By Senator Nealon:

SENATE CHAMBER, SACRAMENTO, April 5, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2, Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to add a new section to the Penal Code, to be numbered 584, requiring all corporations, partnerships, firms or individuals engaged in the warehouse, wharfage or storage business to furnish monthly statements of the food and food products on storage during the preceding month, and providing a penalty for the violation thereof.

Request referred to Committee on Rules.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(OUT OF ORDER).

The following resolution was offered:

By Senator Luce:

Senate Concurrent Resolution No. 25—Relative to tide lands granted to the City of San Diego.

Resolution ordered to print, and referred to Committee on Judiciary.

THIRD READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 323—An act to amend section 4300½ of the Political Code, relating to fees of justices of the peace.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 323 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Scott, Sharkey, Slater, Stuckenbruck, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS, ETC.—(OUT OF ORDER).

Senate Constitutional Amendment No. 15—Resolution to propose to the people of the State of California an amendment to section 34, of Article IV, of the Constitution of the State of California, in relation to special appropriation bills.

SENATE CONSTITUTIONAL AMENDMENT No. 15.

The legislature of the State of California, at its regular session commencing on the eighth day of January, 1917, two-thirds of the members elected to each of the two houses of the said legislature voting in favor thereof, hereby proposes that section thirty-four of article four of the constitution of the State of California be amended to read as follows:

Sec. 34. The needs of the state offices, departments and institutions, for each biennial period shall be ascertained and appropriations therefor recommended by a state budget board, consisting of the three members of the state board of control and the state controller and the lieutenant governor as ex officio members, which board shall report its recommendations to the legislature not later than the twentieth day of each regular session. The budget so reported shall be introduced in the form of two bills, one the general appropriation bill, the other an omnibus appropriation bill carrying special items for improvements and betterments. The chairman, or designated member of the budget board, shall sit with each house of the legislature when these two bills are under consideration and may participate in the debate thereon. No bill making an appropriation of money, except these two bills, shall contain more than one item of appropriation, and that for one single and certain purpose, to be therein expressed.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Constitutional Amendment No. 15 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Rigdon, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—Senators Duncan, and Rominger—2.

Title read and approved.

Resolution ordered transmitted to the Assembly.

Senate Bill No. 320—An act to amend section 1858 of the Political Code, relating to the apportionment of the elementary school funds and the counting of attendance in the elementary and secondary schools of the State.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Jones moved to refer Senate Bill No. 320 to Senator Rigdon as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out the period in line 21 and insert in lieu thereof a semicolon and add the following: "*provided, further*, that fifty dollars additional shall be apportioned to each district which is a part of any union or joint union district in his county."

AMENDMENT NUMBER TWO.

On page 3, at the end of line 12, insert a hyphen.

AMENDMENT NUMBER THREE.

On page 4, line 12, strike out the word "day" between the words "regular" and "secondary".

AMENDMENT NUMBER FOUR.

On page 5, line 3, strike out the word "or" between the words "state" and "their" and insert in lieu thereof the word "of".

AMENDMENT NUMBER FIVE.

On page 5, line 6, strike out the word "damages" and insert in lieu thereof the word "demands".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 5, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 320, with instructions to amend, respectfully reports the same back, amended as per instructions.

RIGDON, Special Committee.

Report read, and on motion of Senator Jones, adopted.

Bill ordered to print, and re-engrossment.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 629—An act to amend section 1614 of the Penal Code, relating to rules and regulations for the performance of labor, credits for good behavior of prisoner confined in county jail or in city jail or in city and county jail.

Bill read third time, previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Brown moved to refer Assembly Bill No. 629 to Senator Lyon as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, strike out the word "he" and insert in lieu thereof the word "who".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 5, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 629, with instructions to amend, respectfully reports the same back, amended as per instructions.

LYON, Special Committee.

Report read, and on motion of Senator Brown, adopted.
Bill ordered to print.

UNFINISHED BUSINESS.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 974—An act to amend that certain act of the Legislature of the State of California entitled "An act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," by amending section 54 thereof, relating to the definition and regulation of banking.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER NINE HUNDRED SEVENTY-FOUR.

AMENDMENT NUMBER ONE.

In line 5 of page 2, strike out the words "or other property".

AMENDMENT NUMBER TWO.

In line 9 of page 2, strike out the words "or other property".

AMENDMENT NUMBER THREE.

In line 12 of page 2, strike out the words "or other property".

AMENDMENT NUMBER FOUR.

In line 16 of page 2, strike out the words "or other property".

AMENDMENT NUMBER FIVE.

In line 19 of page 2, strike out the words "or other property".

AMENDMENT NUMBER SIX.

In line 24 of page 2, strike out the word "or", and in line 25 of page 2, strike out the words "other property".

AMENDMENT NUMBER SEVEN.

In line 30 of page 2, strike out the words "or other property".

AMENDMENT NUMBER EIGHT.

In line 32 of page 2, strike out the words "or other property".

AMENDMENT NUMBER NINE.

In line 36 of page 2, strike out the words "or other", and in line 1 of page 3, strike out the word "property".

AMENDMENT NUMBER TEN.

In line 5 of page 3, strike out the words "or other property".

AMENDMENT NUMBER ELEVEN.

In line 11 of page 3, strike out the word "or", and in line 12 of page 3, strike out the words "other property".

AMENDMENT NUMBER TWELVE.

In line 16 of page 3, strike out the words "or other property".

AMENDMENT NUMBER THIRTEEN.

In line 36 of page 3, strike out the words "or other property"

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 974?

The roll was called, and Assembly amendments to Senate Bill No. 974 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Irwin, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Scott, Slater, and Thompson—29.

NOES—None.

Senate Bill No. 974 ordered to enrollment.

CONSIDERATION OF ASSEMBLY AMENDMENTS

The Senate took up for consideration Assembly amendments to Senate Bill No. 443—An act to promote the drainage of wet, swamp and overflowed lands, and to promote the public health in communities in which they lie; providing for the issuance of bonds and levying of assessments on lands benefited, to pay the costs and expenses thereof.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED FORTY-THREE.

AMENDMENT NUMBER ONE.

In line 11 of page 22 of the printed bill, strike out the word "treasurer" and insert in lieu thereof the words "board of supervisors"

AMENDMENT NUMBER TWO.

In line 11 of page 22 of the printed bill, strike out the word "devise" and insert in lieu thereof the word "determine".

AMENDMENT NUMBER THREE.

Strike out the comma following the word "act" in line 12, of page 22 of the printed bill, and all the remainder of said line, and insert in lieu thereof the following: "shall be signed by said treasurer by his lithographed or engraved signature, or by him personally as may be determined by said board of supervisors".

AMENDMENT NUMBER FOUR.

Strike out all of line 13 of page 22 of the printed bill preceding the words "Said bonds".

AMENDMENT NUMBER FIVE.

In line 10 of page 22 of the printed bill, strike out the word "coupon" and insert in lieu thereof the word "coupons".

AMENDMENT NUMBER SIX.

In line 29 of page 22 of the printed bill, insert the word "both" before the word "interest".

AMENDMENT NUMBER SEVEN.

In line 30 of page 22 of the printed bill, insert the words "shall be payable" after the word "principal".

AMENDMENT NUMBER EIGHT.

In line 32 of page 22 of the printed bill, insert the words "may be" after the word "bonds".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 443?

The roll was called, and Assembly amendments to Senate Bill No. 443 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Slater, and Thompson—29.
NOES—None.

Senate Bill No. 443 ordered to enrollment.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 769—An act to amend sections 2, 4, 5, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, 27, 31, 33, 36, 37, 38, 40, 41, 42, 43, 44, 46, 47, 48 and 49 of an act entitled "An act establishing and creating a department of the State Mining Bureau for the protection of the natural resources of petroleum and gas from waste and destruction through improper operations in production; providing for the appointment of a state oil and gas supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act," approved June 10, 1915, and to add two new sections thereto to be numbered 21*a* and 49*a*.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 769 passed by the following vote:

AYES—Senators Benson, Breed, Canepa, Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, King, Luce, Maddux, Nealon, Rigdon, Rominger, Scott, Slater, and Thompson—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 206—An act appropriating money for repairs and improvements, including fire protection, at the Women's Relief Corps Home.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 206 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Luce, Lyon, Maddux, Nealon, Rigdon, Rominger, Scott, Sharkey, Slater, and Stuckenbruck—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 767—An act to license canners, curers, preservers and packers of fish and handlers of crustaceans and mollusks, and providing a revenue therefrom for the conservation, propagation and restoration of fish in the State of California, and providing for a record of fish caught or received, and providing penalties for the violations of the provisions thereof, and repealing all acts and parts of acts in conflict therewith.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 767 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Kehoe, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Slater, and Thompson—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MINUTE CLERK JOSEPH A. BEEK AT THE DESK.

Senate Bill No. 557—An act to authorize the board of trustees of the San Jose State Normal School to exchange certain land belonging to said school for other land belonging to the San Jose High School District.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 557 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, Luce, Lyon, Maddux, Nealon, Scott, Sharkey, and Stuckenbruck—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 106—An act to repeal an act entitled "An act to provide for the creation of the State Commission Market, and the organization thereof, to carry on the business of receiving from the producers thereof the agricultural, fishery, dairy and farm products of the State of California and selling and disposing of such products on commission, creating the State Commission Market Fund and appropriating money therefor," approved June 10, 1915.

On motion of Senator Ballard, Senate Bill No. 106 was passed on file.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 5, 1917.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 116—An act to amend section 15 of the Water Commission Act, approved June 16, 1913, relating to the appropriation of water;

Also: Assembly Bill No. 118—An act to amend sections 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36 of the Water Commission Act, approved June 16, 1913,

and to add thereto six new sections, to be numbered 36*a*, 36*b*, 36*c*, 36*d*, 36*e*, and 36*f*, relating to the ascertainment and adjudication of water rights;
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

MADDUX, Chairman.

Assembly Bills Nos. 116 and 118 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 5, 1917.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 231—An act to amend section 19c of the Juvenile Court Law, approved June 5, 1915;
Also: Senate Bill No. 834—An act to add a new section to the Penal Code to be numbered 504*a*, relating to embezzlement, removal and disposal of leased property;
Also: Senate Bill No. 131—An act to amend section 1203 of the Penal Code, relating to the probation of persons arrested for crime after a plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation, and the disposition of such accusation after full compliance with the terms of probation;
Also: Assembly Bill No. 42—An act to amend section 2972 of the Civil Code relating to the continuance of a lien of mortgage on a crop;
Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

KEHOE, Chairman.

Assembly Bills Nos. 231 and 42, and Senate Bills Nos. 834 and 131, ordered on file for second reading.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 5, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:
Senate Bill No. 683—An act to add a new section to the Penal Code, to be numbered 632*c*, relating to the protection of trout;
Also: Senate Bill No. 290—An act to amend section 2646 of the Political Code;
Also: Senate Bill No. 750—An act to add a new section to the Political Code, to be numbered 3804*b*, relating to the payment of taxes on property assessed by two or more counties and to cancellation of erroneous assessments;
Also: Senate Bill No. 1107—An act to appropriate money to pay the expenses incurred in the publication of bond acts presented to the people at the election of November 7, 1916;
Also: Senate Bill No. 562—An act to amend section 4258 of the Political Code, relating to salaries and fees of officers and to the fees to be allowed trial and grand jurors of counties of the twenty-ninth class;
And report that the same have been correctly enrolled; and presented the same to the Governor on this fifth day of April, 1917, at two o'clock p.m.

CANEPA, Chairman.

APPROVAL OF JOURNALS.

On motion of Senator Benson, the Journals of Monday, March 19, 1917; Tuesday, March 20, 1917; Wednesday, March 21, 1917; Thursday, March 22, 1917; Friday, March 23, 1917; Monday, March 26, 1917; Tuesday, March 27, 1917; Wednesday, March 28, 1917; Thursday, March 29, 1917; and Friday, March 30, 1917, were approved as corrected.

SPECIAL ORDER.

Senator Luce moved that Senate Bill No. 86 be made a special order for Tuesday, April 10, 1917, at eleven o'clock a.m.

Motion carried.

ADJOURNMENT.

At five o'clock p.m., on motion of Senator Benson, the acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Friday, April 6, 1917.

The Senate met at ten o'clock a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—36.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal, of Thursday, April 5, 1917, its further reading was dispensed with, on motion of Senator Crowley.

LEAVES OF ABSENCE.

Senator Maddux was, on motion of Senator Slater, granted leave of absence for this day.

Senator Rush was, on motion of Senator Shearer, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Tyrrell, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. Lester Johnson and Miss Claire Johnson of Sacramento.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 4th passed Assembly Bill No. 1364—An act relating to the employment of janitors and employees of certain school districts:

Also: Assembly Bill No. 992—An act to amend section 3658*a* of the Political Code, and to add a new section to said Political Code to be numbered section 3658*b*, relating to official maps and assessment maps, and assessment by reference to said maps.

R. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1364 read first time, and referred to Committee on Education.

Assembly Bill No. 992 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 191

MR. PRESIDENT: I am directed to inform your honorable body that the Assemb on March 28th passed Assembly Bill No. 861—An act to amend an act known the "Juvenile Court Law," approved June 5, 1915, by adding a new section there to be numbered 23*a*, relating to records of juvenile offenders.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 861 read first time, and referred to Committee o Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 191

MR. PRESIDENT: I am directed to inform your honorable body that the Assemb on this day refused passage of Senate Bill No. 573—An act to amend the Penal Co of the State of California by adding thereto a new section to be numbered 337 relating to the publication, distribution, selling or giving away of tips or oth information concerning horse races, or betting upon horse races.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 573 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 191

MR. PRESIDENT: I am directed to inform your honorable body that the Assemb on this day passed Senate Bill No. 1027—An act to amend the Code of Civil Pr cedure by adding thereto a new section to be numbered 1128, providing for a recou of votes cast on any amendment or proposition appearing on the ballots at a election held under the initiative or referendum provisions of Article IV, section 1, the Constitution of the State of California, or under statutes or city or coun charters providing for similar elections, or at any election on a proposition t incurring a bonded indebtedness or on any other proposition submitted to a vote the electors;

Also: Senate Bill No. 163—An act to amend section 4223 of the Political Co relating to county hospitals.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 1027 and 163 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 191

MR. PRESIDENT: I am directed to inform your honorable body that the Assemb on this day passed:

Assembly Bill No. 451—An act appropriating money for the construction of the cottages at the Whittier State School;

Also: Assembly Bill No. 452—An act appropriating money for the furnishing a equipment of trades building and three cottages at the Whittier State School;

Also: Assembly Bill No. 306—An act appropriating money for the reconstructi of ward five and converting laundry and bakery at the Mendocino State Hospita

Also: Assembly Bill No. 391—An act appropriating money for the constructi and furnishing of a cottage for disturbed patients at the Southern California Sta Hospital;

Also: Assembly Bill No. 1024—An act appropriating money for electric lightin at Sutter's Fort;

Also: Assembly Bill No. 1227—An act appropriating money for the constructi of quarters for inebriates on the grounds of the Veterans' Home;

Also: Assembly Bill No. 376—An act appropriating money for the making of ad tions to buildings of the Los Angeles State Normal School;

Also: Assembly Bill No. 412—An act appropriating money for the constructi and furnishing of superintendent's cottage at the Norwalk State Hospital.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 451 read first time, and referred to Committee o Finance.

Assembly Bill No. 452 read first time, and referred to Committee o Finance.

Assembly Bill No. 306 read first time, and referred to Committee o Finance.

Assembly Bill No. 391 read first time, and referred to Committee on Finance.

Assembly Bill No. 1024 read first time, and referred to Committee on Finance.

Assembly Bill No. 1227 read first time, and referred to Committee on Finance.

Assembly Bill No. 376 read first time, and referred to Committee on Finance.

Assembly Bill No. 412 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly this day passed:

Assembly Bill No. 413—An act appropriating money for the construction of farm buildings at the Norwalk State Hospital.

Also: Assembly Bill No. 450—An act appropriating money for the construction and equipment of power house at the Whittier State School.

Also: Assembly Bill No. 347—An act appropriating money to cover the cost of furnishing workers' cottage for men at the Agnews State Hospital.

Also: Assembly Bill No. 348—An act appropriating money for the construction of workers' cottage for men at the Agnews State Hospital.

Also: Assembly Bill No. 950—An act to amend section 1115 of the Political Code, relating to the index of registration books;

Also: Assembly Bill No. 1189—An act to add a new section to the Penal Code of the State of California to be known as section 621*a*, relating to the obtaining of telephone or telegraphic services without paying therefor;

Also: Assembly Bill No. 880—An act to amend section 637*a* of the Penal Code, relating to the killing of birds other than game.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 413 read first time, and referred to Committee on Finance.

Assembly Bill No. 450 read first time, and referred to Committee on Finance.

Assembly Bill No. 347 read first time, and referred to Committee on Finance.

Assembly Bill No. 348 read first time, and referred to Committee on Finance.

Assembly Bill No. 950 read first time, and referred to Committee on Elections.

Assembly Bill No. 1189 read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 880 read first time, and referred to Committee on Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly this day passed:

Assembly Bill No. 911—An act adding a new section to the Civil Code, to be numbered section 2767, relating to the disposition by the beneficiary of his interest under a policy of life insurance;

Also: Assembly Bill No. 1290—An act to amend section 1533 of the Political Code of the State of California, relating to the convention school superintendent;

Also: Assembly Bill No. 1416—An act to amend sections 1611, 1613, 1614, 1615, 1616, 1617 of the Political Code; to add thereto ten new sections, to be numbered 1603, 1603*a*, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1612, and to repeal sections 1617*a*, 1617*b*, 1617*c*, and 1617*d* of the Political Code, relating to boards of school trustees and city boards of education;

Also: Assembly Bill No. 1428—An act to amend section 331 of the Penal Code, relating to gambling in houses owned or rented;

Also: Assembly Bill No. 1432—An act to recognize and declare valid the permanent road division of Inwood, in Shasta County, and to recognize and declare valid all proceedings in relation thereto and for the organization thereof;

Also: Assembly Bill No. 157—An act to repeal section 1410a of the Civil Code, relating to water rights;

Also: Assembly Bill No. 1423—An act to amend section 634 of the Penal Code, relating to the protection of fish;

Also: Assembly Bill No. 1215—An act to amend section 628 of the Penal Code, relating to the protection of abalones.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 911 read first time, and referred to Committee on Insurance.

Assembly Bill No. 1290 read first time, and referred to Committee on Education.

Assembly Bill No. 1416 read first time, and referred to Committee on Education.

Assembly Bill No. 1428 read first time, and referred to Committee on Public Morals.

Assembly Bill No. 1432 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 157 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 1423 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1215 read first time, and referred to Committee on Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 551—An act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 of an act entitled "An act to authorize and regulate the possession, use, transportation and sale of trout or other fish by persons engaged in the business of propagating and rearing such fish, and by persons who purchase fish so reared," approved March 17, 1911;

Also: Assembly Bill No. 628—An act to define and distinguish state highways and state roads and to designate names for certain state roads;

Also: Assembly Bill No. 396—An act to amend sections 323 and 325 of the Code of Civil Procedure, relating to the adverse possession of land;

Also: Assembly Bill No. 501—An act to amend section 160 of the Code of Civil Procedure, relating to the holding of superior courts by superior judges of other counties, and providing for their actual and necessary expenses;

Also: Assembly Bill No. 1358—An act to add a new section to the Code of Civil Procedure of California to be designated as section 67c, relating to the appointment of an official court interpreter of the Spanish language by the judges of the superior court in counties of the first class, prescribing his duties and providing for the appointment of such interpreter.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 551 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 628 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 396 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 501 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1358 read first time, and referred to Committee on Judiciary.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 381—An act to amend section 632 of the Penal Code, relating to the protection of fish.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 381 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Kehoe, Luce, Nealon, Rigdon, Rominger, Scott, Shearer, Slater, Stuckenbruck, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 587—An act to add a new section to the Political Code to be numbered 2983, relating to the office of attorney for the State Board of Health, and repealing all acts inconsistent therewith.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Kehoe moved to refer Senate Bill No. 587 to Senator Benson as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 8, strike out the words "six hundred".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, in lines 8 and 9, strike out the words "devote his entire time to the performance of his duties, keeping", and insert in lieu thereof the word "keep".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 6, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 587, with instructions to amend, respectfully reports the same back, amended as per instructions.

BENSON, Special Committee.

Report read, and on motion of Senator Kehoe, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 516—An act to amend section 1521 of the Political Code, relating to the compensation and expenses of members of the State Board of Education and Assistant Superintendents of Public Instruction.

On motion of Senator Ballard, Senate Bill No. 516 was passed on file.

Senate Bill No. 811—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications.

On motion of Senator Ballard, Senate Bill No. 811 was passed on file.

Senate Bill No. 49—An act to repeal section 55*a* of the Penal Code, relative to soliciting, demanding, or pledging votes for or against any particular bill or measure.

On motion of Senator Duncan, Senate Bill No. 49 was passed on file.

Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution

of said State, by amending section 1 of Article IV thereof, relating to legislative powers, and reserving to the people of the State of California the power to propose laws, statutes and amendments to the Constitution and to enact the same at the polls, independent of the Legislature, and also reserving to the people of the State of California the power to approve or reject at the polls any act or section or part of any act of the Legislature.

On motion of Senator Duncan, Senate Constitutional Amendment No. 5 was passed on file.

Senate Bill No. 1090—An act to amend sections 1, 2, 3, 6, 7, 12, 15 and 16 of an act entitled "An act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911, as amended.

On motion of Senator Scott, Senate Bill No. 1090 was passed on file.

Senate Bill No. 1110—An act to promote the development of the California fruit industry and to protect the State's reputation in the fruit markets by establishing a standard for the packing of certain fresh fruits specified herein, prescribing penalties for violations of the provisions hereof, and repealing all acts inconsistent herewith.

In the absence of the author, Senate Bill No. 1110 was ordered passed, to retain its place on the file.

Senate Bill No. 851—An act to amend section 400 of the Civil Code, and to repeal sections 405, 406, 408, 409 and 410 of said code, relating to corporations.

In the absence of the author, Senate Bill No. 851 was ordered passed, to retain its place on the file.

Senate Bill No. 854—An act to amend section 341 of the Code of Civil Procedure, relating to time for commencement of actions.

In the absence of the author, Senate Bill No. 854 was ordered passed, to retain its place on the file.

Senate Bill No. 307—An act to amend sections 3607, 3608, 3627, 3628, 3629, 3643, 3663, 3678, 3701, 3728, 3734 and 3753 of the Political Code, and to repeal sections 3609, 3610, 3641, 3679, 3719, 3757, 3769*a*, 3839, 3840, 3841, 3842, 3843, 3844, 3845, 3846, 3847, 3848, 3849, 3850, 3851, 3852, 3853, 3854, 3855, 3856, 3857, 3858, 3859, 3860, 3861 and 3862.

On motion of Senator Breed, Senate Bill No. 307 was passed on file.

Senate Bill No. 413—An act to amend section 273*h* of the Penal Code, relating to work of convicts on roads, and payment therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 413 passed by the following vote:

AYES—Senators Ballard, Breed, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Kehoe, King, Luce, Nealon, Rigdon, Rominger, Scott, Shearer, Stuckenbruck, Thompson, and Tyrrell—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 106—An act to repeal an act entitled "An act to provide for the creation of the state commission market, and the organization thereof, to carry on the business of receiving from the producers

thereof the agricultural, fishery, dairy and farm products of the State of California and selling and disposing of such products on commission, creating the state commission market fund and appropriating money therefor," approved June 10, 1915.

On motion of Senator Ballard, Senate Bill No. 106 was passed on file.

Senate Bill No. 558—An act to amend sections 1 and 2 of an act entitled "An act to prevent the supply of water dangerous to health for domestic purposes and to provide for the installation of sanitary water system," approved June 13, 1913, so as to prevent the supply of water impure, unwholesome, unpotable or polluted for domestic purposes and to compel the furnishing of pure, wholesome and potable water supplies for domestic purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 558 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, King, Luce, Nealon, Rigdon, Rominger, Scott, Sharkey, Shearer, Stuckenbruck, Thompson, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR GATES IN THE CHAIR.

At ten o'clock and thirty-five minutes a.m., Senator Gates of the Thirty-fifth District was called to the chair.

Senate Bill No. 676—An act to amend section 453*cc* of the Civil Code, relating to mortgage insurance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 676 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, King, Luce, Nealon, Rigdon, Scott, Sharkey, Shearer, Stuckenbruck, Thompson, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 823—An act to repeal an act entitled "An act to establish a uniform system of mine bell signals, to be used in all the mines operated in the State of California, and for the protection of miners," approved March 8, 1893, and known as Chapter 74, Statutes of 1893.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 823 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Kehoe, King, Luce, Lyon, Nealon, Rigdon, Scott, Sharkey, Shearer, Stuckenbruck, Thompson, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Concurrent Resolution No. 24—Relative to leaves of absence of the Governor, and the members of the Senate and Assembly of the forty-second session of the Legislature of the State of California.

Resolved by the Senate, the Assembly concurring, That leave of absence from the State of California for a longer period than sixty days, during their term of office, is hereby granted to His Excellency, William D. Stephens, Governor of the State of California; and to the following members of the Senate and Assembly of the forty-second session of the Legislature of the State of California:

Senators John W. Ballard, Frank H. Benson, A. H. Breed, William E. Brown, Lester G. Burnett, Victor J. Canepa, Frank M. Carr, William J. Carr, Harry A. Chamberlin, W. F. Chandler, John Joseph Crowley, W. E. Duncan, Jr., S. C. Evans, Lawrence J. Flaherty, Egbert J. Gates, George J. Hans, Thomas Ingram, J. M. Inman, J. L. C. Irwin, M. B. Johnson, Herbert C. Jones, William Kehoe, Lyman M. King, Edgar A. Luce, Henry H. Lyon, Walter A. McDonald, L. J. Maddux, James C. Nealon, Claude F. Purkitt, E. S. Rigdon, Joseph A. Rominger, Benjamin F. Rush, William S. Scott, Will R. Sharkey, William B. Shearer, Herbert W. Slater, J. W. Stuckenbruck, J. R. Thompson, Edward J. Tyrrell;

Assemblymen Crombie Allen, Thomas L. Ambrose, Frank W. Anderson, Joseph M. Argabrite, Paul J. Arnerich, George W. Ashley, Edwin Baker, Hugh J. Baldwin, Alfred L. Barthett, W. R. Brackett, C. H. Brown, T. V. Brown, Bismarck Bruck, Joe C. Burke, Henry D. Byrne, William E. Calahan, A. W. Carlson, William M. Collins, Lewis L. Dennett, W. A. Doran, Lawrence Edwards, Frank Leonard Elsward, Bert L. Farmer, T. R. Finley, Leo R. Friedman, Lee Gebhart, George Gelder, Charles William Godsil, Charles W. Goetting, Lyman Green, Carlton W. Greene, C. C. McCray, Robert Madison, J. E. Manning, Milton Marks, William J. Martin, A. J. Mathews, Frank F. Merriam, Thomas A. Mitchell, Clarence W. Morris, Harry F. Morrison, Frank H. Mouser, Ivan H. Parker, J. A. Pettis, Peter C. Phillips, Harry Polsley, N. J. Prendergast, John F. Quinn, H. B. Ream, J. Leonard Rose, James J. Ryan, William T. Satterwhite, E. R. Shepherd, Frank M. Smith, Louis Tarke, C. P. Vicini, George C. Watson, Dan E. Williams, Robert E. Wills, Harry A. Wishard, Henry W. Wright, Henry H. Yonkin, C. C. Young.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 24 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Kehoe, King, Luce, Nealon, Rigdon, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—24.

NOES—None.

Title read and approved.

Resolution ordered transmitted to the Assembly.

Senate Bill No. 712—An act to add a new section to the Political Code, to be numbered 1528, providing for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds.

On motion of Senator Gates, Senate Bill No. 712 was re-referred to Committee on Education.

Senate Bill No. 314—An act to amend sections 1578 and 1579 of the Political Code, relating to the organization of elementary school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 314 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Kehoe, King, Nealon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 989—An act to amend section 1380 of the Code of Civil Procedure, relating to giving special notices to heirs, devisees, and legatees during the administration of estates of decedents.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 989 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Crowley, Duncan, Evans, Flaherty, Gates, Irwin, Kehoe, King, Nealon, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 991—An act to amend section 963 of the Code of Civil Procedure of the State of California, relating to cases in which an appeal may be taken.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 991 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Irwin, Kehoe, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by adding a new article thereto, to be numbered 24, establishing a state athletic commission and regulating boxing and sparring in the State.

On motion of Senator Scott, Senate Constitutional Amendment No. 19 was passed on file.

Senate Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding thereto a new section to be known as section 5 of Article XIII, providing for the exemption of certain property from taxation.

In the absence of the author, Senate Constitutional Amendment No. 27 was ordered passed, to retain its place on the file.

Senate Constitutional Amendment No. 16—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XI thereof, to be designated as section 20, of said Article XI, of the Constitution of the State of California, relating to the taking of property for public use and additional adjoining or neighboring property, and for the payment therefor.

Resolution read.

COMMITTEE AMENDMENT.

During reading of resolution, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, strike out all of lines 11 to 13, inclusive; also, on page 2, strike out all of lines 1 to 24, inclusive, and insert in lieu thereof the following:

SEC. 20. The state, any county, city and county, or municipality may acquire, by eminent domain, the title in fee simple to property in excess of that actually needed

for use in an improvement. Property so acquired, in excess of that actually needed for such improvement, shall be deemed to be acquired for a public use. The procedure for such acquisition and the use and sale, lease or other disposition of property so acquired shall be prescribed by general law.

Amendment adopted.

Resolution ordered to print, and engrossment.

Senate Joint Resolution No. 13—Relative to the emancipation of Russia from autocratic rule.

In the absence of the author, Senate Joint Resolution No. 13 was ordered passed, to retain its place on the file.

Senate Joint Resolution No. 15—Relative to passage by Congress of the United States the universal and compulsory military training bill to meet the present crisis and provide for the perpetual safeguarding of the existence and interests of this Nation.

On motion of Senator Inman, Senate Joint Resolution No. 15 was passed on file.

Senate Joint Resolution No. 12—Relative to memorialization of Congress to support the President during the present crisis.

Resolution read.

COMMITTEE AMENDMENT.

During reading of resolution, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out the word "and" in line 4, and all of lines 5 to 19, inclusive, and all of lines 1 to 21, inclusive, on page 2, and insert in lieu thereof the following: "now therefore be it

Resolved, by the Senate and Assembly of the State of California jointly,".

Amendment adopted.

Resolution ordered to print, and engrossment.

Senate Bill No. 121—An act providing for the organization of water districts by the board of supervisors of any county of the State upon petition therefor by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of said county in which the lands contained in said district are located; providing for the acquisition and construction by said district of waterworks, for the irrigation of the lands embraced therein and for the distribution of water for irrigation purposes and domestic use; providing for the payment of the debts thereof by a tax levied on the property embraced therein; providing for the issuance and sale of bonds thereby.

In the absence of the author, Senate Bill No. 121 was ordered passed, to retain its place on the file.

Senate Constitutional Amendment No. 44—A resolution to propose to the people of the State of California to amend section 13 of Article VI of the Constitution of the State, relating to inferior courts.

On motion of Senator Ballard, Senate Constitutional Amendment No. 44 was passed on file.

Senate Concurrent Resolution No. 23—Relative to investigation of books used to supplement the state series of textbooks adopted for use in elementary schools.

Resolved, First—That the State Board of Education is hereby directed to investigate the subject of books used to supplement the state series of textbooks adopted for use in the elementary schools;

Second—That all local school officers, and other persons having charge of the purchase or distribution of such books are hereby directed to furnish to the State Board of Education, on blanks provided by that board, the name of each supplemental book and the quantity of the same used in the various schools under their jurisdiction, the cost per volume of the last order purchased, and any and all other information relating to this subject that may be required by the State Board of Education in making this investigation;

Third—That the State Board of Education is hereby directed to segregate this information and provide for the inclusion of the same in its next biennial report to the Governor.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 23 adopted by the following vote:

AYES—Senators Benson, Breed, Brown, Carr, F. M., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Jones, Lyon, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—25.

NOES—None.

Title read and approved.

Resolution ordered transmitted to the Assembly.

Senate Bill No. 931—An act to add a new section to the Political Code, to be numbered section 1734*b*, relating to the exclusion of an elementary school district from a high school district and the annexation of such elementary school district to another contiguous high school district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 931 passed by the following vote:

AYES—Senators Ballard, Benson, Brown, Carr, F. M., Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Jones, Lyon, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 291—An act appropriating money for the purchase of live stock at the San Quentin State Prison.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 293—An act appropriating money for the construction of new additions to farm buildings for San Quentin State Prison.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 294—An act appropriating money for repairs and improvements to buildings, structures and equipment at the San Quentin State Prison.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 18—An act to amend section 1 of an act entitled "An act to prohibit the use of nets, seines, traps, or weirs in the Napa River and its tributaries in the counties of Sonoma, Napa and Solano," approved March 4, 1911.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Amend title by striking out in line 2 the words "amend section one of" and insert in lieu thereof the word "repeal".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 4, strike out the words "amended to read" and strike out all the rest of the bill, and insert in lieu thereof the following "repealed."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 67—An act to further divide the State into fish and game districts by establishing a district specially suited for propagation of game, and to provide for the management and protection thereof.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill strike out lines 7 to 15, inclusive; also lines 1 to 14, inclusive, on page 2, and insert in lieu thereof the following:

"Beginning at the intersection of the easterly shore of inner Bolinas bay with the northwesterly boundary line, extended, of the Stinson ranch conveyed to A. H. Stinson, et al, by decree of distribution dated the twenty-eighth day of July, 1911, and recorded in the office of the county recorder of Marin county, in book one hundred thirty-seven of deeds at page one hundred two; thence northwesterly along the said northwesterly boundary line to the southwesterly boundary line of the lands of the Marin municipal water district on the top of Bolinas ridge, thence along the exterior boundary of the lands of said district in such a way as to include the same, to a point in the abandoned portion of the Fairfax and Bolinas county road, thence northerly along the said road and along the Fairfax and Bolinas county road, to a point in the southwesterly line of the right of way of the Northwestern Pacific Railroad Company near Fairfax station, thence along the said last mentioned line in a southerly direction past the railroad stations at San Anselmo, Kentfield and Corte Madera, to its intersection with Humboldt street on the westerly boundary of the lands of the Sausalito Land and Ferry Company, as said street is laid down and delineated on the official map of said lands filed in the office of the county recorder of Marin county in rack number one, pull number nine; thence southerly along the westerly line of said Humboldt street and the westerly line of Tennessee avenue of the same tract, to the corner common to ranches E, F, and A as said ranches are delineated on the Tamalpais Land and Water Company's map number three, filed in said recorder's office in map book number one, page one hundred four; thence southwesterly along the southeasterly boundary lines of ranches E, L, and K, as shown on said last mentioned map, to the shore of the Pacific ocean; thence northwesterly along the shore of the Pacific ocean and across the easterly end of the Bolinas sandspit, and along the easterly shore of inner Bolinas bay, to the point of beginning, excepting from".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, in line 2, after the word "to" insert the following: "the lawful occupant of said land, to".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3 of the printed bill, strike out lines 23 to 26, inclusive.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3 of the printed bill, in line 27, strike out the letter "(c)" and insert in lieu thereof the following: "(d)".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3 of the printed bill, in line 30, strike out the letter "(f)" and insert in lieu thereof the letter "(e)".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 4 of the printed bill, in line 1, strike out the words "except by persons on their own lands or those" and in line 2 the words "of their employer.".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 4 of the printed bill, in line 7, strike out the period and insert in lieu thereof a comma and the following: "except the lawful occupants of said lands and their employees shall not be required to obtain permits for the purpose of killing ground squirrels, gophers, owls, hawks, blue jays, skunks or other destructive animals which are not game animals as in this act defined."

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 4 of the printed bill, in line 22, strike out the comma and the words "or to"; also lines 23 to 29, inclusive.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 126—An act to amend sections 12, 18, 19, and 20 of an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts." Approved June 10, 1913.

On motion of Senator Purkitt, Senate Bill No. 126 was passed on file.

Senate Bill No. 1142—An act to add a new section to the Civil Code, to be numbered 1464*a*, providing that contracts for the sale and delivery of crops or products of land may be made to run with and bind the land described therein.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In line 11, of the printed bill, strike out the comma after the word "supervisors" and insert in lieu thereof a period, also strike out the word "said" and insert the word "Said".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1145—An act authorizing and empowering irrigation and reclamation districts to enter into contracts with the United States Reclamation Service for the reclamation of lands within such districts under the provisions of the so-called "Twenty Year Extension Act."

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 730—An act to amend section 3480 of the Political Code, relating to swamp and overflowed, salt marsh and tidelands.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Strike out all of the printed bill after the enacting clause and insert in lieu thereof the following:

SECTION 1. Section three thousand four hundred eighty of the Political Code is hereby amended to read as follows:

3480. Whenever in any reclamation district in this state, now formed or which may hereafter be formed, any assessment has been levied and assessed upon the lands of said district, and remains unpaid in whole or in part, where in the judgment and opinion of the board of trustees of said district it would be for the best interest of said district or the landowners therein to issue bonds for the purpose of obtaining money to pay the costs of reclamation, the indebtedness of the district, or any other legal charge, or when a petition signed by the owners of more than one-half of the land in the district is filed with the secretary of the board, the board of trustees of such district shall by order entered upon the records of said board, order a special election to be held at some place in said district to be designated by said board of trustees, at which said special election shall be submitted to the owners of land in said district the question of whether or not bonds of said district shall be issued in an amount equal to the amount of such assessment, or the part of such assessment remaining unpaid, which said amount shall be entered by said board of trustees in its records and stated by them in the order for such special election.

For all purposes of this article relating to signing petitions and by-laws and voting at any election of reclamation districts the last assessment list of the said reclamation district on the equalized assessment roll for the year last preceding, in each county wherein any land of the district is situated shall be sufficient evidence of ownership and of value of lands in the district as hereinafter provided. Guardians, executors, administrators and other persons holding land in a trust capacity under appointment of court may sign such petitions or by-laws or may vote without obtaining special authority therefor.

Notice of such special election must be given by the board of trustees by posting notices thereof in at least three public places in the district at least twenty-one days prior thereto, and also by publication for the same length of time in some newspaper of general circulation published in each county in which any portion of said district may be situated, and such notice must specify the time and place of holding such election, the aggregate face value of bonds proposed to be issued and the names of three landholders of the district to act as a board of election. Affidavits of the publication and posting of such notice must be filed with the county clerk of the county in which said district or the greater part thereof is situated (herein designated as the main county), together with a copy of said order calling the election, certified by the president of the board of trustees.

At such election each owner of lands in the district shall be entitled to vote in person or by proxy and shall have the right to cast one vote for each dollar's worth of real estate owned by him in the district, said value and ownership thereof to be determined from the next preceding assessment roll of the county or counties in which the lands of said district are situate, and the board of trustees of the district shall, prior to the election, cause to be prepared and certified by the proper officer and furnished to the board of election, a true and correct copy of the said next preceding assessment roll of the said county or counties, which said certified roll shall be used by the said board of election in determining the number of votes each voter is entitled to cast. Executors, administrators, special administrators and guardians may cast the votes of the estates represented by them.

No person shall vote by proxy at such election unless authority to cast such vote shall be evidenced by an instrument in writing, duly acknowledged and certified in the same manner as grants of real property and filed with the board of election. The ballots cast at such election shall contain the words: "Bonds—yes," or the words "Bonds—no," and also the name of the person casting the ballot with the

number of votes cast by him. A list of the ballots cast shall be made by the board of election, containing the name of each voter, and, if the ballot be cast by proxy, the name of the person casting it, and the number of votes cast by each, and whether the same be cast for or against the issuing of the bonds.

If any person appointed as a member of the board of election shall fail to attend at the opening of the polls, the voters then present may appoint in his place any landholder of the district. Each member of such board of election, must, before entering upon his duties take and subscribe an official oath, which oath may be administered by an officer authorized to administer oaths or by any landholder in the district. The polls shall be kept open from ten o'clock a.m. of the day of election until four o'clock p.m. At the close of the polls the board of election shall at once proceed to canvass the votes and declare the result and shall forward a certificate showing such result and the number of votes cast for and against issuing of bonds, to the county clerk of the main county, and shall deliver a duplicate thereof to the board of trustees of the district, and shall also deliver to the said county clerk of the main county all ballots cast at such election and all documents and papers used at such election. Any person interested may contest such election within twenty days after such filing of said certificate with the said county clerk by bringing suit in the superior court of the main county; otherwise the declaration of the result by the board of election shall be final and conclusive.

If a majority of the votes cast at such election are in favor of the issuance of bonds, the board of trustees of the district shall cause bonds in the amount stated in the order for the election to be executed and delivered, together with the assessment list, to the treasurer of said main county. Said bonds shall be of the denomination of not less than one hundred dollars nor more than one thousand dollars each; they shall be signed by the president of the board of trustees of the district and attested by the county auditor of said main county, and shall be numbered consecutively in the order of their maturity, and shall bear interest at a rate not to exceed six per cent per annum, payable semiannually on the first day of January and the first day of July in each year at the office of said county treasurer upon the presentation of the proper coupons therefor. Coupons for each installment of interest shall be attached to said bonds and shall bear the facsimile signature of the county auditor. The principal of said bonds shall be made payable on the first day of July, or the first day of January, and in such years as the trustees may prescribe, but said bonds shall be payable serially within twenty years from their date in the manner following, to wit:

(1) Not less than ten per centum of the aggregate face value of bonds issued shall be payable within ten years from their date.

(2) Not less than ten per centum of the aggregate face value of bonds remaining unpaid at the end of ten years shall be payable each year beginning with the eleventh year from their date, until the whole amount of said bonds has been paid. Said bonds shall be substantially in the following form:

UNITED STATES OF AMERICA.

STATE OF CALIFORNIA.

COUNTY OF _____.

No. _____. Denomination _____

RECLAMATION DISTRICT NO. _____.

Reclamation District No. _____, for value received hereby acknowledges itself indebted to and promises to pay to the holder hereof at the office of the treasurer of said _____ county, in the State of California, on the first day of _____, 19__, the sum of $_____, in gold coin of the United States of America, with interest thereon in like gold coin from date hereof until paid, at the rate of _____ per cent, per annum, payable at the office of said treasurer semiannually on the first day of January and the first day of July in each year on presentation and surrender of the interest coupons hereto attached. This bond is one of a series of _____ bonds of like tenor and effect, except as to denomination and maturity, numbered from _____ to _____ inclusive, amounting in the aggregate to _____ thousand dollars, issued in accordance with section three thousand four hundred eighty of the Political Code of the State of California pursuant to an election held in said reclamation district on the _____ day of _____, 19__, authorizing its issuance, and is based upon and secured by an assessment levied on the lands in said district, and filed in the office of the county treasurer of said county of _____ on the _____ day of _____, 19__, and the said reclamation district does hereby certify and declare that said election was duly called and held upon due notice, and the result thereof was duly canvassed and ascertained, in pursuance of and in strict conformity with the laws of the State of California applicable thereto, and that all of the acts and conditions and things required by law to be done, precedent to and in the issue of said bonds have been done and have been performed in regular and in due form and in strict accordance with the provisions of the law authorizing the issuance of reclamation bonds.

In testimony whereof, the said district, by its board of trustees, has caused this bond to be signed by the president of said board and attested by the auditor of said county of _____ with his seal of office affixed this _____ day of _____, 19__.

_____
President of said board.

Attest: _____
Auditor of the county of _____ State of California.

And the interest coupons may be substantially in the following form:

No. _____. $_____

The county treasurer of _____ county, California, will pay to the holder hereof on the _____ day of _____, 19___, at his office in said county of _____ the sum of $_____ in gold coin of the United States out of the funds of Reclamation District No. _____ for interest on bond of said district numbered _____.

_____
County auditor.

The treasurer of said main county shall place the bonds prepared pursuant to this act to the credit of the district. Thereafter when directed by resolution of the trustees of the district, the treasurer of said county may sell the whole or any designated number of said bonds for the best price obtainable therefor, but in no event for less than ninety per cent of the face value of said bonds and the accrued interest thereon. Before making a sale of said bonds, notice shall be given by the said county treasurer by publication at least once a week for two weeks in a newspaper of general circulation published in said main county, that he will sell a specified amount of said bonds, and stating the day, hour and place of such sale, and asking sealed proposals for the purchase of said bonds, or any part thereof. At the time appointed the county treasurer shall open the bids and award the bonds to the highest responsible bidder. He may, and upon written request of a majority of the trustees must, reject any and all bids. Any sale by the county treasurer and delivery of the bonds thereunder shall be conclusive evidence in favor of the purchaser and all subsequent holders of the bonds that such sale was made upon due authority and notice. The proceeds of sale of said bonds shall be placed in the county treasury to the credit of said district, and a proper record of such transaction shall be made upon the books of said county treasurer. At any time within thirty days after said bonds shall have been delivered to the treasurer of the county, an action may be commenced in the superior court of said main county by the trustees of said reclamation district in its name against the lands in said district and all persons owning the same or interested therein, to have it determined that said bonds are a legal obligation of such reclamation district, and in the event no such action is brought then the same may be commenced by any landowner in the district within thirty days thereafter. It shall be sufficient to describe said lands as all lands in the district (naming it) without a more specific description. The summons shall be published once a week for two weeks in some newspaper of general circulation published in the county where the action is pending. Within thirty days after the first publication of summons any owner of land in such district, or any person interested, may appear and answer the complaint, which answer shall set forth the facts relied upon to show the invalidity of said bonds. The default of all defendants not so appearing may be entered. Such action shall be given precedence in hearing and trial over all other civil actions in such court, and judgment rendered declaring such matter so contested either valid or invalid. Any party not in default may have the right to appeal to the supreme court within thirty days after entry of judgment. Judgment for the plaintiff in such proceedings shall be considered as a judgment in rem and shall be conclusive against said district and against all lands therein and all owners thereof and other interested persons.

The board of trustees of said district may draw warrants upon the said county treasurer against the funds provided by sale of bonds, which said warrants shall be approved by the board of supervisors of said main county.

All moneys collected by any county treasurer upon any assessment upon which bonds shall have been issued, including all moneys derived from sale of land for delinquent installments, or from redemption thereof, or from sale of lands bought by the treasurer at any such sale, shall be by such treasurer forthwith paid into the main county treasury to the credit of the bond fund of such reclamation district, and shall be used exclusively for the payment of principal and interest of said bonds issued on such assessment.

The bonds of reclamation districts issued pursuant to this act may be lawfully purchased, or received in pledge for loans by banks, trust companies, insurance companies, guardians, executors, administrators and special administrators, or by any public officer or officers of this state or of any county, city or city and county or other municipal or corporate body within this state having or holding funds which they are allowed by law to invest or loan.

If the trustees deem it advisable they may order a special election to be held prior to making an assessment, to determine whether or not bonds shall be issued for an amount to be stated in the order for such election, but no bonds shall, in such instance, be issued until an assessment for the amount of the bonds authorized at such election shall have been made and filed with the county treasurer.

The lien of any unpaid assessment upon which bonds shall have been issued shall continue until all said bonds shall have been paid in full, and if for any reason any part of such principal or interest of said bonds shall remain unpaid after enforcement of said assessment as in this article provided, the board of supervisors of the main county shall order an additional or supplemental assessment to be made as provided in section three thousand four hundred fifty nine, sufficient to pay such unpaid principal and interest; which additional or supplemental assessment shall be enforced and collected in the same manner as the original assessment.

If any district having authorized the issuance of a series of bonds shall issue an additional series of bonds based on another assessment, the dates of maturity of such additional series of bonds shall be such that the latest maturities thereof shall not exceed thirty years and the earliest maturity of bonds of such additional series shall be later than the latest maturity of bonds of any earlier series. All provisions of this section relative to the original issue of bonds shall apply to such additional series of bonds so far as applicable and also so far as applicable shall affect existing reclamation districts as well as those hereafter formed.

Any district which has issued bonds of different denominations may, by an order entered in its minutes, upon request of holders thereof, and upon the deposit of the bonds issued and outstanding with the board of trustees, issue to the holders of such deposited bonds, bonds of the district in the same form but in different denominations, but having the same aggregate face value and maturity. Such bonds shall be executed by all of the persons who are required by law to execute the original bonds for which such exchange is made, and the said bonds so deposited shall be thereupon canceled by the treasurer of the main county and the board of trustees of the district.

Whenever in any reclamation district in the state a bond issue of said district has been authorized prior to this amendment then the provisions of this section hereby amended in respect to the manner of procedure by which the assessments are called in to meet payments on account of principal or interest of such bonds, and also the provision herein contained by which the assessment shall continue in full force and effect as constituting a lien upon the several tracts of land within said district under the provisions of section three thousand four hundred sixty three of this code until the principal and interest of all bonds issued on the basis of said assessment shall have been paid in full, shall apply to and inure to the benefit of the bonds which may have been issued by any reclamation district in this state prior to the date of the enactment of this amendment.

Upon a sale of any of the bonds provided herein the county treasurer of the main county is hereby authorized to accept in payment for said bonds, either in whole or in part, outstanding warrants of such district at their face value, together with the accrued interest thereon.

Where bonds of the district have been authorized to be issued on such assessments the treasurer shall at the end of said period of thirty days make entry upon said list of all such assessments which have been paid, and thereafter all unpaid assessments shall bear interest at the rate of seven per cent per annum until the bonds issued thereon shall have been fully paid and discharged, and the interest due at any time on said unpaid assessments may be called without calling any installment of the said assessment. The word install as used in this section shall be construed as applying to interest as well as the principal as the case may be.

The amount, in excess of the fund in the treasury applicable thereto, necessary to pay the installment of interest and of principal due each year thereafter until all of said bonds have been paid shall be due and payable ninety days before each of the interest payment dates hereinbefore mentioned. And in addition thereto there shall be due and payable fifteen per cent of the amount thereof to cover possible delinquencies, which shall be due and payable and shall be collected and paid into the bond fund, together with the amounts herein provided for. Such installment, together with such additional amount of fifteen per cent, shall be delinquent thirty days thereafter. The county treasurer of each county whereon lands of the district are situate shall collect all of said amounts when and as the same are due and payable and shall place the same in the bond fund to be disbursed in the manner hereinafter provided. Said county treasurer shall thereupon cause to be published once a week for two weeks in some newspaper of general circulation published in said county a notice substantially in the following form:

(Name of reclamation district.) Notice is hereby given that an installment of assessment (describing it) of (amount or proportion thereof including interest thereon or only for interest) is payable within thirty days from (date) by all assessed landowners of said district in the county of (name of county) to the treasurer of said county. All or any part of said installment or interest which shall remain unpaid on the (day fixed) will be delinquent, together with accrued interest thereon, with twenty per cent of such installment and interest added as penalty.

Dated (date).

(Signed) _____

Treasurer of _____county.

If no newspaper is published in said county, such publication shall be made in a newspaper published in an adjoining county. If any part of such installment

or any interest thereon shall remain unpaid at the expiration of thirty days from the date of said order, it shall become delinquent and twenty per cent of the unpaid amount of said installment and interest shall be added thereto and collected by said treasurer. When any installment shall have become delinquent, said treasurer shall within ten days publish once a week for two weeks in a newspaper of general circulation in said county (or if no newspaper is published therein, then in a newspaper published in an adjoining county), a notice containing a description of each parcel of land assessed in the district in said county whereon such installment is delinquent, as such description appears on the assessment list, the name of the person to whom it is assessed, to unknown owners if such is the fact; the amount of the installment delinquent on such parcel, the amount of interest thereon reckoned to the day of sale, the amount of said twenty per cent penalty thereon, and a notice that each of said parcels will be sold at public auction by said county treasurer in front of the courthouse of said county, at a specified day and hour which shall not be less than thirty days nor more than sixty days from the date of delinquency, to pay said delinquent installment, with said accrued interest and penalty. At the time stated in said notice, the county treasurer shall sell each parcel of land described in said notice to the highest bidder, unless prior thereto he shall have received payment in full of said delinquent installment together with such interest and penalty. No bid for any parcel shall be accepted less than the aggregate sum then due on said installment thereon, with interest and penalty, and such sale shall be made for cash (except the treasurer may receive from any purchaser at their face value in lieu of cash, bonds of said district or their interest coupons, issued on said assessment and then matured or to mature within sixty days after such sale). Any bond or coupon so received in payment shall be by the treasurer forthwith canceled and filed in the office of the treasurer of the county wherein the greater part of the land of the district is situated, hereinafter called the main county. If the entire amount of any such bond or coupon tendered in payment shall not be required to complete payment of the purchase money, the treasurer shall endorse thereon as paid, the amount of such purchase money credited thereon. If no bid is made for any parcel at such sale equal to the amount of the installment delinquent thereon, with interest and penalty, the treasurer shall bid in and sell said parcel to himself and his successors in office, as trustee of the bond fund of said district, as purchaser, for the amount of said installment, interest and penalty. The treasurer shall execute to each purchaser, including himself as trustee, a certificate of sale, and shall record a duplicate in the county recorder's office. Any person interested in the said property may redeem the same at any time within one year after the date of sale, by paying to the county treasurer for such purchaser a sum equal to the purchase price stated in the certificate, with interest thereon at the rate of twelve per cent per annum from the date of sale to such redemption. If no redemption shall be made within one year, the treasurer upon demand and surrender of such certificate of purchase, shall execute to the purchaser, his heirs or assigns, a deed of conveyance of the parcel of land described in such certificate, which deed shall convey to the grantee therein named the said land free and clear of all encumbrances, except state, county and municipal taxes, and except any portion of any reclamation assessment remaining unpaid at the date of said sale; each installment whereof may be called and collected as herein provided, except that no parcel sold and conveyed to the district shall thereafter be subject to sale by the treasurer for delinquent installments. Every deed by a county treasurer purporting to be executed under this section shall be prima facie evidence of the truth of the matters therein recited, and of ownership by the grantee of the lands therein described. The treasurer of the main county shall credit to the bond fund of the district all money collected by him by sale or otherwise, upon assessments against which bonds shall have been issued, including interest and penalties, and all moneys received by him from treasurers of other counties upon account of such assessments, and he shall likewise credit to said fund the amounts of purchase money paid in bonds or coupons on sales made for said assessment by himself or reported to him by any other treasurer. Each treasurer shall charge to the general fund of the district, or to its bond fund if he has no money to the credit of its general fund, the expense of publication of notices and of recording certificates of sale. The treasurer of any county other than the main county shall without delay account for and transmit to the treasurer of the main county all money collected by him upon any assessment by sale or otherwise, deducting his expenses of publication and recording and shall also transmit all canceled bonds and coupons received in payment on any delinquent sale, and a memorandum of all sums endorsed as paid upon account of purchase money on any bonds or coupons, specifying the same. All moneys collected by any treasurer upon account of an assessment on which bonds shall not have been issued shall be similarly accounted for and transmitted to the treasurer of the main county, and shall be credited by him to the general fund of the district. Any parcel of land bid in and purchased by a treasurer as aforesaid, as trustee of the bond fund of the district, may be sold and conveyed by him or his successor in office at any time after the expiration of said redemption period of one year, at public or private sale and with or without notice, to any person paying him the amount for which said parcel was bid in by said treasurer at delinquent sale, with interest thereon at the rate of seven per cent per annum, compounded

yearly, from the date of said delinquent sale, and also the amount of all subsequent installments then delinquent, with accrued interest and penalties thereon. Such payment may be made either in cash or in matured bonds and coupons issued on said assessment, taken at their face value, and the treasurer shall execute a deed to such purchaser upon such sale, conveying said property free of encumbrance except state, county and municipal taxes, and the unpaid balance of said assessment. If any land so held by a county treasurer as trustee of the bond fund of a district shall remain unsold after the final installment of the assessment shall have been collected by payment or sale, then each such treasurer shall sell all said land so held by him at public auction to the highest bidder for cash, upon two weeks published notice, and shall deposit the proceeds of such sale in the treasury of the main county, to the credit of the bond fund of the district. Any balance remaining in such bond fund, after payment in full of the principal and interest of all outstanding bonds of the district, shall be by the treasurer transferred to the general fund of the district.

In the event that ownership of any property in the district is changed after the making of the last assessment roll for the district, the owner thereof shall be entitled to vote thereon upon production of the original or of certified copy of the record thereof in the office of the county recorder of the county in which the property is situate. Any person not legally qualified to vote who shall make any false statement in respect to his right to vote shall incur all of the penalties provided in the Penal Code of the State of California for persons illegally voting at elections.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 731—An act to amend sections 3446, 3447, 3449, 3452, 3453, 3454, 3455, 3456, 3457, 3459, 3460, 3462, 3463, 3465, 3466 and 3491, and to repeal sections 3467 and 3468, of the Political Code, and relating to swamp and overflowed, salt marsh and tidelands.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 4 of the printed bill, in line 12, after the word "district" insert the words "or a duly authorized representative of a corporation which is an owner of record."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 5 of the printed bill, strike out lines 36 and 37, and on page 6 of the printed bill, strike out lines 1, 2 and 3, and insert in lieu thereof the following:

(4) To receive from the reclamation board any money allowed on account of uncollected assessments previously levied on lands purchased by said board for rights of way, and to distribute said money among the landowners of said district in proportion to their payments on the last assessment roll or place the same in the county treasury to the credit of said district.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 6 of the printed bill, strike out lines 4 to 29, inclusive, and insert in lieu thereof the following:

(5) To create by order duly entered in the minutes of the board of trustees a revolving fund. No warrant for creation or replenishment of this fund shall be paid by the county treasurer unless a bond in double the amount of said fund, signed by the members of the board of trustees with sureties and conditioned as security for the safety and proper disbursement of said fund, approved by the board of supervisors, shall be on file with the county treasurer. Said fund shall be disbursed by checks or drafts, signed by at least two members of the board of trustees or some person by unanimous vote of the board of trustees authorized to do so. The board of trustees shall within thirty days after any payment from this fund file the vouchers therefor in the office of the county treasurer retaining a duplicate thereof in the office of the secretary of the board of trustees. The board of trustees shall have authority by order entered in the minutes of said board to issue warrants for

the creation and replenishment of said fund. No warrant for the replenishment of said fund shall be approved by the board of supervisors or paid by the county treasurer, except to the extent that proper vouchers for previous legal disbursements from said fund have been filed with the county treasurer as hereinbefore provided. Said fund shall not exceed the sum of two thousand dollars. The order creating said revolving fund must receive the unanimous vote of the board of trustees.

Any landowner within the district may maintain an action for the benefit and in behalf of the reclamation district in the superior court of the county in which the district, or any part thereof is situated against any member or members of the board of trustees for any improper disbursement of the funds of the district made with his or their consent and also against the members of the board of trustees and their sureties upon the said bond for any improper disbursement from said revolving fund.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 9 of the printed bill, strike out all of line 11, after the word "transacted", and all of lines 12 and 13.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 9 of the printed bill, strike out lines 16 to 36, inclusive, and on page 10 of the printed bill, strike out lines 1, 2 and 3, and insert in lieu thereof the following:

3455. The board of trustees of any reclamation district must report to the board of supervisors of the county within which the district, or the greater part thereof, is situate, by filing with the county clerk of said county, two copies of the original plan or plans of the works of reclamation and two copies of every new, supplemental, or additional plan, if any, together with the estimates of the cost of the contemplated works of the district, including incidental expenses, maintenance and repair necessary for the reclamation of the lands of the district in pursuance of any such plan or plans. The term "works of reclamation" as used in this chapter shall include not only such public works and equipment, as are necessary for the unwatering of lands in reclamation districts, but shall also include such like works as may be necessary to water or irrigate the same lands in such districts.

If and when a district is located in whole or in part within the Sacramento and San Joaquin Drainage District, the said county clerk shall, within five days after said two copies of such plans are filed with him, certify to one of said copies and transmit the same to the secretary of the reclamation board.

Upon receipt of said certified copy of said plan or plans, the secretary of the reclamation board shall immediately set a date when the reclamation board will hold a meeting for considering objections, if any, to said plans. All such hearings by the said reclamation board shall be held in the court house of the county seat of the county within which the district, or the greater part thereof is situate, not less than fifteen, nor more than sixty days after the day the secretary of the reclamation board received a certified copy of the said plans. Notice of said hearing before the said reclamation board shall be given by the secretary of said board by publishing a notice of such hearing once a week for two weeks in some newspaper of general circulation published within said district, then in the county seat of the county within which the said district or the greater part thereof, is situate. Said notice shall be in substantially the following form:

"Notice to the landowners of reclamation district _____. Notice is hereby given to the landowners of reclamation district No. _____ that there has been filed with the county clerk of the county of _____ and with the secretary of the reclamation board, original (supplemental or new, as the case may be) plans for the reclamation of lands of said district; that the reclamation board will hold a meeting in the court house in the city of _____, county of _____, State of California, on the _____ day of _____, A. D. 191__, at _____ o'clock, at which time any interested party may appear and object to the said plans."

At said hearing the reclamation board shall hear such evidence as may be offered with respect to said plans, and thereafter shall approve, modify, amend or reject the said plans; *provided, however*, that the said reclamation board shall not have the power to modify, amend or reject any plans so submitted on the ground that said plans provide for a levee which in their judgment is of excessive strength either in height, slopes or crown width. The reclamation board shall have power to continue or adjourn the said hearing from time to time and shall have authority to cause such investigation and report of said plans to be made by the engineers connected with the reclamation board or by such other competent authority as said board shall deem necessary.

When the said reclamation board shall have taken action approving, modifying, or rejecting any such original supplemental or new plan of reclamation after a hearing as herein provided, such action shall be final, and thereafter the sufficiency of said

plans shall not be subject to attack either before the reclamation board or in any court; *provided, however*, that nothing herein contained shall prevent the board of trustees of any district from at any time filing with the county clerk of the county within which the district, or the greater part thereof, is situate, two copies of any amendatory, additional or supplemental plan of reclamation. In the event any such amendatory, additional or supplemental plan of reclamation is filed with the said clerk, a certified copy thereof shall be transmitted to the secretary of the reclamation board, who shall set the time for hearing, and thereafter the same proceedings shall be had and with like effect with respect to said amendatory, additional or supplemental plan as is herein provided for the original plan.

The said plan or plans and estimates may include any levees or other reclamation works already constructed or in course of construction and payments therefor may be made to the person or persons who constructed the same, or to the grantee of the lands for the benefit of which such levees or other works of reclamation were constructed by the owner of such lands, and no trustees shall be disqualified to make or approve such plans or estimates because of his ownership of any levee or other reclamation works included in such plan, or the cost of which is embraced in said estimates, but he shall be disqualified to vote for the issuance of any warrant or order to himself in payment therefor.

Amendment adopted.

AMENDMENT NUMBER SIX.

Insert the word "construction" after the words "sum for the" in line 32, page 12, of the printed bill.

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 13 of the printed bill, in line 18, after the words "funds for" insert the word "construction".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 16 of the printed bill, after line 14 insert the following:

The warrants of reclamation districts issued pursuant to this act may be lawfully purchased, or received in pledge for loans by banks, trust companies, insurance companies, guardians, executors, administrators and special administrators, or by any public officer or officers of this state or of any county, city or city and county or other municipal or corporate body within this state having or holding funds which they are allowed by law to invest or loan.

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 20 of the printed bill, strike out lines 1 and 2 and insert in lieu thereof the following:

Any person may pay the amount of the charge assessed against any tract of land to the state treasury in gold coin of the United States or in warrants of the district drawn by order of the trustees thereof, and approved by the board of supervisors of the county.

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 20 of the printed bill, in line 5, after the word "days" insert "unless bonds shall have been authorized".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

Strike out all of section 18 of said act.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 334—An act providing for reciprocal and interexchanges of indemnities, prescribing regulations therefor and fixing a license fee, and repealing an act entitled "An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor and fixing a license fee," approved December 24, 1911.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 1, beginning with the word "Individuals" strike out all down to and including the word "repealed" on page 5, line 6, and insert in lieu thereof:

Individuals, partnerships and corporations of this state, hereby designated subscribers, are hereby authorized to exchange reciprocal or interinsurance contracts with each other, or with individuals, partnerships and corporations of other states, territories, districts and countries, providing insurance among themselves from any loss which may be insured against under other provisions of law, except life insurance.

SEC. 2. Such contracts may be executed by an attorney, agent or other representative herein designated as attorney, duly authorized and acting for such subscribers under powers of attorney, and such attorney may be a corporation. The principal office of such attorney shall be maintained at such place as is designated by the subscribers in the power of attorney. The power of attorney may further provide for the right of substitution and revocation and impose such restrictions upon the exercise of the power granted as may be agreed upon by the subscribers, and may further provide for the exercise of any right reserved to the subscribers, directly or through a board or other body to be selected under such rules or regulations as the subscribers may adopt.

SEC. 3. Such subscribers so contracting among themselves shall, through their attorney, file with the insurance commissioner a declaration verified by the oath of such attorney, or where such attorney is a corporation, by the oath of the duly authorized officers thereof, setting forth:

(a) The name of the attorney and the name or designation under which such contracts are issued, which name or designation shall not be so similar to any name or designation adopted by any attorney or by any insurance organization in the United States writing the same class of insurance, prior to the adoption of such name or designation by the attorney, as to confuse or deceive.

(b) The location of the principal office.

(c) The kind or kinds of insurance to be effected.

(d) A copy of each form of policy, contract or agreement under or by which insurance is to be effected.

(e) A copy of the form of power of attorney under which such insurance is to be effected.

(f) That applications have been made for insurance upon at least one hundred separate risks aggregating not less than one million dollars represented by executed contracts or bona fide applications to become concurrently effective; or in case of employer's liability or workmen's compensation insurance, covering a total pay roll of not less than one million dollars.

(g) That there is in the possession of such attorney and available for the payment of losses, assets conforming to the requirements of section six hereof.

(h) A financial statement under oath in form hereinafter prescribed for the annual statement.

(i) The instrument authorizing service of process as provided for in this act.

(j) Certificates showing deposits of funds or securities.

SEC. 4. Concurrently with the filing of the declaration provided for by the terms of section three of this act, the attorney shall file with the insurance commissioner:

(a) An instrument in writing executed by him for said subscribers, conditioned that upon the issuance of certificate of authority provided for in this act, action may be brought in the county in which the property or person insured thereunder is located and service of process may be had upon the insurance commissioner in all suits in this state arising out of such policies, contracts or agreements, which service shall be valid and binding upon all subscribers exchanging at any time reciprocal or interinsurance contracts through such attorney. Three copies of such process shall be served and the insurance commissioner shall file one copy, forward one copy to said attorney by registered mail addressed to the attorney at the principal office as fixed in the certificate filed, and shall return one copy with his admission of service. A judgment rendered in any such case where service of process has been so made

shall be valid and binding against any and all such subscribers as their interests appear and such judgment may be satisfied out of the funds in the possession of the attorney belonging to such subscribers or otherwise.

(b) A bond in favor of the people of the State of California, executed by the said attorney, with two sureties to be approved by the insurance commissioner, in the penal sum of ten thousand dollars, conditioned that the attorney will faithfully perform the duties imposed upon him under the said powers of attorney and faithfully account for moneys handled by him thereunder; such bond may be sued upon by any subscriber suffering loss through violation of the conditions thereof and liability thereunder may be enforced by any individual subscribers or any number of subscribers, in one and the same action; *provided, however*, that where the power of attorney executed by the subscribers or the rules and regulations adopted by the association for the conduct of its business thereunder, provide for the bonding of the attorney, a certified copy of the bond executed in accordance with such powers of attorney or rules and regulations, shall be filed with the insurance commissioner in lieu of any other bond required under this act.

SEC. 5. There shall be filed with the insurance commissioner by such attorney whenever the insurance commissioner shall so require, a statement under oath of such attorney showing the maximum amount of indemnity upon a single risk, and, except as to workmen's compensation insurance, no subscriber shall assume on any single risk an amount greater than ten per cent of the net worth of such subscriber where the liability assumed exceeds the amount of one premium deposit.

SEC. 6. There shall at all times be maintained as assets, a sum in cash or securities of the kind designated by the laws of the state where the principal office is located for the investment of funds of insurance companies, equal to one hundred per cent of the net unearned premiums or deposits collected and credited to the accounts of subscribers, or assets equal to fifty per cent of the net annual deposits collected and credited to the accounts of subscribers on policies having one year or less to run and pro rata on those for longer periods, in addition to which there shall be maintained as a reserve in cash or such securities, assets sufficient to discharge all liabilities on all outstanding losses arising under policies issued, the same to be calculated on the basis of net premiums or deposits as in this section defined, unless otherwise provided by law, and in accordance with the laws of the state relating to similar reserves for companies insuring similar risks.

For the purpose of computing said reserves and assets, net deposits shall be construed to mean the advance payments of subscribers after deducting therefrom the amount specifically provided in the subscribers' agreement for expense. If at any time the assets so held in cash or such securities, exclusive of loss reserves herein provided for, shall be less than required above, or be less than twenty five thousand dollars, the subscribers, or their attorney, shall make up the deficiency within thirty days after notice from the insurance commissioner so to do.

Where the subscribers are grouped, by industries or otherwise, under any rule or agreement which exempts the funds of one group from liability, in whole or in part, for the payment of losses or expenses chargeable against other groups, each independent group must maintain the reserve herein specified and comply with the requirements of subdivision (f) of section three hereof, relative to the number and amount of risks to be assumed.

SEC. 7. Such attorney shall, within the time limited for filing the annual statement by insurance companies transacting the same kind of business, make a report, under oath, to the insurance commissioner for each calendar year, showing the financial condition of affairs at the office where such contracts are issued, and shall at any time furnish such additional information and reports as may be required; *provided, however*, that the attorney shall not be required to furnish the names and addresses of any subscribers except in case of an unpaid final judgment. The assets, business affairs and records of such organization, shall be subject to examination by the insurance commissioner at any reasonable time, and such examination shall be at the expense of the organization examined. The right of examination herein granted shall include the right to examine the records containing the names and addresses of the subscribers, but any information obtained therefrom shall be regarded as confidential and the disclosure thereof, except under order of court, shall constitute a breach of official duty. Where the principal office of the attorney is located in another state, the insurance commissioner may, in lieu of the examination provided for in this section, accept a certified copy of the report of examination made by the insurance department of the state where the principal office is located, or by the insurance department of any other state.

SEC. 8. Any corporation now or hereafter organized under the laws of this state shall, in addition to the rights, powers and franchises specified in its articles of incorporation, have full power and authority to enter into insurance contracts of the kind and character herein mentioned. The right to enter into such contracts is hereby declared to be incidental to the purposes for which such corporations are organized and as fully granted as the rights and powers expressly conferred.

SEC. 9. Upon compliance with the requirements of this act, the insurance commissioner shall issue a certificate of authority or a license to the attorney author-

izing him to make such contracts of insurance, which license shall specify the kind or kinds of insurance to be effected and shall contain the name of the attorney, the location of the principal office and the name of the designation under which such contracts of insurance are issued. Such license shall be renewed annually upon a showing that the standard of solvency required herein has been maintained and all fees and taxes required have been paid.

SEC. 10. Any attorney who shall exchange any contracts of insurance of the kind and character specified in this act, or any attorney or representative of such attorney, who shall solicit or negotiate any applications for same without the attorney first complying with the foregoing provisions, shall be deemed guilty of a misdemeanor. For the purpose of organization, and upon issuance of permit by the insurance commissioner, powers of attorney and applications for such contracts may be solicited without compliance with the provisions of this act, but no attorney, agent or other person shall make any such contracts of insurance until all of the provisions of this act shall have been complied with.

SEC. 11. In addition to the foregoing penalties and where not otherwise provided, the penalty for failure or refusal to comply with any or all of the terms and provisions of this act, upon the part of the attorney, shall be the refusal, suspension or revocation of certificate of authority or license by the insurance commissioner after due notice and opportunity for hearing has been given such attorney so that he may appear and show cause why such action should not be taken.

SEC. 12. In lieu of all other taxes, licenses or fees whatever, state or local, such attorney shall pay annually on account of the transaction of such business in this state, the same fees as are paid by mutual companies transacting the same kind of business, and an annual tax upon the gross premiums or deposits collected from subscribers in this state during the preceding calendar year, after deducting therefrom deposit returns or cancellations, consideration for reinsurance and all amounts returned to subscribers or credited to their accounts as savings; such tax to be computed at the same rate as fixed by law for the taxation of mutual companies transacting the same kind of business.

SEC. 13. The attorney may insert in any form of policy prescribed by the laws of this state any provisions or conditions required by the plan of reciprocal or inter-insurance provided that same shall not be inconsistent with or in conflict with any law of this state. Such policy in lieu of conforming to the language and form prescribed by such law shall be held to conform thereto in substance if such policy includes a provision or endorsement reciting that the policy shall be construed as if in the language and form prescribed by such law. Any such endorsement shall first be filed with the insurance commissioner.

SEC. 14. Except as herein provided, the making of contracts as herein provided for and such other matters as are incident thereto shall not be subject to the laws of this state relating to insurance unless they are therein specifically mentioned. This section shall not be construed however, as depriving the insurance department of the state of examination of and supervision over reciprocal or inter-insurance exchanges, their agents and brokers, of the right to hold and conduct hearings in the manner and under the same procedure as provided by law in the case of mutual or other insurance companies but such right is hereby expressly recognized and confirmed.

SEC. 15. All laws or parts of laws in conflict herewith are hereby repealed.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 812—An act providing for state insurance on public buildings.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 2 of the title, after the word "buildings" insert: "and contents thereof and creating a state insurance fund".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 8, insert in blank space the word "eighty".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 13, strike out the word "of" after the word "kinds" and insert in lieu thereof the word "and".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 16, insert the word "eighty" in the blank space.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, strike out all of section 4.

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 32, strike out the number "5" and insert in lieu thereof the number "4".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, line 6, strike out the words "or school districts or any part thereof".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, strike out all of section 6.

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, line 17, strike out the number "7" and insert in lieu thereof the number "5".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 156—An act to amend the Political Code of the State of California by adding thereto a new section, to be numbered 1618*a*, relating to the powers and duties of boards of school trustees and city boards of education; also to repeal an act entitled "An act to provide for health and development supervision in the public schools of the State of California," approved April 15, 1909.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 12, after the word "of" insert the words "said board of".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 13, after the word "inspectors" insert the words "as said board may elect".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 17, strike out last two words "and develop" and insert in lieu thereof the words "school supervision".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 18, strike out the syllable "ment".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 27, after the word "fitness" strike out the words "and training".

Amendment adopted.

AMENDMENT NUMBER SIX

On page 2, commencing with line 29, strike out down to and including line 9, on page 3, and insert in lieu thereof the following:

Fourth. The board of school trustees or the city board of education shall make such rules as will insure such physical examination of the pupils in the public schools under their jurisdiction as may reasonably be made without laying hands upon the pupil; *provided*, that this shall not be construed to prevent the reasonable physical inspection of the eye, throat and nose for defects or disease, but no medicines or remedies, except the external application of antiseptics in accidents and emergencies, shall be applied by the school authorities nor shall any apparatus be applied to the pupil without the consent of one of the parents, guardian or other party having legal control of the pupil, excepting further that whenever any said physical inspector shall publicly state in any schoolroom or before any school in regular session that in his judgment based on information and belief that there is special need of throat inspection to guard against diphtheria, scarlet or other fever, measles, smallpox and similar diseases, then and in that event said pupils, their teacher or some teacher being present, shall allow an inspection of mouth and throat and they shall allow the insertion of a swab for the purpose of taking a culture; *provided*, that any child objecting shall have the right of refusal until the following day at least, when the parent or guardian of such pupil may be present at such examination.

When a physical defect is noted, in the opinion of any such physical inspector, and he considers there is a remedy, he shall indicate the defect privately in writing to the parents or guardian or other legally constituted authority over such pupil, stating in definite terms his observation and tentative opinion and asking the consent of such authority to determine in its or their presence the truth of his conclusions, but the method of cure shall be left entirely to such constituted authority over the pupil.

The physical inspector shall not give the names of any pupil having or supposed to have any physical defect, to any one other than the governing school board or constituted authority over the pupil, but he shall make such reports to the governing school board as it may ask for, and in such detail as said board shall determine.

The physical inspector or nurse may visit the home of any pupil, with the consent of the parent or guardian or other legal authority over such pupil, to confer concerning defects found, but he shall not recommend either method or physician or institution, other than to advise consulting some competent authority.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 541—An act to amend section 1858 of the Political Code, relating to the number of teachers each school is entitled to and to the apportionment of school funds.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Amend the title of the bill by striking out all words in said title after the words "relating to" in the second line and insert in lieu thereof the following: "the apportionment of the elementary school funds and the counting of attendance in the elementary and secondary schools of the state."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, strike out all of lines 1 to 6 inclusive and insert in lieu thereof the following words, "of average daily attendance; and in districts".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 20, strike out the word "seven" and insert in lieu thereof the word "five".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, lines 26 and 27, beginning with the word "one" on line 26, strike out all to and including the word "employed" on line 27 and insert in lieu thereof the following: "*further*, that fifty dollars additional shall be apportioned to each district which is a part of any union or joint union district in his county".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 32, strike out the semicolon and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, beginning with line 33, strike out all reading matter down to and including line 36 and insert in lieu thereof the following: "In any newly organized school district where school was not maintained during the school year in which it was organized the county superintendent shall require the teachers and principals or principals of the school district or districts from which the newly organized district was formed to report to him as a part of their annual reports, the names and attendance records of all pupils residing in said new district and attending school in the old district or districts during the school year in which the new district was organized. The county superintendent shall determine the average daily attendance and the teacher allowance for the newly organized district from those reports and shall deduct from the old districts the average daily attendance credited to the new district. In case it shall appear that none of the pupils residing in the newly formed district attended school during the year in which said district was organized in the district or districts from which said district was organized, then the superintendent shall apportion six hundred dollars to the newly organized school district for the purpose of maintaining school therein during the school year next succeeding the school year in which it was organized.

Fifth. A minimum full day's attendance on the regular full-time elementary day school as hereby established, is, for a pupil of the first, second, or third grade, two hundred minutes, and for a pupil of the fourth, fifth, sixth, seventh, or eighth grade, two hundred forty minutes, of actual attendance for any given day upon school sessions, exclusive of intermissions. When a pupil is absent from the first, second, or third grade of a regular full-time day school, for any day, session, or part of a session, five per cent of a day's absence must be recorded for each full ten-minute period of absence; and when a pupil is absent from any other grade of said elementary school for any day, session or part of a session, five per cent of a day's absence must be recorded for each full twelve-minute period of absence; *provided, however*, that such record may not for any one day exceed one hundred per cent. The actual attendance of a pupil upon a regular full-time day school for any given length of time shall be the number of days school was actually taught during such time less the sum of his absences. The actual time in minutes that pupils are in attendance upon evening schools and the special day and special evening classes of day schools of elementary and secondary grade shall be kept. A full day's attendance upon such schools or classes shall be four sixty-minute hours. Units of average daily attendance in elementary schools shall be construed to be the quotient arising from dividing the total number of days of pupils' attendance in the regular full-time day and evening elementary schools including the special day and evening classes of the elementary schools of the district for the school year by the number of days school was actually taught in the regular elementary day schools of the district during said year; and units of average daily attendance in secondary schools shall be construed to be the quotient arising from dividing the total number of days of pupils' attendance in the regular full time secondary schools, the evening secondary schools, the special day and evening classes of secondary schools, and the part time vocational courses of the district for the school year by the number of days school was actually taught in the regular secondary day schools of the district during said year.

Sixth—Subject to the provisions of this code, the state board of education shall adopt uniform regulations governing the keeping of attendance in all secondary schools. In adopting regulations governing the keeping of the attendance of pupils upon the part-time vocational courses provided for in section one thousand seven hundred fifty *c* of this code, the state board may, in its discretion, provide that the time spent by a pupil in practical vocational work shall be counted in making up each six-hour minimum daily unit of attendance.

Seventh—Where a school in a district maintaining more than one school is closed for a part of a term by order of a city or county board of health or of the state board of health, on account of contagious disease, or where such school has been closed on account of fire, flood or other public disaster, the average daily attendance of said school shall be estimated separately and added to the average daily attendance of the other schools of the district. The units of average daily attendance of said school shall be determined by dividing the total number of days of pupils' attendance upon such school including the special day and evening classes and the part-time vocational courses by the number of full-day sessions actually maintained in such school during the year: *provided*, that where such number is less than one hundred twenty days the divisor shall be one hundred twenty.

Eighth—Whenever in any school year, prior to the receipt by the school districts of any county, or city and county of this state, of their state, county, or city and county, or special or high school fund, the school districts of that county, or city and county shall not have sufficient money to their credit to pay the lawful demands against them, the county or city and county superintendent shall give the treasurer of said county or city and county, an estimate of the amount of school money that will next be paid into the county or city and county treasury, stating the amount to be apportioned to each district. Upon the receipt of such estimate it shall be the duty of the treasurer of said county, or city and county, to transfer from any fund not immediately needed to pay the claims against it, to the proper school fund an amount not to exceed ninety per cent of the amount estimated by the superintendent, and he shall immediately notify the superintendent of the amount so transferred. The funds so transferred to the school fund shall be retransferred by the treasurer to the fund from which they were taken, from the first money paid into the school fund after the transfer.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1134—An act to amend section 131 of the Civil Code of the State of California, which relates to judgment in an action for divorce, and repealing section 132 of said Civil Code, which relates to the same subject.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 359—An act to amend section 172 of the Civil Code of the State of California, relating to the management and control of community property.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Amend the title by striking out lines 3 and 4 and inserting in lieu thereof the following: "and to add to said Civil Code a new section to be known as section one hundred seventy-two *a*, relating to the management, control and disposition of community property."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, strike out all of lines 3, 4, 5, 6, 7 and 8 and insert in lieu thereof the following:

172. The husband has the management and control of the community personal property, with like absolute power of disposition, other than testamentary, as he has of his separate estate; *provided, however*, that he can not make a gift of such community personal property, or dispose of the same without a valuable consideration, or sell, convey, or encumber the furniture, furnishings, or fittings of the home, or

the clothing or wearing apparel of the wife or minor children that is community, without the written consent of the wife.

SEC. 2. A new section is hereby added to the Civil Code, to be known as section one hundred seventy-two *a*, and to read as follows:

172*a*. The husband has the management and control of the community real property but the wife must join with him in executing any instrument by which such community real property or any interest therein is leased for a longer period than one year, or is sold, conveyed, or encumbered, *provided, however*, that the sub-lease, contract, mortgage or deed of the husband, holding the record title to community real property, to a lessee, purchaser or encumbrancer, in good faith without knowledge of the marriage relation shall be presumed to be valid; but no action to avoid such instrument shall be commenced after the expiration of one year from the filing for record of such instrument in the recorder's office in the county in which the land is situate.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1175—An act permitting daily payment into the county treasury of duplicate or excess payments of taxes made to the tax collector and providing for the refund of such payments.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 596—An act to add a new section to the Code of Civil Procedure, to be numbered 1490, relating to notice to creditors of decedents.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 987—An act to repeal section 280*a* of the Code of Civil Procedure, relating to diplomas granted by Hastings College of Law.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 665—An act to repeal section 280*b* of the Political Code, relating to admission of graduates of law school to practice law.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1094—An act to amend section 410 of the Political Code, relating to the distribution of the laws, resolutions and journals of Legislature; of reports of Supreme Court.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 485—An act to amend section 4295 of the Political Code, relating to official services and fees.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1021—An act to amend an act entitled "An act to create a commission for the purpose of making a survey of local historical material in the State of California; defining the power and duties of said commission; and making an appropriation therefor," approved June 12, 1915, by amending sections 4 and 7 thereof, extending the purpose, power and duties of said commission and making an appropriation therefor.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill strike out the words "sections four and seven", and insert in lieu thereof the words "section four".

Amendment adopted.

AMENDMENT NUMBER TWO.

In lines 7 and 8 of the title of the printed bill insert a period after the word "commission", and strike out the words "and making an appropriation therefor."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, in line 12, strike out the word "board", and insert in lieu thereof the word "commission".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, in line 14, strike out the word "board", and insert in lieu thereof the word "commission".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, in line 24, strike out the word "board" and insert in lieu thereof the word "commission".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2 of the printed bill strike out all of lines 31 to 37, inclusive.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1155—An act making an appropriation for the purchase of an automobile for the use of the Governor of the State of California.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 3, insert after the comma following the word "dollars" the words "or so much thereof as may be required,".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 834—An act to add a new section to the Penal Code, to be numbered 504*a*, relating to embezzlement, removal and disposal of leased property.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 3 of the title, after the word "to" strike out the word "embezzlement," and insert in lieu thereof the word "the".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 3, page 1, after the word "shall" strike out the following: "embezzle,".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 10, page 1, after the word "so" strike out the following: "embezzle.".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 131—An act to amend section 1203 of the Penal Code, relating to the probation of persons arrested for crime after a plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation, and the disposition of such accusation after full compliance with the terms of probation.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 12, after the word "specified" strike out the word "times" and insert in lieu thereof the word "time".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 4, line 22, beginning with the quotation marks following the word "entitled" strike out all down to and including the figures "1915" in line 35 and insert in lieu thereof the following: "An act to be known as the juvenile court law, and concerning persons under the age of twenty-one years, and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the juvenile court law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof, and all acts or parts of acts inconsistent herewith, approved June 5, 1915."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 5, line 2, strike out the period following the words "third class" and insert in lieu thereof a comma and the following: "*provided, however*, that in all cases of offenses defined by section twenty-one of said act known as the juvenile court law and by section two hundred seventy of the Penal Code of California, the same probation officers, assistants and deputies shall serve under this act as are appointed under the said juvenile court law."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 6, line 13, after the word "the" insert the word "adult".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 6, line 14, add a period after the letters "pensation" and strike out all down to and including the period after the word "supervisors" in line 25.

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 6, beginning with the first word in line 26, strike out all down to and including the period following the word "month" in line 33, and insert in lieu thereof the following: "In counties or cities and counties of the second class there shall be and there are hereby created the offices of one adult probation officer, one assistant adult probation officer and four deputy adult probation officers. The salaries of said officers shall be as follows: Adult probation officer, two hundred twenty-five dollars per month; one assistant adult probation officer, one hundred seventy-five dollars per month; one assistant adult probation officer, one hundred twenty-five dollars per month; three deputy adult probation officers, each, one hundred dollars per month."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 6, line 37, strike out the words "two hundred" and insert in lieu thereof the words "one hundred seventy-five".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 7, line 3, after the period, insert the following: "The deputy adult probation officer in counties of the third class, shall be a woman and shall be a competent stenographer and typist of sufficient ability to perform the clerical and stenographic work of the office in addition to her other duties."

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 7, line 28, after the word "officer" strike out the words "and the deputy" and insert in lieu thereof a comma and the following: "and the assistant".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 7, line 36, after the word "deputy" insert the word "adult".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 9, line 18, after the word "compensation" strike out the rest of the line, and all of lines 19, 20 and 21 and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 9, after line 21, insert a new paragraph to read as follows:

It shall be the duty of the legislative body of every county or city and county of the second class and of every county of the third class, immediately upon this act becoming effective, to provide and thereafter maintain, at the expense of such county or city and county, in a location in the vicinity of the jail of such county or city and county, approved by the judges designated for the hearing and disposition of criminal cases and proceedings, in counties or cities and counties of the second class and by the judge of the department or the judges of the departments to which criminal actions and proceedings are assigned in counties of the third class, suitable offices and quarters for the conducting of the business of the adult probation officer, the assistant adult probation officer and the deputy adult probation officers of such county or city and county.

Nothing contained in this subdivision shall apply to the offenses defined by section twenty-one of said juvenile court law and by section two hundred seventy of the Penal Code.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

SECOND READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 289—An act to amend section 3 of an act entitled "An act to regulate and license the taking and catching of game fishes and to define game fish and to provide revenue therefrom, for fish preservation and restoration," approved Jan. 16, 1913.

Assembly Bill No. 289 re-referred to Committee on Fish and Game.

Assembly Bill No. 529—An act to add a new section to the Penal Code, to be numbered 626*l*, relating to the protection of game.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, after the word "vehicle" insert the following: "on any public road or highway".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 1151—An act to amend section 626 of the Penal Code, relating to the protection of fish and game.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 147—An act to amend section 628*f* of the Penal Code, relating to the protection of shellfish.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 327—An act to amend section 636½ of the Penal Code, relating to the protection of fish and game.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 673—An act to add a new section to the Penal Code of the State of California to be numbered 626*u*, relating to the protection of game.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 234—An act to amend section 1616 of the Penal Code, relating to the care of female prisoners in county jails.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 235—An act to amend section 1613 of the Penal Code, relating to the working of prisoners in the county jail.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 117—An act to amend section 23 of the Water Commission Act, approved June 16, 1913, relating to fees to be collected by the State Water Commission.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 156—An act to repeal an act entitled "An act to preserve and maintain the lakes, ponds, brooks, creeks, rivers, and streams of this State and to prevent the waters thereof from being carried by pipes, conduits, ditches, tunnels, or canals into other states, for use therein," approved March 3, 1911.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 158—An act to add a new section to the "Water Commission Act," approved June 16, 1913, to be numbered section 15*a*, relating to the right to use the waters of an interstate stream.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1120—An act to provide for the establishment and maintenance by fire insurance corporations of guaranty surplus funds and special reserve funds and thereby limiting liability and to provide for the waiver by policyholders of recourse against stockholders of such corporations.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 4, line 1, beginning with the comma after the word "provided", strike out all down to and including the word "corporation" on line 6, and in lieu thereof insert the following:

No corporation, after it has declared its desire and intention, as provided in section one hereof, to create a guaranty surplus fund and a special reserve fund, shall have the right thereafter to insert in its policy a provision to the effect that the insured, by accepting the policy, waives recourse against the stockholders of the corporation, until such corporation has created, as herein provided, a guaranty surplus fund and a special reserve fund each in amount equal to one-half of the par value of its capital stock; but, when it has so done, then it may thereafter insert in any policy it may thereafter issue a provision in red ink to the effect that the insured, by accepting the policy, waives any recourse to its stockholders and agrees, in case of making any claim thereunder, to look solely to the assets and property of the corporation as and to the extent herein provided.

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 926—An act prohibiting discrimination in favor of individuals between insurants of the same class and expectation of life in the amount or payment of premiums, or rates charged for policies of insurance, or in the dividends or other benefits payable thereon; also prohibiting the giving or the acceptance of rebates on life insurance policies and providing penalty therefor.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 3, line 7, beginning with the word "any" strike out all down to and including the word "final" on line 21, and insert in lieu thereof "the superior court of the county in which such agent, subagent, or broker resides, unless the parties thereto stipulate otherwise".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 925—An act providing for the license of life insurance agents, limiting the payment of commissions or other compensation for services in procuring new insurance to licensed agents only and providing penalty for the violation of this act.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 2, beginning with the comma after the word "state", strike out all down to and including the comma after the word "thereof" on same line.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 11, beginning with the comma after the word "state", strike out all down to and including the comma after the word "thereof" on same line.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 31, beginning with the word "any", strike out the balance of the page; also, on page 3, line 1, beginning with the word "broker" strike out all down to and including the word "final" on line 9, and insert in lieu thereof: "the superior court of the county in which such agent, subagent, or broker resides, unless the parties thereto stipulate otherwise".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1119—An act to amend an act entitled "An act to establish a standard form of fire insurance policy and to prevent variations therefrom, excepting under certain stated conditions and restrictions," approved March 18, 1909, by amending section 6 thereof, relating to what may be added to the standard form of fire insurance policy.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 266—An act to amend sections 1107, 1214 and 1217 of the Civil Code, relating to the effect of transfers of real property and of the recording and nonrecording thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1157—An act to change and permanently locate the boundary line between the counties of Kern and San Bernardino.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 575—An act to add a new section to the Political Code, to be numbered 1733*a*, relating to the exclusion of elementary school districts from union and joint union high school districts, for the purpose of organizing a new union or joint union high school district, and providing for the organization of such new union or joint union high school district.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 6, after the word "hundred" insert the words "seventy five".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 1154—An act to provide for the adoption of textbooks for use in the public high schools of the State, and for furnishing textbooks for the use of pupils of such schools.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, lines 4 and 5 of the amended bill, beginning with the word "all" on line 4, strike out all to and including the word "schools" on line 5, and insert in lieu thereof the following: "such high school subjects as in the judgment of the state board of education require the use of textbooks".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 8, strike out the word "day".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 9, beginning with the word "and" strike out to and including the word "cost" and insert in lieu thereof the following: "which textbooks shall at all times be and remain the property of such district, to be supplied to the pupils thereof for use without charge".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 13, strike out all of line 13, and insert in lieu thereof the following: "be so supplied to pupils of the high schools without charge".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 116—An act to amend section 15 of the Water Commission Act, approved June 16, 1913, relating to the appropriation of water.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 118—An act to amend sections 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36 of the Water Commission Act, approved June 16, 1913, and to add thereto six new sections, to be numbered 36*a*, 36*b*, 36*c*, 36*d*, 36*e*, and 36*f*, relating to the ascertainment and adjudication of water rights.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 231—An act to amend section 19*c* of the Juvenile Court Law, approved June 5, 1915.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 8, after the word "hundred" strike out the rest of the line, also down to and including the period after the word "month" in line 15, and insert in lieu thereof the following: "and twenty-five dollars a month; one assistant at a salary of one hundred seventy-five dollars a month; one assistant at a salary of one hundred sixty dollars a month; one assistant at a salary of one hundred fifty dollars a month; one assistant at a salary of one hundred thirty-five dollars a month; three assistants at a salary of one hundred dollars a month each; two assistants at a salary of eighty-five dollars a month each; one assistant at a salary of seventy-five dollars a month; *provided, however*, that in the event an adult probation department is created in counties of the third class, from and after the creation of such department and the appointment of an adult probation officer or any deputy or assistant or like officer who shall relieve the probation officer of the adult probation work, the offices of assistant probation officer at a salary of one hundred seventy-five dollars a month and of assistant probation officer at a salary of one hundred sixty dollars a month shall cease and determine and be abolished in counties of this class."

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 42—An act to amend section 2972 of the Civil Code, relating to the continuance of a lien of mortgage on a crop.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, strike out the word "but" and insert in lieu thereof the following: "So long as the same remains on the land of mortgagor and".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 6, strike out the word "thirty" and insert in lieu thereof the word "five".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 6, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 309—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as heretofore amended;

Also: Senate Bill No. 971—An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds;

Also: Senate Bill No. 787—An act to amend the act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance, providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 15, 1915, by adding a new section thereto to be numbered 19z, relating to probation officers and assistant probation officers in counties of the forty-sixth class and the salaries of such officers;

Also: Senate Bill No. 115—An act to amend the Penal Code by adding thereto a new section to be numbered 349d, relating to the fraudulent sale of foreign grown or foreign produced walnuts;

And reports that the same have been correctly engrossed.

ROMINGER, Acting Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 815—An act to provide for the protection of beneficiaries of workmen's compensation insurance policies against the default or insolvency of insurance carriers issuing such policies by requiring such carriers to provide security for the payment of such compensation—and reports that the same has been correctly re-engrossed.

ROMINGER, Acting Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XX thereof a new section, to be numbered section 22, relative to health insurance—and reports that the same has been correctly engrossed.

ROMINGER, Acting Chairman.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, April 6, 1917.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 1395—An act to amend section 147 of the Penal Code, relating to inhuman treatment of prisoners—has had the same under consideration and respectfully reports the same back and recommends that it do pass.

BROWN, Chairman.

Assembly Bill No. 1395 ordered on file for second reading.

ON PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, April 6, 1917.

MR. PRESIDENT: Your Committee no Public Morals, to which was referred Assembly Bill No. 546—An act prohibiting the marriage of all persons afflicted with certain diseases and requiring health certificates for marriage, and prescribing penalties for violations hereof—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

LUCE, Chairman.

Assembly Bill No. 546 ordered on file for second reading.

REPORT—(OUT OF ORDER).

The following report was offered:

By Senator Crowley:

MR. PRESIDENT: I beg leave to report that, pursuant to the provisions of Senate Concurrent Resolution No. 15, I visited during the constitutional recess the following State institutions and projects for the purpose of investigating the needs thereof.

The Norwalk State Hospital, the Whittier State School, the Los Angeles State Normal School, the Los Angeles State Exposition Building, the Southern California State Hospital at Patton, the Riverside Experiment Station, the California School for Girls at Ventura, the Santa Barbara State Normal School, the California Polytechnic School at San Luis Obispo, the Agnews State Hospital, the State University at Berkeley, the San Francisco State Normal School, the San Quentin State Prison, the Sonoma State Home at Glen Ellen, the Napa State Hospital, the Stockton State Hospital, the Folsom State Prison, the California State Exposition Building in San Francisco and the Davis State Farm.

Herewith I present an itemized statement of the traveling expenses incurred during the visit to the several institutions.

1917.	
January 31—	
Taxi to depot	$0 60
Railroad fare to Los Angeles	13 90
Supper on train	1 75
Pullman	2 50
February 1—	
Breakfast	1 50
Bus to hotel	25
Telegram	35
Book	25
Dinner	1 00
Supper	1 50
Room	3 50
February 2—	
Breakfast	1 25
Supper	1 50
Room	3 50
Telephone	20

February 3	
Taxi to depot	$0 25
Fare to San Bernardino	1 70
Breakfast	1 15
Riverside to Los Angeles	1 70
Supper at Los Angeles	1 50
Room at hotel	3 50
February 4—	
Breakfast	1 00
Los Angeles to Ventura	2 30
Dinner at Ventura	1 25
Room at Ventura	1 00
February 5—	
Breakfast at Ventura	1 00
Bus to train	25
Carfare to State Normal School, Santa Barbara	15
Dinner, hotel	1 50
Santa Barbara to San Luis Obispo	3 60
Room, San Luis Obispo	1 00
Breakfast	85
February 6	
Fare, Paso Robles to San Jose	5 70
Supper on train	2 00
February 7	
San Jose to San Francisco, fare	1 25
Lunch	1 00
February 8	
San Francisco to San Quentin	1 00
Breakfast	1 00
Supper	1 00
Fare to San Francisco	1 00
February 10	
San Francisco to Eldridge	1 45
Breakfast	1 00
Lunch	1 00
Telephone to Slater and Superintendent Eldridge Hospital	70
Breakfast	1 00
February 12	
Fare to San Francisco	1 15
Normal School Cal. grounds	50
Lunch	1 00
February 17	
San Francisco to Stockton	2 50
Lunch on train	1 25
Supper	1 00
Room	1 00
February 18	
Breakfast	1 00
Stockton to Sacramento	1 50
Lunch	1 00
Sacramento to Folsom	75
Folsom to Sacramento	75
Supper, Sacramento	1 00
Room, Sacramento	2 00
February 19—	
Breakfast, Sacramento	75
Sacramento to Davis	50
Lunch	1 00
February 20	
Davis to Sacramento	50
Supper	1 00
February 21	
Sacramento to Napa	1 85
Room at Napa	1 50
Breakfast at Napa	1 00
Napa to Sacramento	1 85
Lunch, Sacramento	1 00
Total	$103 40

Respectfully submitted.

J. J. CROWLEY,
Chairman Hospitals and Asylums.

Report read, and referred to Committee on Contingent Expenses.

89—28498

RECESS.

At eleven o'clock and thirty minutes a.m., on motion of Senator Benson, the Acting President declared the Senate at recess until the hour of eleven o'clock and forty-five minutes a.m.

RECONVENED.

At eleven o'clock and forty-five minutes a.m., the Senate reconvened. Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were received and read:

EXECUTIVE DEPARTMENT.
STATE OF CALIFORNIA.

To the Senate of the State of California:

In accordance with section 16, of Article IV, of the Constitution, I return to you herein without my approval Senate Bill 701.

It is my judgment that the insuring of State property should not be extended in this particular direction at this time. The State Board of Control has recommended that I do not approve this bill.

For these reasons, therefore, I veto this bill.

WM. D. STEPHENS, Governor.

Dated: SACRAMENTO, CALIFORNIA, April 6, 1917.

The question being: Shall Senate Bill No. 701 become a law notwithstanding the objections of the Governor?

The roll was called, and the objections of the Governor sustained by the following vote:

AYES—None.

NOES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Kehoe, King, Luce, Lyon, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

Also:

EXECUTIVE DEPARTMENT.
STATE OF CALIFORNIA.

To the Senate of the State of California:

In accordance with section 16, of Article IV, of the Constitution, I return to you herein without my approval Senate Bill No. 333, relating to the compensation of fish and game commissioners.

I have received from the Hon. F. M. Newbert, president of the State Fish and Game Commission, a communication wherein is set forth among other things the following statement:

"We recognize the changed conditions that now confront you in the management of the affairs of the state. While the salaries proposed are only nominal, we do not care to place you in the position of putting upon a salary basis a commission which has heretofore been unpaid. We, therefore, at this time desire to suggest that the State Fish and Game Commission will endorse your judgment if you see fit to veto this bill."

I wish to express a word of approval of this attitude on the part of the fish and game commissioners. It is explained that this proposed salary would only cover approximately the expenses of each member. I recognize this fact, and in no sense is my action to be regarded as a criticism of the commissioners. I feel constrained at this time, however, not to establish any new salaries except in cases of imperative necessity.

For this reason, therefore, I veto this bill.

WM. D. STEPHENS, Governor.

Dated: SACRAMENTO, CALIFORNIA, April 6, 1917.

The question being: Shall Senate Bill No. 333 become a law notwithstanding the objections of the Governor?

The roll was called, and the objections of the Governor sustained by the following vote:

AYES—None.

NOES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chamberlin, Crowley, Duncan, Flaherty, Gates, Hans, Ingram, Inman, Irwin, King, Luce, Lyon, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—29.

RESOLUTION.

The following resolution was offered:

By Committee on Contingent Expenses:

Resolved, That the sum of one hundred three and forty one hundredths dollars be allowed Hon. J. J. Crowley, Chairman of the Committee on Hospitals and Asylums, for expenses incurred in visiting state institutions as directed by Senate Concurrent Resolution No. 15, and the Controller is directed to draw his warrant on the Contingent Fund of the Senate for said amount and the Treasurer is directed to pay the same.

NEALON, Chairman.

Resolution read.

Senator Nealon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Chamberlin, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Kehoe, King, Luce, Lyon, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—30.

NOES—None.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Ingram:

SENATE CHAMBER, SACRAMENTO, April 6, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2, Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend section 1547 of the Penal Code, relating to offering rewards for the apprehension of fugitives from justice.

Request referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES (OUT OF ORDER).

The following reports of standing committees were received and read:

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 5, 1917.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 13—An act to add a new section to the Political Code to be numbered 2939, prohibiting the employment of minors under eighteen years of age from driving or operating vehicles engaged in carrying passengers, freight, or express matter, milk or foodstuffs, ice or fuel, building materials, or supplies of any kind or character whatever, on the public streets or highways of the State of California, and providing penalties therefor;

Also: Senate Bill No. 437—An act to amend section 1 of an act entitled "An act prohibiting the issuance as payment for wages of any evidence of indebtedness unless the same is negotiable and payable without discount, and providing that the same must be payable upon demand," approved March 1, 1911, and as amended by an act approved June 5, 1915;

Also: Senate Bill No. 620—An act to amend section 1 of an act entitled "An act to provide for the registration of factories, workshops, mills and other manufacturing establishments," approved June 2, 1913;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

LYON, Chairman.

Senate Bills Nos. 13, 437 and 620 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 1035—An act to make lawful certain agreements between employers and laborers, and to limit the issuing of injunctions in certain cases—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

Minority report: Do not pass.

LYON, Chairman.

Senate Bill No. 1035 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 176—An act adding a new section to the Political Code to be numbered 3245a, relating to hours of employment of state employees—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

LYON, Chairman.

Senate Bill No. 176 ordered on file for second reading.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, April 5, 1917.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 462—An act regulating the manner of preparation or manufacture of egg products which are used in the preparation of foods intended for human consumption, and providing penalties for violations of the provisions thereof—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

KING, Chairman.

Senate Bill No. 462 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 147—An act to amend section 1 of an act entitled "An act to fix the salaries of the State Forester, Deputy Forester and Assistant Forester," approved March 22, 1909, and repealing all acts and parts of acts inconsistent herewith—has had the same under consideration, and respectfully reports the same back and recommends that it do pass and be re-referred to Committee on Finance.

Minority report: Do not pass.

KING, Chairman.

Senate Bill No. 147 re-referred to Committee on Finance.

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, April 6, 1917.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Assembly Bill No. 643—An act to provide for and regulate the issuance of stock without nominal or par value by public utility corporations now existing or hereafter organized—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

CARR, W. J., Chairman.

Assembly Bill No. 643 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 534—An act providing for the resettlement of franchise rights of and the granting of a resettlement franchise to any person, firm or corporation actually engaged in operating a street, suburban or interurban railroad in cities or cities and counties having at the effective date of this act a freeholders' charter adopted under the provisions of section 8 of Article XI of the Constitution of the State of California, which charter provides for the resettlement of franchise rights of and the granting of resettlement franchises to any person, firm or corporation engaged in operating a public utility in such a municipality, and providing conditions for the granting of such franchises by legislative or other governing bodies of such city or city and county—has had the same under consideration, and respectfully reports the same back and recommends that it do pass, as amended.

CARR, W. J., Chairman.

Senate Bill No. 534 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Utilities, to which was re-referred Senate Bill No. 592, as amended—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, by amending section 43 thereof—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

CARR, W. J., Chairman.

Senate Bill No. 592 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 5, 1917.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 88—An act to amend section 4307 of the Political Code, relating to county charges;

Also: Senate Bill No. 370—An act to authorize the incurring of indebtedness by counties for the construction of roads and highways and for all necessary public improvements or for any purpose whatsoever;

Also: Senate Bill No. 455—An act to amend section 4244 of the Political Code relating to salaries and fees of officers in counties of the fifteenth class—

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

INMAN, Chairman.

Senate Bills Nos. 88, 370 and 455 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 871—An act to amend the Political Code by adding a new section thereto, to be numbered 4276a, relating to fees and mileage of jurors and witnesses in counties of the forty-seventh class;

Also: Assembly Bill No. 870—An act to amend section 4276 of the Political Code, relating to salaries and fees of officers in counties of the forty-seventh class;

Also: Assembly Bill No. 136—An act to amend section 4271 of the Political Code, relating to salaries of officers of counties of the forty-second class;

Also: Assembly Bill No. 589—An act to add a new section to the Code of Civil Procedure, to be numbered 103c, relating to justices' clerks for counties of the third class;

Also: Assembly Bill No. 253—An act to amend section 4251 of the Political Code, relating to the salaries and fees of officers of the counties of the twenty-second class—

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

INMAN, Chairman.

Assembly Bills Nos. 871, 870, 136, 589 and 253 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 27—An act to add a new section, to be known as section 9aa, to an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911;

Also: Assembly Bill No. 483—An act to amend section 4257 of the Political Code, relating to the compensation of county and township officers of counties of the twenty-eighth class;

Also: Assembly Bill No. 502—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors;

Also: Assembly Bill No. 523—An act fixing the compensation of grand and trial jurors in counties of the twenty-eighth class;

Also: Assembly Bill No. 990—An act to add a new section to the Political Code to be numbered 4147a, relating to the powers and duties of deputy coroners;

Also: Assembly Bill No. 1314—An act to amend section 4042 of the Political Code, relating to additional powers and duties of the board of supervisors:
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

INMAN, Chairman.

Assembly Bills Nos. 27, 483, 502, 523, 990 and 1314 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 6, 1917.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 640—An act to amend section 9 of an act entitled "An act relating to hotels, defining the same, providing regulations in connection therewith, providing for the sanitation of the rooms of such hotels, providing for the sanitary method and manner of keeping, handling and using bedclothes or bed covering in such hotels, repealing all acts or parts of acts in conflict with this act, providing for its enforcement by the State Board of Health, and providing a penalty for the violation of any of its provisions," approved April 26, 1915—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

CARR, F. M., Chairman.

Senate Bill No. 640 ordered on file for second reading.

ADJOURNMENT.

At twelve o'clock m., on motion of Senator Nealon, the President pro tempore declared the Senate adjourned until Monday, April 9, 1917, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Monday, April 9, 1917.

The Senate met at eleven o'clock a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—37.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, April 6, 1917, its further reading was dispensed with, on motion of Senator Crowley.

LEAVES OF ABSENCE.

Senator Lyon was, on motion of Senator Gates, granted leave of absence for this day.

Senator Maddux was, on motion of Senator Slater, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Breed, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mrs. Mary Van Everan Ferguson and Miss Elizabeth Ferguson of Berkeley.

On request of Senator Slater, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. Milton L. Wasserman and Mr. Walter Koch of Santa Rosa.

On request of Senator Slater, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. Jack Murray of Sonoma, Deputy Sheriff of Sonoma County.

On motion of Senator King, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. F. W. Kissel of Sacramento.

PETITIONS.

The following petitions were presented and ordered printed in the Journal:

SAN FRANCISCO, April 7, 1917.

To the Honorable the Legislature of the State of California.

GENTLEMEN: Inclosed please find resolutions adopted by the San Francisco Labor Council, representing 50,000 organized workers in San Francisco, expressing their loyalty and support of the national and state governments in prosecuting this rightful war to a successful termination.

Respectfully,

[SEAL] JOHN A. O'CONNELL, Secretary.

WHEREAS, The government of the United States for more than two years has submitted, in the interest of peace, to the numerous wrongs heaped upon it by the Imperial German government; and

WHEREAS, The President and Congress of the United States have declared that a point has been reached in our affairs where peace is no longer possible owing to the fact that the German government is now waging war upon us, destroying our commerce and taking the lives of our citizens while engaged in the peaceful pursuit of their legitimate activities; therefore, be it

Resolved, That the San Francisco Labor Council, in regular session assembled this 6th day of April, 1917, pledges its loyal and united support to the nation and the state in this hour of trial, and invites the constituted authorities to call upon it for any service that it may be possible for it to render to our common country in the interest of justice and freedom and humanity; and be it further

Resolved, That we express our faith and confidence in the high purposes that have governed President Woodrow Wilson in his conduct of the nation's affairs during the trying years of the great world conflict, and assure him of our readiness to follow his lead in the efforts to maintain the rights of humankind; and be it further

Resolved, That copies of these resolutions be forwarded to the President, the members of the California delegation in Congress, the Governor and the Legislature of the State of California.

Adopted by the San Francisco Labor Council.

Attest: [SEAL] JOHN A. O'CONNELL, Secretary.

Also:

By Senator Brown:

SACRAMENTO, April 5, 1917.

Mr. W. E. Brown, Senate.

DEAR SIR: I received a telegram from the city clerk of the city of Los Angeles containing the following resolution, with a request that a copy of the same be transmitted to you:

At a meeting of the city council of the city of Los Angeles, held the 4th day of April, 1917, the following resolution was adopted:

WHEREAS, The Senate has adopted Senate Bill No. 715, known as the Remedial Loan Association Bill, which would permit usurers to charge 42 per cent interest per annum on chattel mortgages; and

WHEREAS, The enactment of such a law would be a heavy burden on the poor of the State who, through misfortune or necessity, are forced to borrow money on chattel mortgages; and

WHEREAS, This council has heretofore gone on record in favor of the enactment of Senator Brown's bill, which would restrict the amount of interest that might be collected on a chattel mortgage to 12 per cent a year; and

WHEREAS, The Assembly has not yet adopted the Remedial Loan Association Bill, which would be a decided step backward in the regulation of usury in the State of California; now therefore, the city council of the city of Los Angeles does hereby

Resolved, That the Senate of the State of California is hereby requested to rescind its action in approving the Remedial Loan Association Bill providing for the collection of 42 per cent per annum interest in chattel mortgage loans and that it substitute therefor Senator W. E. Brown's bill to limit the practice of usury which the Remedial Loan Association Bill would encourage; and be it further

Resolved, That the Assembly of the State of California be urgently requested to adopt Senator Brown's Anti-Usury Bill instead of the measure heretofore adopted by the Senate.

Wherefore, the Senate and Assembly will receive the overwhelming endorsement and approval of the vast majority of the voters and municipalities of the State of California, is the opinion of the said city council.

[Signed] CHAS. L. WILDE, City Clerk.
HOWARD ROBERTSON,
Assistant City Attorney of the City of Los Angeles.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1257—An act appropriating money to pay traveling expenses incurred by county treasurers in making settlements with the State;

Also: Assembly Bill No. 1282—An act to amend section 276 of the Code of Civil Procedure of the State of California, relating to testimonials and examination before district court of appeal;

Also: Assembly Bill No. 973—An act to amend section 6 of an act entitled "An act concerning the waterfront of the city and county of San Francisco," approved March 15, 1878, as amended;

Also: Assembly Bill No. 1394—An act to regulate the moving, transporting, and conveying of certain buildings, houses, structures, derricks, cranes, towers and vehicles and requiring a permit for the same and providing a penalty for the violation thereof;

Also: Assembly Bill No. 792—An act to amend the title, and sections 4, 5, 6, 12, 13, 14, 15 and 15*a* of an act entitled "An act to be known as 'The California Irrigation Act' providing for cooperation between the State of California and the United States and independent proceedings in the storage and diversion of water, the distribution thereof for irrigation, the manufacture of power and for domestic purposes, creating an irrigation board to form water districts, make contracts, construct reservoirs, divert and distribute water, generate, lease and sell electric current, lease water power, levy assessments, issue bonds of water districts; providing for the management, control and supervision of such water districts and of the works constructive pursuant to this act; directing the State Department of Engineering relative to such works; authorizing irrigation districts to reorganize under this act and generally providing a policy relating to storage, diversion and use of water, and adopting a plan for providing revenues therefor," approved June 4, 1915.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1257 read first time, and referred to Committee on Finance.

Assembly Bill No. 1282 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 973 read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 1394 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 792 read first time, and referred to Committee on Irrigation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1917

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 5th passed:

Assembly Bill No. 1331—An act to add a new section to the Penal Code, to be numbered 626r, relating to aigrettes, osprey, birds of paradise, goura and numidi

B. O. BOOTHBY, Chief Clerk of Assembly
By M. STERN, Assistant Clerk.

Assembly Bill No. 1331 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1917

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 626—An act to amend section 79 of an act to provide for work upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for cost thereof and providing a method for the payment of such bonds, approved April 7, 1911;

Also: Assembly Bill No. 1288—An act to amend sections 2 and 3 of "An act authorizing municipalities to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within municipalities, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same," approved May 26, 1915, in effect August 8, 1915, and adding a new section thereto to be numbered section 8;

Also: Assembly Bill No. 560—An act to amend sections 2, 60, 63, 66, 68, 70, 72 and 73 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 626 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1288 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 560 read first time, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 139—An act to amend section 881 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883;

Also: Assembly Bill No. 1435—An act to amend the title and sections 1, 2, 3, 5 and 16 of an act entitled "An act to provide for the establishment and change of grade of public streets, lanes, alleys, courts, places and rights of way in municipalities, and providing for the improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessments for the costs, damages and expenses of such improvement, and for the payment and effect of such bonds," approved June 16, 1913;

Also: Assembly Bill No. 63—An act to amend section 872 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883;

Also: Assembly Bill No. 1064—An act to amend section 1242 of the Political Code, relating to salaries and fees of officers or members of the legislature.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 139 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1435 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 63 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1064 read first time, and referred to Committee on County Government.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

[illegible]

SENATE CHAMBER, SACRAMENTO, April 9, 1917.

Mr. President: Your Committee on Engrossment and Enrollment [illegible] examined the following:

Senate Bill No. 942—An act to amend sections 1519 and 1519a of the Political Code, and to add [illegible] relating to the powers and duties of the State Board of Education and of the Superintendent of Public Instruction, and to the duties of teachers;

Also: Senate Bill No. 685—An act to add a new section to the Political Code, to be numbered 1716, relating to [illegible]

Also: Senate Bill No. 1152—An act [illegible] of the United States [illegible] claims of liens arising herein [illegible]

Also: Senate Bill No. 996—An act to amend section 1113 of the Code of Civil Procedure, relating to [illegible] Article III, Chapter 7, Title 11, Part III [illegible] the Code of Civil Procedure, all relating to sales and conveyances [illegible]

Also: Senate Bill No. 807—An act to amend sections 1510, 1517, 1522, 1529, 1535, 1536, 1545, 1547, 1549, 1552, 1554, 1555, 1556, 1565, and 1570 of the Code of Civil Procedure [illegible]

Also: Senate Bill No. 346—An act to amend sections 7, 8, 9, 10, 12, 19, 20, 28, 31a, 35, 41, 43, 45, 65, 68, 80, 81, 90, 96, 128, [illegible] of the act [illegible] of banking;

Also: Senate Bill No. 94—An act to amend section 1222 of the Political Code, relating to the compensation of officers in counties of the third class;

Also: Senate Bill No. 1136—An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; providing for the issue by incorporated cities and towns, cities and counties, and counties of permits for the operation of such automobiles, jitney busses, auto trucks, stages and auto stages; empowering incorporated cities and towns, cities and counties, and counties to enact ordinances for the supervision and regulation of automobiles, jitney busses, auto trucks, stages and auto stages and providing penalties for the violation of such ordinances; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts and parts of act inconsistent with the provisions of this act.
And reports that the same have been correctly engrossed.

ROMINGER, Acting Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 816—An act to amend section 3 of an act entitled "An act relating to explosives and prescribing regulations for the transportation, storage and selling of explosives, and providing penalties for the violation of this act," in effect March 21, 1911, and known as Chapter 213, Statutes of 1911, and to repeal section 11 of said act;

Also: Senate Bill No. 627—An act to amend the title and sections 1, 2 and 14 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities therein; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition and construction of such improvements," approved April 20, 1915;

Also: Senate Bill No. 850—An act to amend an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance," approved May 10, 1915, relating to the terms and conditions upon which corporations may transact business in this State;
And reports that the same have been correctly re-engrossed.

ROMINGER, Acting Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Concurrent Resolution No. 24—Relative to leaves of absence of the Governor, and the members of the Senate and Assembly of the forty-second session of the Legislature of the State of California.

Also: Senate Concurrent Resolution No. 23—Relating to supplementary textbooks used in elementary schools;

Also: Senate Bill No. 291—An act appropriating money for the purchase of live stock at the San Quentin State Prison;

Also: Senate Bill No. 293—An act appropriating money for the construction of new additions to farm buildings for San Quentin State Prison;

Also: Senate Bill No. 294—An act appropriating money for repairs and improvements to buildings, structures and equipment at the San Quentin State Prison;

Also: Senate Bill No. 1145—An act authorizing and empowering irrigation and reclamation districts to enter into contracts with the United States reclamation service for the reclamation of lands within such districts under the provisions of the so-called "twenty year extension act";

Also: Senate Bill No. 1134—An act to amend section 131 of the Civil Code, relating to judgment in an action for divorce, and to repeal section 132 of the Civil Code;

Also: Senate Bill No. 1175—An act permitting daily payment into the county treasury of duplicate or excess payments of taxes made to the tax collector and providing for the refund of such payments;

Also: Senate Bill No. 596—An act to add a new section to the Code of Civil Procedure to be numbered 1490*a*, relating to notice to creditors of decedents;

Also: Senate Bill No. 987—An act to repeal section 280*a* of the Code of Civil Procedure, relating to diplomas granted by Hastings College of Law;

Also: Senate Bill No. 665—An act to repeal section 280*b* of the Political Code, relating to admission of graduates of law school to practice law;

Also: Senate Bill No. 1094—An act to amend section 410 of the Political Code, relating to the distribution of the laws, resolutions and journals of Legislature; of reports of Supreme Court;

Also: Senate Bill No. 485—An act to amend section 4295 of the Political Code, relating to official services and fees;
And reports that the same have been correctly engrossed.

ROMINGER, Acting Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 9, 1917.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 303: An act appropriating money for medical teaching in the University of California;

Also: Senate Bill No. 1106: An act appropriating money to pay the claim of covering the general expenses of John M. Eshleman;

Also: Assembly Bill No. 304—An act appropriating money for plumbing repairs at the Mendocino State Hospital;

Also: Assembly Bill No. 305—An act appropriating money for the enlarging of operating room at the Mendocino State Hospital;

Also: Assembly Bill No. 306: An act appropriating money for the reconstruction of ward five and converting laundry and bakery at the Mendocino State Hospital;

Also: Assembly Bill No. 335: An act appropriating money for the purpose of providing physicians and nurses at the Women's Relief Corps Home;

Also: Assembly Bill No. 341: An act appropriating money for the purchase of additional dairy herd for the Stockton State Hospital;

Also: Assembly Bill No. 344: An act appropriating money for the purchase of a complete X-ray apparatus for the Stockton State Hospital;

Also: Assembly Bill No. 351—An act appropriating money for repairs and improvements to buildings of the San Diego State Normal School;

Also: Assembly Bill No. 375—An act appropriating money for repairs and improvements to the buildings and equipment of the Los Angeles State Normal School;

Also: Assembly Bill No. 376: An act appropriating money for the making of additions to buildings of the Los Angeles State Normal School;

Also: Assembly Bill No. 389—An act appropriating money for the purchase and installation of a boiler at the Southern California State Hospital;

Also: Assembly Bill No. 390—An act appropriating money for new wiring, old buildings and grounds at the Southern California State Hospital;

Also: Assembly Bill No. 391—An act appropriating money for the construction and furnishing of a cottage for disturbed patients at the Southern California State Hospital;

Also: Assembly Bill No. 392—An act appropriating money for the installation of pump, motor and connections, new well, at the Southern California State Hospital;

Also: Assembly Bill No. 410: An act appropriating money for the purchase of bakery equipment at the Norwalk State Hospital;

Also: Assembly Bill No. 411—An act appropriating money for the purchase of dairy herd and horses at the Norwalk State Hospital;

Also: Assembly Bill No. 412—An act appropriating money for the construction and furnishing of superintendent's cottage at the Norwalk State Hospital;

Also: Assembly Bill No. 413—An act appropriating money for the construction of farm buildings at the Norwalk State Hospital;

Also: Assembly Bill No. 416—An act appropriating money for the purchase of laundry equipment at the Norwalk State Hospital;

Also: Assembly Bill No. 449: An act appropriating money for the construction of creamery at the Whittier State School;

Also: Assembly Bill No. 450—An act appropriating money for the construction and equipment of power house at the Whittier State School;

Also: Assembly Bill No. 451—An act appropriating money for the construction of three cottages at the Whittier State School;

Also: Assembly Bill No. 452—An act appropriating money for the furnishing and equipment of trades building and three cottages at the Whittier State School;

Also: Assembly Bill No. 518—An act appropriating money for the heating of office in commissary building and manor house at the California School for Girls;

Also: Assembly Bill No. 1024—An act appropriating money for electric lighting at Sutter's Fort;

Also: Assembly Bill No. 1205—An act providing for the leasing of certain State lands and making an appropriation for the purposes of this act;

Also: Assembly Bill No. 1223—An act appropriating money for electric wiring at the Veterans' Home;

Also: Assembly Bill No. 1224—An act appropriating money for plumbing and repairs to plumbing at the Veterans' Home;

Also: Assembly Bill No. 1225—An act appropriating money for the purchase of dairy cows for the Veterans' Home;

Also: Assembly Bill No. 1227—An act appropriating money for the construction of quarters for inebriates on the grounds of the Veterans' Home;

Also: Assembly Bill No. 1228—An act appropriating money for the construction of a chapel on the grounds at the Veterans' Home;

Also: Assembly Bill No. 1254—An act appropriating money to cover office rent, janitor service and supplies, State's offices in the Union League Building, Los Angeles.

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

CHANDLER, Chairman.

Senate Bills Nos. 303 and 1106 and Assembly Bills Nos. 304, 305, 306, 335, 341, 344, 351, 375, 376, 389, 390, 391, 392, 410, 411, 412, 413, 416, 449, 450, 451, 452, 518, 1024, 1205, 1223, 1224, 1225, 1227, 1228 and 1254 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 283—An act appropriating money for repairs to employees' cottages at the Folsom State Prison;

Also: Senate Bill No. 295—An act appropriating money for the purchase of machinery and equipment for the jute mill at San Quentin State Prison;

Also: Senate Bill No. 936—An act to revise and amend an act entitled "An act to define the duties of and to license land surveyors, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 31, 1891," approved March 16, 1907, so as to constitute the Surveyor General, the State Engineer and the Highway Engineer, ex officio, a State Board of Land Surveyors to examine persons applying to become licensed land surveyors; to prescribe the powers and duties of such board; to provide for the issuance, suspension or revocation of licenses; to provide penalties for violations hereof; and to provide for paying the actual necessary expenses of such board;

Also: Senate Bill No. 1079—An act to provide for the forfeiture of certain lands to the State in the event of the nonpayment of delinquent interest upon the part of the unpaid portion of the purchase price thereof, together with penalties and costs as herein provided, as well as for the forfeiture of all such as previously paid thereon, whether for principal or interest, prescribing the duties of certain public officers with respect thereto; providing for the giving of notice hereof, prescribing certain remedies; and making an appropriation for the purposes of this act—

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended.

CHANDLER, Chairman.

Senate Bills Nos. 283, 295, 936 and 1079 ordered on file for second reading.

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, April 9, 1917.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Assembly Bill No. 137—An act to provide for the care of the graves of soldiers, sailors and marines of the United States of America whose remains are buried in certain cemeteries—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

SCOTT, Chairman.

Assembly Bill No. 137 ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 9, 1917.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 1400—An act declaring certain drainage work already done within Drainage District No. 1, Butte County, to have been legally done, validating the same, and making such work a proper subject for the levy of an assessment to pay therefor; authorizing the levy and collection of such assessment in said district to provide for such payment, and interest; the original assessment levied and collected being insufficient to provide for such payment—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

JONES, Chairman.

Assembly Bill No. 1400 ordered on file for second reading.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, April 5, 1917.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 464—An act to regulate the sale of eggs which have been in transit more than thirty-one days, and prescribing penalties for violations thereof—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

KING, Chairman.

Senate Bill No. 464 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 1126: "An act providing for the establishment and maintenance of a state nursery under the jurisdiction and management of the State Forester for the growing of stock for reforestation and the planting of trees along highways and in public places, and making an appropriation therefor"—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended, and be re-referred to Committee on Finance.

Minority report: Do not pass.

KING, Chairman.

Senate Bill No. 1126 re-referred to Committee on Finance.

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 5, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Nealon to introduce a bill entitled: "An act to add a new section to the Penal Code, to be numbered 584, requiring all corporations, partnerships, firms or individuals engaged in the warehouse, wharfage or storage business," etc.—has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Jones, King, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—32.

NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Flaherty to introduce a bill entitled: "An act to encourage, stimulate and assist the fishing industry of the State of California; to authorize the State Market Director to carry on the business of catching and taking food fish and to lend money of the State to citizens to enable them so to do; to appropriate money to carry out the provisions of this act, and to repeal all other acts and parts of acts in conflict with this act"—has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—34.

NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Ingram to introduce a bill entitled: "An act to amend section 1547 of the Penal Code relating to offering rewards for the apprehension of fugitives from justice"—has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Nealon, Parkitt, Rigdon, Rominger, Rush, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—23.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS.

The following bills were introduced, in accordance with the above reports:

By Senator Nealon: Senate Bill No. 1179—An act to add a new section to the Penal Code, to be numbered 584, requiring all corporations, partnerships, firms or individuals engaged in the warehouse, wharfage or storage business to furnish monthly statements of the food and food products on storage and of the food or food products that have been removed from storage during the preceding month, and providing a penalty for the violation thereof.

Bill read first time, and referred to Committee on Judiciary.

By Senator Flaherty: Senate Bill No. 1180—An act to encourage, stimulate and assist the fishing industry of the State of California; to authorize the State Market Director to carry on the business of catching and taking food fish and to lend money of the State to citizens to enable them so to do; to appropriate money to carry out the provisions of this act, and to repeal all other acts and parts of acts in conflict with this act.

Bill read first time, and referred to Committee on Judiciary.

By Senator Ingram: Senate Bill No. 1181—An act to amend section 1547 of the Penal Code relating to offering rewards for the apprehension of fugitives from justice.

Bill read first time, and referred to Committee on Judiciary.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

MINUTE CLERK JOSEPH A. BEEK AT THE DESK.

Senate Bill No. 592—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, by amending section 43 thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 592 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, Luce, Nealon, Purkitt, Rominger, Rush, Scott, Sharkey, Slater, and Thompson—27.

NOES—Senator Irwin—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Senate Bill No. 872, heretofore set as a special order for eleven o'clock and thirty minutes a.m., the same was taken up for consideration.

Senate Bill No. 872—An act defining the meaning of the term "appointive officer," and to prohibit any appointive officer of the State of California, or of any of its departments or commissions, from participating in political conventions, discussions or campaigns, for or against any political party, or measure, or candidate, making public political speeches to influence the action of any voter or voters for or against any party, person, or measure, or using any official stationery for such purpose, and providing penalties for the violation thereof.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Inman moved to refer Senate Bill No. 872 to Senator Luce as a Special Committee of One, to amend as follows:

On page 1, line 10, of the printed bill, insert the words "the term of appointive officer shall include all appointive officers of the United States government."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 9, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 872, with instructions to amend, respectfully reports the same back, amended as per instructions.

LUCE, Special Committee.

Report read, and, on motion of Senator Inman, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 815—An act to provide for the protection of beneficiaries of workmen's compensation insurance policies and self-employing policies against the default or insolvency of insurance carriers issuing such policies; to provide for the examination from time to time of such insurance carriers to determine their financial condition; to provide for the establishment and maintenance of a compensation insurance beneficiaries' guaranty fund, for the making and enforcement of contributions thereto, and for the payment therefrom of compensation awards against insolvent or defaulting insurance carriers contributing thereto; to provide for the reimbursement of said fund from the assets of any insurance carrier becoming insolvent or otherwise defaulting in

its payment to such beneficiaries; to provide for the expense of administration of said fund; and vesting power in the Insurance Commissioner to take possession of the assets and administer the affairs of any such insurance carrier upon its default or insolvency or threatened insolvency; and for other purposes.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 815 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Nealon, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—Senator Purkitt—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 816—An act to amend section 3 of an act entitled "An act relating to explosives and prescribing regulations for the transportation, storage and selling of explosives, and providing penalties for the violation of this act," in effect March 21, 1911, and known as Chapter 213, Statutes of 1911, and to repeal section 11 of said act.

On motion of Senator Luce, Senate Bill No. 816 was passed on file.

Senate Bill No. 627—An act amending an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities therein; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements and for the acquisition and construction of such improvements," approved April 20, 1915, by amending the title of said act and by amending section 1 of said act.

In the absence of the author, Senate Bill No. 627 was ordered passed, to retain its place on the file.

Senate Bill No. 49—An act to repeal section 55a of the Penal Code, relative to soliciting, demanding, or pledging votes for or against any particular bill or measure.

On motion of Senator Duncan, Senate Bill No. 49 was passed on file.

Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending section 1 of Article IV thereof, relating to legislative powers, and reserving to the people of the State of California the power to propose laws, statutes and amendments to the Constitution and to enact the same at the polls, independent of the Legislature, and also reserving to the people of the State of California the power to approve or reject at the polls any act or section or part of any act of the Legislature.

On motion of Senator Duncan, Senate Constitutional Amendment No. 5 was passed on file.

SENATOR JOHNSON IN THE CHAIR.

At twelve o'clock and five minutes p.m., Senator Johnson of the Eleventh District was called to the chair.

Senate Bill No. 1110—An act to promote the development of the California fruit industry and to protect the State's reputation in the

fruit markets by establishing a standard for the packing of certain fresh fruits specified herein, prescribing penalties for violations of the provisions hereof, and repealing all acts inconsistent herewith.

On motion of Senator Benson, Senate Bill No. 1110 was passed on file.

Senate Bill No. 307—An act to amend sections 3607, 3608, 3627, 3628, 3629, 3643, 3663, 3678, 3701, 3728, 3734 and 3753 of the Political Code, and to repeal sections 3609, 3610, 3641, 3679, 3719, 3757, 3769*a*, 3839, 3840, 3841, 3842, 3843, 3844, 3845, 3846, 3847, 3848, 3849, 3850, 3851, 3852, 3853, 3854, 3855, 3856, 3857, 3858, 3859, 3860, 3861 and 3862.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 307 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Nealon, Rigdon, Scott, Sharkey, Slater, Stuckenbruck, and Thompson—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 936—An act to amend an act entitled "An act to define the duties of and to license land surveyors, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 31, 1891," approved March 16, 1907; by amending sections 1, 2, 3, 11, and 14 thereof, so as to constitute the Surveyor General, the State Engineer and the Highway Engineer, ex officio, a State Board of Land Surveyors to examine persons applying to become licensed land surveyors; to prescribe the powers and duties of such board; to provide for the issuance, suspension, or revocation of licenses; to provide penalties for violations hereof; and to provide for paying the actual necessary expenses of such board.

Bill read third time, previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Jones moved to refer Senate Bill No. 936 to Senator Benson, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 7 of the title, strike out the words "highway engineer", and insert in lieu thereof the words "Dean of the College of Civil Engineering, University of California,".

AMENDMENT NUMBER TWO.

On page 1, line 7, strike out the words "highway engineer" and insert in lieu thereof the words "Dean of the College of Civil Engineering, University of California,".

AMENDMENT NUMBER THREE.

On page 2, line 24, after the semicolon following the word "proper", insert the following: "*provided*, that such examinations shall be practical in character, and such rules shall not require applicants to be graduates of any technical school or college;".

AMENDMENT NUMBER FOUR.

On page 4, line 11, after the word "paper" insert the words: "or cloth".

AMENDMENT NUMBER FIVE.

On page 5, lines 30 and 31, strike out the words "of accused" and insert in lieu thereof the words "or accusation".

AMENDMENT NUMBER SIX.

On page 6, lines 19 and 20, strike out the words: "Those parts of all acts in conflict with this act are hereby repealed." and insert in lieu thereof the following: "The members of said state board of land surveyors shall each receive his necessary actual traveling and other expenses incurred in the performance of the duties prescribed by the provisions of this act. Such expense shall be paid in the manner now provided by law. For the purpose of paying such expenses there is hereby appropriated out of any monies in the state treasury not otherwise appropriated the sum of one thousand dollars."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 9, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 936, with instructions to amend, respectfully reports the same back, amended as per instructions.

BENSON, Special Committee.

Report read, and, on motion of Senator Jones, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 850—An act to amend an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for non-compliance," approved May 10, 1915, by amending sections 1, 4, 7, 9, 10, 11, 12, 13, 14 and 15 thereof, all relating to the terms and conditions upon which corporations may transact business in this State.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 850 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Nealon, Rigdon, Rominger, Scott, Sharkey, Slater, and Thompson—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 851—An act to amend section 400 of the Civil Code, and to repeal sections 405, 406, 408, 409 and 410 of said code, relating to corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 851 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Nealon, Purkitt, Rigdon, Rominger, Scott, Slater, and Thompson—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 854. An act to amend section 341 of the Code of Civil Procedure, relating to time for commencement of actions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 854 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, McDonald, Nealon, Rigdon, Rush, Scott, Slater, and Stuckenbruck—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 26. A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XX thereof a new section, to be numbered section 22, relative to health insurance.

Resolution read.

CALL OF THE SENATE.

The roll was called upon adoption of Senate Constitutional Amendment No. 26.

Pending the announcement of the vote, Senator Kehoe moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Caccpa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Nealon, Purkett, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Thompson—34.

The Secretary announced the absentees.

Time, twelve o'clock and twenty-five minutes p.m.

The Acting President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At twelve o'clock and twenty-seven minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Kehoe.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., the hour of recess was extended until twelve o'clock and fifty-five minutes p.m.

SECRETARY CLIFTON E. BROOKS AT THE DESK.

CALL OF THE SENATE.

Senator Kehoe moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Caneva, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Thompson—34.

The Secretary announced the absentees.

Time, twelve o'clock and thirty-five minutes p.m., the Acting President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At twelve o'clock and forty-five minutes p.m., Senators Tyrrell and Burnett were brought to the bar of the Senate, and, on motion of Senator Jones, were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At twelve o'clock and fifty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Kehoe.

The Secretary was directed to call the roll, on adoption of Senate Constitutional Amendment No. 26, of the Senators who had not answered to their names.

The roll was called, and Senate Constitutional Amendment No. 26 refused adoption by the following vote:

AYES—Senators Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Luce, McDonald, Nealon, Rush, Scott, Sharkey, Slater, and Tyrrell—24.

NOES—Senators Ballard, Brown, Caneva, Chamberlin, Irwin, Kehoe, King, Purkitt, Rigdon, Rominger, Stuckenbruck, and Thompson—12.

NOTICE OF MOTION TO RECONSIDER.

Senator Kehoe gave notice that on the next legislative day he would move to reconsider the vote by which Senate Constitutional Amendment No. 26 was refused adoption.

RECESS.

At twelve o'clock and fifty-five minutes p.m., on motion of Senator Benson, the acting President declared the Senate at recess until the hour of two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 281—An act to add a new section to the Political Code to be numbered 633*b*, concerning insurance and surety companies, agents and brokers, requiring that policies or contracts of insurance, or surety bonds shall show the correct premium consideration and the risks insured thereunder; prohibiting the giving of rebates on insurance or

surety bonds and providing penalty therefor and for the suspension of certificate of authority of any insurance or surety company and the revoking or suspension of the license of any agent or broker violating the same, and prescribing the powers and duties of the Insurance Commissioner in relation thereto.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 4, line 21, after the word "insurance" strike out all down to and including the bracket after the word "occurred" in line 28, and in lieu thereof insert: "or surety company or society shall knowingly have violated any of the provisions of this act, or shall knowingly have permitted any officer, managerial agent, or managerial employee, to violate any of the provisions of this act, he shall have authority to suspend the certificate of authority of such insurance or surety company or society to do the kind of business in which the violation of the provisions of this act occurred."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 4, line 34, strike out the words "revokes or".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 5 at the end of line 11 insert the following: "Such action shall be commenced and tried in the superior court of the county in which such insurance or surety company or society has its principal place of business in this state, or in which such broker or agent resides, unless the parties thereto stipulate otherwise."

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 283—An act to add a new section to the Political Code, to be numbered 633*a*, concerning the licensing of insurance brokers, and providing for the issuance and revoking of licenses by the Insurance Commissioner, and providing penalties for a violation thereof.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2 strike out lines 20, 21 and 22 and insert in lieu thereof: "than insurance, the nature of such business and the name under which such business is conducted".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 strike out lines 25 and 26 and insert in lieu thereof "be a corporation, the names of the officers thereof".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2 in line 30 strike out the word "circumventing" and insert in lieu thereof the word "preventing".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3 strike out lines 4 to 28 inclusive, and insert in lieu thereof the following: "If it shall be brought to the attention of the insurance commissioner that any insurance broker licensed hereunder has wilfully misstated any material fact in his application, or that the purpose or principal use of such license as an insurance broker is to avoid or prevent the operation or enforcement of any anti-rebate law or other insurance law of this state, then the insurance commissioner shall give notice to such insurance broker and cite him to appear before such insurance commissioner and show cause why his license as an insurance broker should not be suspended or revoked. If at the hearing of said order to show cause it shall appear that said insurance broker has wilfully misstated any material fact in his application to the insurance commissioner, or that the purpose or principal use of such license is to avoid or prevent the operation or enforcement of any anti-rebate law or other insurance law of this state, then the insurance commissioner shall either revoke or suspend the license of such insurance broker and shall notify such broker of such revocation or suspension, and shall publish a notice of the revocation or suspension of said insurance broker's license in such a manner as he deems proper for the protection of the public."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 4 at the end of line 2, insert in a new paragraph:

Such action shall be commenced and tried in the superior court of the county in which such broker resides, unless the parties thereto stipulate otherwise.

Amendment adopted.

AMENDMENT NUMBER SIX.

Add a new paragraph at the end of the bill as follows:

Nothing herein contained shall in any manner limit the fees provided for in section 605 of the Political Code.

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 284. An act to amend section 633 of the Political Code, relating to the licensing of insurance agents.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 3, beginning with the comma after the word "person" strike out all down to and including the comma after the word "corporation" on same line.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 5, beginning with the comma after the word "person" strike out all down to and including the word "corporation" on same line.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 8, beginning with the comma after the word "person" strike out all down to and including the word "corporation" on same line.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 15, beginning with the comma after the word "person" strike out all down to and including the comma after the word "corporation" on line 16.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 1, beginning with the comma after the word "person" strike out all down to and including the word "corporation" on same line.

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, strike out lines 15, 16, 17 and insert in lieu thereof "name under which such business is conducted".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, strike out lines 20 and 21 and insert in lieu thereof the following: "be a corporation, the names of the officers thereof".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 25, strike out the word "circumventing" and insert in lieu thereof the word "preventing".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, strike out lines 27 to 36, inclusive, and on page 3, strike out lines 1 to 12, inclusive, and insert in lieu thereof: "If it shall be brought to the attention of the insurance commissioner that any agent licensed hereunder has wilfully misstated any material fact in his application, or that the purpose or principal use of such license as an insurance or surety agent is to avoid or prevent the operation or enforcement of any antirebate law or other insurance law of this state, then the insurance commissioner shall give notice to such agent and cite him to appear before such insurance commissioner and show cause why his license as an insurance or surety agent should not be suspended or revoked. If at the hearing of said order to show cause it shall appear that said agent has wilfully misstated any material fact in his application to the insurance commissioner, or that the purpose or principal use of such license is to avoid or prevent the operation or enforcement of any antirebate law or other insurance law of this state, then the insurance commissioner shall either revoke or suspend the license of such agent, and shall notify both the agent and the company of such revocation or suspension."

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3, at the end of line 24, insert a new paragraph as follows:

Such action shall be commenced and tried in the superior court of the county in which such agent resides, unless the parties thereto stipulate otherwise.

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3, line 34, beginning with the comma after the word "person" strike out all down to and including the comma after the word "corporation" on same line.

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 4, at the end of the bill, add a new paragraph as follows:

Nothing herein contained shall in any manner limit the fees provided for in section six hundred five of the Political Code.

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 1395. An act to amend section 147 of the Penal Code, relating to inhuman treatment of prisoners.

Bill read second time, ordered engrossed, and on file for third reading.

Assembly Bill No. 546—An act prohibiting the marriage of all persons afflicted with certain diseases and requiring health certificates for marriage, requiring the posting of notice of application for a marriage license, and prescribing penalties for violations hereof.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 2, of the printed bill, strike out the word "tuberculosis" and the comma following said word.

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 643—An act to provide for and regulate the issuance of stock without nominal or par value by public utility corporations now existing or hereafter organized.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 871—An act to amend the Political Code by adding a new section thereto to be numbered 4276*a*, relating to fees and mileage of jurors in counties of the forty-seventh class.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 6 to 15, inclusive, and insert in lieu thereof the following:

Jurors. For attending as a grand juror for each day's actual attendance, per day, three dollars, and twenty cents per mile for each mile actually traveled, in going only; for attending as a trial juror in the superior court in civil and criminal cases, for each day's actual attendance, per day, three dollars, and twenty cents per mile for each mile actually traveled, in going only; for attending as a trial juror in the justice's court, in civil cases only, for each day's actual attendance, per day, two dollars, and twenty cents per mile for each mile actually traveled, in going only. The fee of such jurors shall be paid to them, respectively, on each day during the period of their attendance, if demanded, and the mileage herein provided for shall be paid at the time the fee for the first day's attendance is paid.

Witnesses. For each day's actual attendance when legally required to attend upon the superior court, per day, three dollars, and twenty cents per mile for each mile actually traveled, in going only; and for each day's actual attendance when legally required to attend upon the justice's court, in civil cases only, per day, two dollars, and twenty cents per mile for each mile actually traveled, in going only. Witnesses in criminal cases shall be paid their fees and mileage, as in this section provided, immediately upon their being discharged by the court. Witnesses in civil cases may demand the payment of their fees and mileage for one day, in advance, and when so demanded shall not be compelled to attend until the same shall have been paid.

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 870—An act to amend section 4276 of the Political Code, relating to salaries and fees of officers in counties of the forty-seventh class.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

[illegible]

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. [illegible]—An act to amend section 4[illegible] of the Political Code relating to salaries of officers of counties of the forty-second class.

COMMITTEE AMENDMENT

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line [illegible] of amended printed bill, after the word "[illegible]" insert "new and complete set."

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. [illegible]—An act to add a new section to the Code of Civil Procedure, to be numbered [illegible], relating to justices' clerks for [illegible] of the third class.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Strike out all of the bill after the word "follows," line [illegible], page 1, and insert in lieu thereof the following:

[illegible]

[illegible]

township in the name of the justice before whom the same is pending or out of whose court the same is issued, which shall be in substantially the following form:

_____
Justice of the Peace.

_____
Clerk.

By _____
Deputy Clerk.

All legal papers of every kind in actions or proceedings in such justice's court shall be issued by the said justice's clerk in the manner and form hereinabove set out. The said justice's clerk shall issue, sign and certify to any and all papers, transcripts or records which are required to be issued, signed or certified by the said justice of the peace. All complaints, answers and other pleadings and papers required to be filed in said justice's court shall be filed with said justice's clerk who shall keep a permanent record of all such actions and proceedings in the justice's docket, now provided by law to be kept by the justice.

The said clerk shall keep a record of the proceedings of said court and shall have the custody of all records and papers of the same.

All fees for the issuance of all process or other fees, which are by law allowed for any official service of the justice of the peace shall be collected and paid in advance into the hands of the justice's clerk, which together with all fees, bonds, forfeitures or penalties received in said justice's court shall be paid into the county treasury.

Said justice's clerk shall render each month to the county auditor and county treasurer, an exact account under oath of all fees, forfeitures, penalties and fees received by him or collected by said court. Said justice's clerk shall receive a salary of one thousand eight hundred dollars per year and said deputy clerk shall receive a salary of one thousand two hundred dollars per year, which shall be payable in like manner and out of the same funds and at like times as other officers are paid. The board of supervisors shall provide at a convenient locality a suitable office for the justice's clerk. The said justice's clerk shall be in attendance at his respective office in the discharge of official business daily from nine a.m. until five p.m.

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 253.—An act to amend section 4251 of the Political Code, relating to salaries and fees of officers of counties of the twenty-second class.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 4, commencing with line 16, strike out all down to and including line 26, and insert in lieu thereof the following:

The district attorney three thousand dollars per annum, *provided* that in counties of this class, the district attorney may appoint a deputy, which office of deputy district attorney is hereby created, said deputy to be employed at such times and to receive such salary as the board of supervisors may fix by resolution, *provided further* that said district attorney may appoint a stenographer at a salary of seventy-five dollars per month. Said deputy and said stenographer shall be paid at the same time and out of the same fund as other county officers are paid.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 5, line 30, of the amended bill, strike out the word "twenty-five" and insert in lieu thereof the word "thirty."

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 27.—An act to add a new section, to be known as section 9*gg*, to an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California,

and repealing an act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 483—An act to amend section 4257 of the Political Code, relating to the compensation of county and township officers of counties of the twenty-eighth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 502—An act to amend section 4041 of the Political Code, relating to the general powers of board of supervisors.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 523—An act fixing the compensation of grand and trial jurors in counties of the twenty-eighth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 990—An act to add a new section to the Political Code, to be numbered 4147*a*, relating to the powers and duties of deputy coroners.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1314—An act to amend section 4042 of the Political Code, relating to additional powers and duties of the board of supervisors.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 126—An act to amend sections 12, 18, 19 and 20 of an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts." Approved June 10, 1913.

Bill read second time.

AMENDMENTS FROM FLOOR.

During second reading of bill, the following amendments were offered, and their adoption moved by Senator Purkitt:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 2 to 8, inclusive, of the title and insert in lieu thereof the following:

To amend the title and sections two, four, five, seven, nine, twelve, eighteen, twenty and twenty-six of an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and to provide for the distribution and sale of water by said districts," approved June 10, 1913, and to add thereto a new section to be numbered twenty-eight.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 1 to 12, and all of pages 2 3 and 4, and insert in lieu thereof the following:

SECTION 1. The title of the act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the

acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and to provide for the distribution and sale of water by said districts," approved June 10, 1913, is hereby amended to read as follows:

An act to provide for the incorporation and organization and management of county water and power districts, and to provide for the acquisition of water rights or construction thereby of waterworks and power plants, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water and electricity by said districts.

SEC. 2. Section two of said act is hereby amended to read as follows:

SEC. 2. The people of any county, or city and county, or portion of a county or city and county, whether such portion includes unincorporated territory or not, in the State of California, having a population of not less than five hundred inhabitants, may organize a county water district under the provisions of this act by proceeding as herein provided.

SEC. 3. Section four of the said act is hereby amended to read as follows:

SEC. 4. At an election to be held within such water district under the provisions of this act and the laws governing general elections not inconsistent herewith, the county water district thus organized shall proceed within ninety days after its formation to the election of a board of directors (which board of directors shall consist of five members). All directors shall hold office until the election and qualification of their successors. The term of office of directors elected under the provisions of this act shall be four years from and after the date of their election; *provided*, that the directors first elected after the passage of this act shall hold office only until the election and qualification of their successors as hereinafter provided. The election of directors of such county water district shall be in every fourth year after its organization, on the fourth Tuesday in March, and shall be known as the general water district election. A second election shall be held, when necessary, as hereinafter provided, on the third Tuesday after such general election, and shall be known as the second water district election. All other elections which may be held by authority of this act, or of the general laws, shall be known as special water district elections.

SEC. 4. Section five of said act is hereby amended to read as follows:

SEC. 5. (1) The mode of nomination and election of all officers of such water district to be voted for at any water district election, shall be as follows and not otherwise.

(2) The name of a candidate shall be printed upon the ballot when a petition of nomination shall have been filed in his behalf in the manner and form and under the conditions hereinafter set forth.

(3) The petition of nomination shall consist of not less than twenty-five individual certificates, which shall read substantially as follows:

PETITION OF NOMINATION.

Individual Certificate.

STATE OF CALIFORNIA, } ss.
COUNTY OF _____ }

Precl. No. _____

I, the undersigned, certify that I do hereby join in a petition for the nomination of _____, whose residence is at No. _____; _____ street, for the office of _____ of the _____ county water district to be voted for at the water district election to be held in the _____ county water district on the _____ day of _____, 19____; and I further certify that I am a qualified elector residing within said district, and am not at this time a signer of any other petition nominating any other candidate for the above named office, or, in case there are several places to be filled in the above named office, that I have not signed more petitions than there are places to be filled in the above named office; that my residence is at No. _____, _____ street, _____, and that my occupation is _____.

(Signed) _____

STATE OF CALIFORNIA, } ss.
COUNTY OF _____ }

_____ being duly sworn, deposes and says that he is the person who signed the foregoing certificate and that the statements therein are true and correct.

(Signed) _____

Subscribed and sworn to before me this _____ day of _____, 19____.

_____
Notary Public or Verification Deputy.

The petition of nomination of which this certificate forms a part shall, if found insufficient, be returned to _____ at No. _____ street, _____, California.

(4) It shall be the duty of the county clerk to furnish upon application a reasonable number of forms of individual certificates of the above character.

(5) Each certificate must be a separate paper. All certificates must be of uniform size as determined by the county clerk. Each certificate must contain the name of one signer thereto and no more. Each certificate shall contain the name of one candidate and no more. Each signer must be a qualified elector residing within said district, must not at the time of signing a certificate have his name signed to any other certificate for any other candidate for the same office, nor, in case there are several places to be filled in the same office, signed to more certificates for candidates for that office than there are places to be filled in such office. In case an elector has signed two or more conflicting certificates, all such certificates shall be rejected. Each signer must verify his certificate and make oath that the same is true, before a notary public or a verification deputy, as provided for in this section. Each certificate shall further contain the name and address of the person to whom the petition is to be returned in case said petition is found insufficient.

(6) Verification deputies, under this section, must be qualified electors of such county water district, and shall be appointed by the county clerk upon application in writing, signed by not less than five qualified electors of such county water district. The application shall set forth that the signers thereto desire to procure the necessary signatures of electors for the nomination of candidates for office in said county water district at an election therein specified, and that the applicants desire the person or persons whose names and addresses are given appointed as verification deputies, who shall upon appointment be authorized and empowered to take the oath of verification of the signers of petitions of nomination. Such verification deputies need not use a seal, and shall not have power to take oaths for any other purposes whatsoever, and their appointments shall continue only until all petitions of nomination, under this section, shall have been filed by the county clerk.

(7) A petition of nomination, consisting of not less than twenty-five individual certificates for any one candidate, may be presented to the county clerk not earlier than forty-five days nor later than thirty days before the election. The county clerk shall endorse thereon the date upon which the petition was presented to him.

(8) When a petition of nomination is presented for filing to the county clerk, he shall forthwith examine the same, and ascertain whether or not it conforms to the provisions of this section. If found not to conform thereto, he shall then and there in writing designate on said petition the defect or omission or reason why such petition can not be filed, and shall return the petition to the person named as the person to whom the same may be returned in accordance with this section. The petition may then be amended and again presented to the clerk as in the first instance. The clerk shall forthwith proceed to examine the petition as hereinbefore provided. If necessary, the board of supervisors shall provide extra help to enable the clerk to perform satisfactorily and promptly the duties imposed by this section.

(9) Any signer to a petition of nomination and certificate may withdraw his name from the same by filing with the county clerk a verified revocation of his signature before the filing of a petition by the clerk, and not otherwise. He shall then be at liberty to sign a petition for another candidate for the same office.

(10) Any person whose name has been presented under this section as a candidate may, not later than thirty days before the day of election, cause his name to be withdrawn from nomination by filing with the county clerk a request therefor in writing, and no name so withdrawn shall be printed upon the ballot. If, upon such withdrawal, the number of candidates remaining does not exceed the number to be elected, then other nominations may be made by filing petitions therefor not later than twenty-five days prior to such election.

(11) If either the original or amended petition of nomination be found sufficiently signed as hereinbefore provided, the clerk shall file the same twenty-five days before the date of the election. When a petition of nomination shall have been filed by the clerk it shall not be withdrawn or added to and no signature shall be revoked thereafter.

(12) The county clerk shall preserve in his office for a period of two years, all petitions of nomination and all certificates belonging thereto, filed under this section.

(13) Immediately after such petitions are filed, the county clerk shall enter the names of the candidates in a list, with the offices to be filled, and shall not later than twenty days before the election certify such list as being the list of candidates nominated as required by the provisions of this act, and the board of supervisors shall cause said certified list of names and the offices to be filled, to be published in the proclamation calling the election at least ten successive days before the election in at least one but not more than three newspapers of general circulation published in the county in which such municipal water district is located. Such proclamation shall conform in all respects to the general state law governing the conduct of general elections now or hereafter in force, applicable thereto, except as otherwise herein provided.

(14) The county clerk shall cause the ballots to be printed and bound and numbered as provided by said general state law, except as otherwise required in this act. The ballots shall contain the list of names and the respective offices as published in the proclamation and shall be in substantially the following form:

GENERAL (OR SPECIAL) DISTRICT ELECTION.

--------, COUNTY WATER DISTRICT.

(Inserting date thereof.)

Instructions to Voters: To vote, stamp or write a cross (+) opposite the name of the candidate for whom you desire to vote. All marks otherwise made are forbidden. All distinguishing marks are forbidden and make the ballot void. If you wrongly mark, tear or deface this ballot, return it to the inspector of election, and obtain another.

(15) All ballots printed shall be precisely on the same size, quality, tint of paper kind of type, and color of ink, so that without the number it would be impossible to distinguish one ballot from another, and the names of all candidates printed upon the ballot shall be in type of the same size and style. A column may be provided on the right hand side for questions to be voted upon at municipal water district elections, as provided for under this act. The names of the candidates for each office shall be arranged in alphabetical order, and nothing on the ballot shall be indicative of the source of the candidacy or of the support of any candidate.

(16) The name of no candidate who has been duly and regularly nominated, and who has not withdrawn his name as herein provided shall be omitted from the ballot.

(17) The offices to be filled shall be arranged in the following order: "For director vote for (giving number)."

(18) Half-inch square shall be provided at the right of the name of each candidate wherein to mark the cross.

(19) Half-inch spaces shall be left below the printed names of candidates for each office equal in number to the number to be voted for, wherein the voter may write the name of any person or persons for whom he may wish to vote.

(20) The county clerk shall cause to be printed sample ballots, identical with the ballot to be used at the election, and shall furnish copies of the same on application to registered voters at his office at least five days before the date fixed for such election, and shall mail one such ballot to each voter entitled to vote at such election, so that all of said sample ballots shall have been mailed at least three whole days before said election.

(21) In case there is but one person to be elected to an office, the candidate receiving a majority of the votes cast for all the candidates for that office shall be declared elected; in case there are two or more persons to be elected to an office, as that of director, then those candidates equal in number to the number to be elected, who receive the highest number of votes for such office shall be declared elected; *provided, however*, that no person shall be declared elected to any office at such first election unless the number of votes received by him shall be greater than one-half the number of ballots cast at such election.

(22) If at any election held as above provided there be any office to which the required number of persons was not elected, then as to such office the said first election shall be considered to have been a primary election for the nomination of candidates and a second election shall be held to fill said office. The candidates not elected at such first election, equal in number to twice the number to be elected to any given office, or less if so there be, who receive the highest number of votes for the respective offices at such first election, shall be the only candidates at such second election; *provided*, that if there be any person who, under the provisions of this subdivision, would have been entitled to become a candidate for any office, except for the fact that some other candidate received an equal number of votes therefor, then all such persons receiving such equal number of votes shall likewise become candidates for such office. The candidates equal in number to the persons to be elected who shall receive the highest number of votes at such second election shall be declared elected to such office.

(23) The said second election, if necessary to be held, shall be held three weeks after the first election.

(24) All the provisions and conditions above set forth as to the conduct of an election, so far as they may be applicable, shall govern the second election, except that notice of election need be published twice only; *and provided, also*, that the same precincts and polling places shall, if possible, be used.

(25) If a person elected fails to qualify, the office shall be filled as if there were a vacancy in such office, as hereinafter provided.

(26) No informalities in conducting county water district elections shall invalidate the same if they have been conducted fairly according to the provisions of this act or of the general laws.

SEC. 5. Section seven of said act is hereby amended to read as follows:

SEC. 7. Every incumbent of an elective office, whether elected by popular vote for a full term, or elected by the board of directors to fill a vacancy, is subject to recall by the voters of any county water district organized under the provisions of this act, in accordance with the recall provisions of the general laws of the state applicable to officers of counties.

SEC. 6. Section nine of said act is hereby amended to read as follows:

SEC. 9. The board of directors shall act only by ordinance or resolution. The ayes and noes shall be taken upon the passage of all ordinances or resolutions and entered upon the journal of the proceedings of the board of directors. No ordinance or resolution shall be passed or become effective without the affirmative votes of at least a majority of the members of the board. The enacting clause of all ordinances passed by the board shall be in these words: "Be it ordained by the board of directors of _____ county water district as follows:". All resolutions and ordinances shall be signed by the president of the board of directors and attested by the secretary.

Each of the members of the board of directors shall receive for each attendance at the meetings of the board five dollars per day as compensation for his services when in actual attendance upon said board, and mileage at the rate of fifteen cents per mile, one way only from his residence by the nearest practicable route to the place of meeting of said board. No director, however, shall receive pay for more than four meetings in any calendar month and shall receive no other compensation; *provided*, that said board shall, upon the petition of at least fifty freeholders within such district thereafter, submit to the electors at any general election a schedule of salaries and mileage fees to be paid hereunder, to said directors. Such petition must be presented to the board not less than twenty nor more than forty days prior to a general election, and the result of such election shall be determined and declared in all respects as other elections are determined and declared under this act. Any vacancy in the board of directors shall be filled by the remaining directors.

SEC. 7. Section twelve of said act is hereby amended to read as follows:

SEC. 12. Any county water district incorporated as herein provided, shall have power:

1. To have perpetual succession;

2. To sue and be sued, except as otherwise provided herein or by law, in all actions and proceedings in all courts and tribunals of competent jurisdiction;

3. To adopt a seal and alter it at pleasure;

4. To take by grant, purchase, gift, devise, or lease, hold, use, enjoy, and to lease or dispose of real and personal property of every kind, within or without the district, necessary to the full exercise of its powers;

5. To acquire, by purchase, lease, or otherwise, water rights, waterworks, canals, conduits, reservoirs, storage sites, watersheds, works, machinery, lands, rights and privileges, useful or necessary to convey, supply, store, or otherwise, make use of water for irrigation, power, or other useful purpose and to operate and maintain such water rights, waterworks, canals, conduits, reservoirs, storage sites, watersheds, works, machinery, lands, rights and privileges, for the uses aforesaid, for the benefit of the district;

6. To store water for the benefit of the district; and to conserve water for future use and to appropriate, acquire and preserve water and water rights and for this purpose to sue, intervene and compromise, in the name of the district, and assume the costs of litigation involving the ownership of waters or water rights within the district and those used and useful for the purpose of the district or of any of the lands situated therein.

7. To lease of and from any person, firm, or public or private corporation, with the privilege of purchase, or otherwise, existing water rights, waterworks, canals, or reservoir systems, and to carry on and maintain the same; also to sell power; also to sell water, or the use thereof, for irrigation, power, or other useful purposes, and whenever there is a surplus, of water or power, to sell, or otherwise dispose of the same, to municipalities, or towns, or corporations, or to consumers, located within or without the boundaries of the district.

8. To have and exercise the right to eminent domain in the manner provided by law for the condemnation of private property for public use, to take any property necessary to supply the district or any portion thereof with water or electricity, whether such property be already devoted to the same use or otherwise, and may condemn any existing water rights, canals, reservoirs, storage sites, watersheds, waterworks or system, or any portion thereof owned by any person, firm or corporation; *provided*, that property and water rights of municipal corporations shall not be subject to the provisions of this section. In proceedings relative to the exercise of such right, the district shall have the same rights, powers and privileges as a municipal corporation;

9. To borrow money and incur indebtedness and to issue bonds or other evidences of such indebtedness, also to refund or retire any indebtedness or lien that may exist against the district or property thereof.

10. To cause taxes to be levied for the purpose of paying any obligation, of the district and to accomplish the purposes of this act in the manner herein provided.

11. To make contracts, to employ labor and to do all acts necessary for the full exercise of the foregoing powers.

SEC. 8. Section eighteen of said act is hereby amended to read as follows:

SEC. 18. The board of directors shall have the power to construct works across any stream of water, watercourse, street, avenue, highway, railway, canal, ditch or

flume which the route of said works may intersect or cross, provided such works are constructed in such manner as to afford security for life and property, and said board of directors shall restore the crossings and intersections to their former state as near as may be, or in a manner not to have impaired unnecessarily their usefulness. Every company whose right of way shall be intersected or crossed by said works shall unite with said board of directors in forming said intersections and crossings and grant the rights therefor. The right of way is hereby given, dedicated and set apart to locate, construct and maintain said works over and through any of the lands which are now or may be the property of this state, and to have the same rights and privileges appertaining thereto as have been or may be granted to municipalities within this state.

County water districts may acquire the right to use water belonging to this state, to locate and use reservoir sites upon lands owned by the state, in the same manner and to the same extent as may be done by other corporations, whether public or private.

SEC. 9. Section nineteen of said act is hereby amended to read as follows:

Sec. 19. The board of directors shall fix all water and power rates and through the general manager collect the charges for the sale and distribution of water and power to all consumers.

SEC. 10. Section twenty of said act is hereby amended to read as follows:

Sec. 20. The board of directors in the furnishing of water or power, may fix such rates as will pay a revenue to the district, pay the operating expenses of the district, provide for repairs and depreciation of works owned or operated by it, pay the interest on any bonded, or other debt, incurred by the district, and, so far as possible, provide a sinking or other fund for the payment of the principal of such debt as it may become due; and any surplus revenue received by the district, may upon ordinance providing therefor, be placed in the county treasury, and the same shall be kept in a separate fund and used for making public improvements in the water district. The expenditure of such surplus so deposited shall be in the hands of the county officials.

SEC. 11. Section twenty-six of said act is hereby amended to read as follows:

Sec. 26. Nothing in this act shall be so construed as repealing or in anywise modifying the provisions of any other act relating to water or the supply of water to, or the acquisition thereof by counties or municipalities within this state. The term "municipality," as used in this act, shall include a consolidated city and county, city or town, and shall be understood and so construed as to include, and is hereby declared to include, all corporations heretofore organized and now existing and those hereafter organized for municipal purposes within such water district. The term "county" shall be understood and construed to include "city and county." The word "district" shall apply, unless otherwise expressed or used, to a water district formed under the provisions of this act, and the word "board" and the words "board of directors" shall apply to the board of directors of such district.

SEC. 12. There is hereby added to said act a new section to be numbered twenty-eight and to read as follows:

Sec. 28. This act, as amended, shall apply to and govern all county water districts heretofore organized under the provisions of this act.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 13—An act to add a new section to the Political Code, to be numbered 2939, prohibiting the employment of minors under eighteen years of age, from driving or operating vehicles engaged in carrying passengers, freight, or express matter, milk or foodstuffs, ice or fuel, building materials, or supplies of any kind or character whatever, on the public streets or highways of the State of California, and providing penalties therefor.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 437—An act to amend an act entitled "An act prohibiting the issuance as payment for wages of any evidence of indebtedness unless the same is negotiable and payable without discount, and providing that the same must be payable on demand," approved March 1, 1911, and as amended by act approved June 5, 1915.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 620—An act to amend section 1 of an act entitled "An act to provide for the registration of factories, workshops, mills and other manufacturing establishments," approved June 2, 1913.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1035—An act to make lawful certain agreements between employees and laborers and to limit the issuing of injunctions in certain cases.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 strike out lines 3 and 4 of the title and insert in lieu thereof the following: "laborers, to define the cases in which injunctions may and may not issue, to prescribe the procedure in trials for contempt and to secure the right of jury trial in all such cases."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, in line 7, after the figure "2" strike out the words "No restraining order or injunction shall be granted" and all of lines 8 to 16, inclusive; also strike out lines 1 to 37, inclusive, on page 2 and insert in lieu thereof the following:

No restraining order or injunction shall be granted by any court of this state, or any judge or judges thereof, in any case between an employer and employees, or between employers and employees, or between employers, or between persons employed and persons seeking employment, involving, or growing out of, a dispute concerning terms or conditions of employment, unless necessary to prevent irreparable injury to property, or to a property right of the party making the application, for which injury there is no adequate remedy at law, and such property or property rights must be described with particularity in the application, which must be in **writing and sworn to by the applicant, or by his agent or attorney.**

SEC. 3. No restraining order or injunction shall prohibit any person or persons, whether singly or in concert, from terminating any relation of employment, or from ceasing to perform any work or labor, or from recommending, advising, or persuading others by peaceful means so to do; or from attending at any place where such person or persons may lawfully be, for the purpose of peacefully obtaining or communicating information or from peacefully persuading any person to work or to abstain from working; or from ceasing to patronize, or to employ any party to such dispute, or from recommending, advising, or persuading others by peaceful means and lawful means so to do; or from paying or giving to or withholding from, any person engaged in such dispute, any strike benefits or other moneys or things of value; or from peacefully assembling in a lawful manner, and for lawful purposes; or from doing any act or thing which might lawfully be done in the absence of such dispute by any party thereto; nor shall any of the acts specified in this section be considered **or held to be violations of the law of this state.**

SEC. 4. Whenever it shall be made to appear to the superior court, or a judge thereof, by the return of a proper officer on lawful process, or upon the affidavit of some creditable person, or by information filed by any district attorney, that there is reasonable ground to believe that any person has been guilty of a contempt, the court or judge thereof, may issue a citation requiring the said person so charged to show cause upon a day certain why he should not be punished therefor, which citation, together with a copy of the affidavit or information, shall be served upon the person charged, with sufficient promptness to enable him to prepare for and make return to the order at the time fixed therein. If upon or by such return, in the judgment of the court, the alleged contempt be not sufficiently purged, a trial shall be directed at a time and place fixed by the court; *provided, however*, that if the accused, being a natural person, fail or refuse to make return to the citation to show cause, an attachment may issue against his person to compel an answer, and in case of his continued failure or refusal, or if for any reason, it be impracticable to dispose of the matter on the return day, he may be required to give reasonable bail for his attendance at the trial and his submission to the final judgment of the court. Where the accused is a corporation, an attachment against its property **may be issued, upon like refusal or failure to answer.**

SEC. 5. In all cases within the purview of this act, such trial may be by the court, or, upon demand of the accused, by a jury; in which latter event the court

may impanel a jury from the jurors then in attendance, or the court or the judge thereof in chambers may cause a sufficient number of jurors to be selected and summoned, as provided by law, to attend at the time and place of trial, at which time a jury shall be selected and impaneled as upon a trial for misdemeanor; and such trial shall conform, as near as may be, to the practice in criminal cases prosecuted by indictment or upon information.

SEC. 6. If the accused be found guilty, judgment shall be entered accordingly, prescribing the punishment, either by fine or imprisonment, or both, in the discretion of the court. Such fine shall be paid to the State of California, or to the complainant, or other person injured by the act constituting the contempt, or may, where more than one person is so damaged, be divided, or apportioned among them as the court may direct, but in no case shall the fine to be paid to the State of California, exceed, in case the accused is a natural person, the sum of one thousand dollars, nor shall such imprisonment exceed the term of six months; *provided*, that in any case the court, or a judge thereof, may for good cause shown, by affidavit or proof taken in open court or before such judge thereof and filed with the papers in the case, dispense with the citation to show cause, and may issue an attachment for the arrest of the person charged with contempt; in which event such person, when arrested, shall be brought before such court, or a judge thereof, without unnecessary delay and shall be admitted to bail in a reasonable sum for his appearance to answer to the charge or for trial for the contempt, and thereafter the proceedings shall be the same as provided herein in case the citation had issued in the first instance.

SEC. 7. The labor of a human being is not a commodity or article of commerce. Nothing contained in the antitrust laws shall be construed to forbid the existence and operation of labor, agricultural, or horticultural organizations, instituted for the purpose of mutual help, and not having capital stock or conducted for profit, or to forbid or restrain individual members of such organizations from lawfully carrying out the legitimate objects thereof, nor shall such organizations, or the members thereof, be held or construed to be illegal combinations or conspiracies in restraint of trade, under the antitrust laws.

SEC. 8. In all cases where persons are charged with contempt of court for the violation of writs of injunction, issued within the purview of this act, unless such contempt be committed in the immediate presence of the court, the accused shall have the right to a jury trial upon demand, and, in case a jury trial be demanded, such jury shall be selected and impaneled as in criminal cases, and the trial shall conform as nearly as may be to the practice of the superior court in criminal cases.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 462—An act regulating the manner of preparation or manufacture of egg products which are used in the preparation of foods intended for human consumption, and providing penalties for violations of the provisions thereof.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 176—An act adding a new section to the Political Code, to be numbered 3245*a*, relating to hours of employment of state employees.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out line 4 of the title and insert in lieu thereof the following: "labor of females employed in state hospitals".

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all of line 4 after the word "No" and all of lines 5 and 6 and insert in lieu thereof the following: "female employee of any state hospital shall be required or permitted to work more than eight hours in any one day nor more than six days per week, except in a case of extreme emergency. The period of labor of such employee during any one day shall fall within nine consecutive hours. Any superintendent or other official who has any such employee under his control or direction and violates any of the provisions hereof shall forfeit one day's pay for every such

violation. When complaint is made to the State Board of Control that there has been a violation of the provisions hereof, it shall be the duty of such board to immediately investigate such complaint. If, after hearing duly had, the State Board of Control is satisfied that such violation has occurred, it shall be the duty of such board to certify to the State Controller the name of the official and the number and times of the violation of the provisions hereof. It shall be the duty of the State Controller after receiving such notice to deduct from the salary warrant of the offending official for the current month an amount equal to one day's pay of such official for each violation so certified."

Amendment adopted.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 534—An act providing for the resettlement of franchise rights and the granting of a resettlement franchise in counties and municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting acts.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Beginning with page 1, line 2 of the title, strike out all of the title following the words "An Act" and insert in lieu thereof the following:

Providing for the resettlement of franchise rights of and the granting of a resettlement franchise to any person, firm or corporation actually engaged in operating a street, suburban or interurban railroad in cities or cities and counties having at the effective date of this act a freeholders' charter adopted under the provisions of section eight of article eleven of the constitution of the State of California, which charter provides for the resettlement of franchise rights of and the granting of resettlement franchises to any person, firm or corporation engaged in operating a public utility in such a municipality, and providing conditions for the granting of such franchises by legislative or other governing bodies of such city or city and county.

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all after the enacting clause and insert the following:

SECTION 1. The board of supervisors, the board of trustees or common council, or other governing or legislative body of any city or city and county having at the effective date of this act a freeholders' charter adopted under the provisions of section eight of article eleven of the constitution of the State of California, and which charter provides for the resettlement of and the granting of a resettlement franchise to any person, firm or corporation engaged in operating a public utility in such city or city and county, is hereby empowered to provide for a general resettlement of the franchise rights and to grant a resettlement franchise to any person, firm or corporation actually engaged in operating a street, suburban or interurban railroad in said city or city and county, upon written application therefor, and upon such terms and conditions as are in this act provided, and may, in such resettlement of any such franchise impose other and additional terms and conditions not in conflict herewith.

SEC. 2. Every such resettlement franchise which is granted shall be granted after such publication and upon such notice as the governing or legislative body shall by resolution determine, or failing such determination after such publication and upon such notice as is or shall be prescribed by law for the enactment of ordinances by such governing or legislative body. After the final passage of such franchise, the same shall be referred and submitted to the vote of the electors of the city or city and county at the general or special election next ensuing not less than twenty days after the final passage of such ordinance, or if no general or special election is to be held in the city or city and county within a period of not less than twenty days and not more than ninety days after such final passage, the said governing or legislative body may call a special election for the purpose of submitting said ordinance to the electors as aforesaid, said special election to be held not less than thirty days and not more than sixty days after such final passage. No such resettlement franchise shall go into effect until it shall have been so submitted to the electors of the city or city and county and receive the approval of a majority of the electors voting thereon; *and provided, further*, that such resettlement franchise shall not be effective unless accepted in writing by the grantee of such resettlement franchise.

SEC. 3. Every such resettlement franchise, permit or privilege shall confer upon the grantee thereof the right to occupy the roads, streets, highways, avenues, boulevards, lanes, alleys, courts, places and pathways of the city or city and county, particularly set out in the terms and conditions of such franchise, permit or privilege, for the purpose of conducting, operating and maintaining thereon a street, suburban or interurban railroad, subject always to the right of the city or city and county to acquire and possess the property of said grantee; *provided, however*, that said grantee shall pay to the city or city and county such a percentage of the net revenue annually collected from any and all sources under and by virtue of such franchise, permit or privilege, as shall be fixed in such franchise. What constitutes such annual net revenue shall be provided in such franchise.

SEC. 4. The legislative or governing body may in such resettlement franchise provide that any new franchise granted to the holder of such resettlement franchise shall be considered as part of such resettlement franchise.

SEC. 5. The legislative or governing body may in such resettlement franchise provide that in case of consolidation or annexation to the city or city and county of any territory not now included in said city or city and county at the date said resettlement franchise is granted, any franchise to operate such street, suburban or interurban railroad, or any part thereof, held or claimed by the holder of such resettlement franchise in or for any portion of such consolidated or annexed territory shall thereupon be surrendered to the city or city and county, and that the rights and obligations of such resettlement franchise shall thereupon automatically extend to such additional territory, and that a valuation for the purpose of public acquisition of the properties used and useful, or, in the discretion of the city or city and county, prospectively useful, in the operation of such street, suburban or interurban railroad in the area so consolidated or annexed, and not included in the original valuation already fixed in such resettlement franchise shall be added to the capital account of such resettlement franchise grantee at a valuation for the purpose of public acquisition fixed by the railroad commission of the State of California, or its successors in interest, and otherwise determined as provided in this act.

SEC. 6. Every resettlement franchise shall provide that the grantee thereof shall surrender the franchises or rights, owned or claimed by the grantee, to occupy such portion of the roads, streets, highways, avenues, boulevards, lanes, alleys, courts, places and pathways as it is proposed such street, suburban or interurban railroad shall thereafter occupy under the provisions of such resettlement franchise, and that the grantee shall accept in lieu thereof the rights and privileges granted by such resettlement franchise as a franchise for the continued operation of such street, suburban or interurban railroad within the limits of the city or city and county or such portion thereof as had theretofore been operated under the franchise or franchises surrendered.

SEC. 7. Every such resettlement franchise, permit or privilege shall be granted for an indeterminate period, subject always to the right of the city or city and county to acquire and possess the property of the grantee. Every resettlement franchise shall be granted upon the express condition that the city or city and county may, at a valuation for the purpose of public acquisition, fixed and determined as hereinafter provided, either assume ownership by purchase, take over and possess the property used and useful, or, in the discretion of the city or city and county prospectively useful, of the franchise grantee, his or its successors or assigns, upon giving said grantee written notice of its intention to purchase and take over said property, which written notice shall be given only when authorized by ordinance of the legislative or governing body of the city or city and county. The valuation for the purpose of public acquisition of such property used and useful, or, in the discretion of the city or city and county, prospectively useful, and owned by the grantee at the time application is made for such resettlement franchise, permit or privilege, shall be fixed by the railroad commission of the State of California, or its successors in interest. The valuation of such property, as fixed by the railroad commission of the State of California, may be set forth in said resettlement franchise, permit or privilege, in which case a readjustment from time to time of this valuation by the addition of the cost of extensions and betterments and by the deduction of the value of property sold or abandoned, and of the amount of depreciation sustained by the property used or useful, or prospectively useful, of the franchise grantee shall be made in such manner as may in said resettlement franchise be provided. All expenses of such valuation by the railroad commission of the State of California, or its successors in interest shall be paid by the city or city and county to the railroad commission of the State of California, or its successors in interest.

SEC. 8. Said resettlement franchise shall provide that the grantee thereof, its successors or assigns, shall never claim before any court or other public authority in any proceeding of any character any value for said resettlement franchise, permit or privilege in excess of the amount originally paid for the same by the grantee thereof to the public authority granting the same.

SEC. 9. Any resettlement franchise may be amended from time to time by ordinance passed by the governing or legislative body of the city or city and county and ratified by the electors of the city or city and county in the manner herein prescribed for the passage of such resettlement franchise in the first instance, and not otherwise; *provided*, that no such amendment shall be effective unless accepted in writing by the grantee of such resettlement franchise.

SEC. 10. The legislature hereby declares that this act is passed subject to the continued power of the State of California in the exercise of its police power or otherwise through the instrumentality of the railroad commission of the State of California or other agency to provide at any and all times for the supervision and regulation of public utilities notwithstanding any franchise, permit or privilege or any provision thereof granted under this act, or any part thereof.

Nothing herein contained, nor any provision of any franchise granted hereunder shall be deemed to prevent a city or city and county from acquiring at any time the property of any public utility through the exercise of the right of eminent domain under the then constitution and laws, and the legislature hereby declares it to be against the policy of the state for any city or county to contract away, either for a term or in perpetuity, the right to exercise the right of eminent domain in respect to any public utility.

SEC. 11. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the act. The legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 88—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 370—An act to authorize the incurring of indebtedness by counties for the construction of roads and highways and for all necessary public improvements or for any purpose whatsoever.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 455—An act to amend section 4244 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fifteenth class.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 640—An act to amend section 9 of an act entitled "An act relating to hotels, defining the same, providing regulations in connection therewith, providing for the sanitation of the rooms of such hotels, providing for the sanitary method and manner of keeping, handling and using bedclothes or bed covering in such hotels, repealing all acts or parts of acts in conflict with this act, providing for its enforcement by the State Board of Health, and providing a penalty for the violation of any of its provisions," approved April 26, 1915.

Bill read second time, ordered engrossed, and on file for third reading.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 980—An act relating to and regulating the carrying, possession, sale or other disposition of firearms capable of being concealed upon the person; prohibiting the sale to or carrying of concealed weapons by persons under the age of eighteen years; prohibiting the possession, carrying, manufacturing and sale of certain other dangerous weapons and the giving, transferring and disposition thereof to other persons within this State; providing for the registering of the sales of firearms; prohibiting the carrying or possession of concealed weapons in municipal corporations; providing for the destruction of certain dangerous weapons as nuisances and making it a felony to use or attempt to use certain dangerous weapons against another.

On motion of Senator Benson, Assembly Bill No. 980 was passed on file.

Assembly Constitutional Amendment No. 21—Proposed amendment to Article XII of the Constitution, relative to poll taxes.

On motion of Senator Benson, Assembly Constitutional Amendment No. 21 was passed on file.

Assembly Bill No. 367—An act to amend section 631*d* of the Penal Code of the State of California, relating to the domestication of wild game.

Bill read third time, previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Carr, F. M., moved to refer Assembly Bill No. 367 to Senator Purkitt, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, lines 10 and 11, of the printed bill, strike out the words "five dollars" and insert in lieu thereof the words "two dollars and fifty cents".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 9, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 367, with instructions to amend, respectfully reports the same back, amended as per instructions.

PURKITT, Special Committee.

Report read, and, on motion of Senator Carr, F. M., adopted.

Bill ordered to print.

Assembly Bill No. 369—An act entitled "An act relating to the liquidation of banks by the Superintendent of Banks; empowering him to levy assessments against the members and stockholders of any bank in process of liquidation by him to an amount which he may determine to be necessary to promptly pay the creditors of such bank in full; to enforce such assessments by suit and empowering the superior court to determine the equities of the members and stockholders of any such bank to any surplus which may remain after the payment of the creditors of such bank in full and to award and distribute the same accordingly."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 369 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Canepa, Carr, W. J., Chamberlin, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Jones, Kehoe, Luce, McDonald, Nealon, Purkitt, Rigdon, and Slater—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 629—An act to amend section 1614 of the Penal Code, relating to rules and regulations for the performance of labor, credits for good behavior of prisoner confined in county jail or in city jail or in city and county jail.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 629 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Chamberlin, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Jones, Kehoe, Luce, McDonald, Purkitt, Rigdon, and Slater—21.

NOES—None.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Senator Kehoe gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 629 was passed.

Assembly Bill No. 366—An act to amend the Penal Code of the State of California by amending section 561 thereof and adding new sections to be known as sections 561*a*, 561*b*, 561*c*, 561*d*, and 563*a* thereto, all relating to frauds in the management of banks and prescribing penalties for violations of the provisions of the act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 366 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Chamberlin, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, King, Luce, McDonald, Nealon, Purkitt, Rigdon, and Slater—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 309—An act to amend section 465 of the Civil Code of the State of California, relating to powers of railroad corporations.

Bill read third time.

On motion of Senator Sharkey, Assembly Bill No. 309 was passed on file.

Assembly Bill No. 1388—An act to amend section 1593 of the Political Code, relating to the election of school trustees.

On motion of Senator Benson, Assembly Bill No. 1388 was passed on file.

Assembly Bill No. 958—An act to amend sections 1, 5, 6 and 7 of Chapter 653, approved June 8, 1915, the same being "An act defining public weighmaster; describing his duties; providing for rules and regulations governing the performance of his duties; prescribing a bond and fixing the amount thereof; and providing penalties for any violations of the provisions of this act."

On motion of Senator Benson, Assembly Bill No. 958 was passed on file.

Assembly Bill No. 1162—An act to amend section 4268 of the Political Code, relating to counties of the thirty-ninth class.

On motion of Senator Benson, Assembly Bill No. 1162 was passed on file.

Assembly Bill No. 1393—An act to amend section 4283 of the Political Code, relating to compensation of officers in counties of the fifty-fourth class.

On motion of Senator Benson, Assembly Bill No. 1393 was passed on file.

Assembly Bill No. 706—An act to amend sections 7 and 8 and to add three new sections to be known as section 8½, section 8*c* and sec-

tion 8*f* of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Luce moved to refer Assembly Bill No. 706 to Senator Carr, F. M., as a Special Committee of One, to amend as follows:

On page 3, line 11, of the printed bill, strike out the words "peliote or mescale button" and insert in lieu thereof the words "peyote (anhalonium)".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 9, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 706, with instructions to amend, respectfully reports the same back, amended as per instructions.

CARR, F. M., Special Committee.

Report read, and, on motion of Senator Luce, adopted.

Bill ordered to print.

Assembly Bill No. 1006—An act to prevent fraud upon the traveling public by adding a new section to the Penal Code of the State of California, to be known and numbered as section 483, making it a misdemeanor to sell, transfer or deliver to another for the use of any person other than the person entitled by the terms thereof to the use of same, any ticket scrip, mileage or commutation book, coupon, etc.

Bill read third time, previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Kehoe moved to refer Assembly Bill No. 1006 to Senator Crowley as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the words ", give, transfer or deliver".

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 9, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 1006, with instructions to amend, respectfully reports the same back, amended as per instructions.

CROWLEY, Special Committee.

Report read, and, on motion of Senator Kehoe, adopted.

Bill ordered to print.

Assembly Bill No. 765—An act to define commercial feeding stuffs and to establish a standard therefor, providing for the branding and labeling of same, empowering the State Board of Health to enforce the provisions of the act and providing penalties for the violation of the same.

On motion of Senator Benson, Assembly Bill No. 765 was passed on file.

Assembly Bill No. 395—An act extending the Mono Lake Basin State Road easterly to a junction with the county road from Mono Lake post office to Mono Mills.

On motion of Senator Benson, Assembly Bill No. 395 was passed on file.

Assembly Bill No. 1217—An act to amend section 542*a* of the Code of Civil Procedure, relating to attachment liens.

On motion of Senator Rigdon, Assembly Bill No. 1217 was passed on file.

Assembly Bill No. 1298—An act to add a new section to the Penal Code of the State of California, to be numbered 1617, relating to the taking, preservation, destruction and use of photographs, Bertillon measurements, finger prints, and other methods of identification.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1298 passed by the following vote:

AYES—Senators Ballard, Breed, Canepa, Carr, F. M., Chamberlin, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, McDonald, Nealon, Purkitt, Sharkey, and Slater—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR KING IN THE CHAIR.

At two o'clock and fifty-five minutes p.m., Senator King of the Thirtieth District, was called to the chair.

Assembly Bill No. 695—An act to amend sections 15 and 20 of an act entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, as amended.

On motion of Senator Benson, Assembly Bill No. 695 was passed on file.

Assembly Bill No. 262—An act to amend section 1 and to repeal section 2 of an act entitled "An act granting to the city of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Berkeley, and regulating the management, use and control thereof," approved June 11, 1913, also approved May 27, 1915.

On motion of Senator Benson, Assembly Bill No. 262 was passed on file.

Assembly Bill No. 206—An act to amend section 1 and to repeal section 2 of an act entitled "An act granting to the city of Alameda the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Alameda, and regulating the management, use and control thereof," approved June 11, 1913.

On motion of Senator Hans, Assembly Bill No. 206 was passed on file.

Assembly Bill No. 529—An act to add a new section to the Penal Code, to be numbered 626*l*, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 529 passed by the following vote:

AYES—Senators Ballard, Breed, Canepa, Carr, F. M., Carr, W. J., Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, King, Luce, McDonald, Nealon, Purkitt, Sharkey, and Slater—21.

NOES—None.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Senator Inman gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 529 was passed.

THIRD READING OF ASSEMBLY BILLS—RESUMED.

Assembly Bill No. 1151—An act to amend section 626 of the Penal Code, relating to the protection of fish and game.

On motion of Senator Purkitt, Assembly Bill No. 1151 was passed on file.

Assembly Bill No. 147—An act to amend section 628*l* of the Penal Code, relating to the protection of shellfish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 147 passed by the following vote:

AYES—Senators Ballard, Breed, Canepa, Carr, F. M., Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, King, Luce, McDonald, Nealon, Purkitt, Sharkey, and Slater—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 327—An act to amend section 636½ of the Penal Code, relating to the protection of fish and game.

On motion of Senator Benson, Assembly Bill No. 327 was passed on file.

Assembly Bill No. 673—An act to add a new section to the Penal Code of the State of California, to be numbered 626*u*, relating to the protection of game.

On motion of Senator Benson, Assembly Bill No. 673 was passed on file.

Assembly Bill No. 234—An act to amend section 1616 of the Penal Code, relating to the care of female prisoners in county jails.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 234 passed by the following vote:

AYES—Senators Ballard, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Duncan, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, King, Luce, McDonald, Nealon, Purkitt, Sharkey, and Slater—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 235—An act to amend section 1613 of the Penal Code, relating to the working of prisoners in the county jail.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 235 passed by the following vote:

AYES—Senators Ballard, Breed, Canepa, Carr, F. M., Carr, W. J., Duncan, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, King, Luce, McDonald, Nealon, Rigdon, Sharkey, and Slater—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 117—An act to amend section 23 of the Water Commission Act, approved June 16, 1913, relating to fees to be collected by the State Water Commission.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 117 passed by the following vote:

AYES—Senators Ballard, Breed, Canepa, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, King, Luce, Nealon, Purkitt, Rigdon, Sharkey, Slater, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 156—An act to repeal an act entitled "An act to preserve and maintain the lakes, ponds, brooks, creeks, rivers, and streams of this State and to prevent the waters thereof from being carried by pipes, conduits, ditches, tunnels, or canals into other states, for use therein," approved March 3, 1911.

On motion of Senator Benson, Assembly Bill No. 156 was passed on file.

Assembly Bill No. 158—An act to add a new section to the "Water Commission Act," approved June 16, 1913, to be numbered section 15*a*, relating to the right to use the waters of an interstate stream.

On motion of Senator Benson, Assembly Bill No. 158 was passed on file.

Assembly Bill No. 1120—An act to provide for the establishment and maintenance by fire insurance corporations of guaranty surplus funds and special reserve funds and thereby limiting liability and to provide for the waiver by policyholders of recourse against stockholders of such corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1120 passed by the following vote:

AYES—Senators Ballard, Breed, Canepa, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Hans, Irwin, Johnson, Jones, King, Luce, McDonald, Nealon, Purkitt, Rigdon, Sharkey, Slater, and Tyrrell—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 926—An act prohibiting discrimination in favor of individuals between insurants of the same class and expectation of life in the amount or payment of premiums, or rates charged for policies of insurance, or in the dividends or other benefits payable thereon; also prohibiting the giving or the acceptance of rebates on life insurance policies and providing penalty therefor.

On motion of Senator Benson, Assembly Bill No. 926 was passed on file.

Assembly Bill No. 925—An act providing for the license of life insurance agents, limiting the payment of commissions or other compensation for services in procuring new insurance to licensed agents only and providing penalty for the violation of this act.

On motion of Senator Benson, Assembly Bill No. 925 was passed on file.

Assembly Bill No. 1119—An act to amend an act entitled "An act to establish a standard form of fire insurance policy and to prevent variations therefrom, excepting under certain stated conditions and restrictions," approved March 18, 1909, by amending section 6 thereof, relating to what may be added to the standard form of fire insurance policy.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1119 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Canepa, Carr, F. M., Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, King, McDonald, Rigdon, Sharkey, Slater, and Stuckenbruck—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 266—An act to amend sections 1107, 1214 and 1217 of the Civil Code, relating to the effect of transfers of real property and of the recording and nonrecording thereof.

On motion of Senator Benson, Assembly Bill No. 266 was passed on file.

Assembly Bill No. 1157—An act to change and permanently locate the boundary line between the counties of Kern and San Bernardino.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1157 passed by the following vote:

AYES—Senators Breed, Brown, Burnett, Canepa, Carr, F. M., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, King, McDonald, Nealon, Purkitt, Rigdon, and Sharkey—22.
NOES—None.

Title read and approved.

Bill order transmitted to the Assembly.

Assembly Bill No. 575—An act to add a new section to the Political Code, to be numbered 1733*a*, relating to the exclusion of elementary school districts from union and joint union high school districts, for

the purpose of organizing a new union or joint union high school district, and providing for the organization of such new union or joint union high school district.

On motion of Senator Benson, Assembly Bill No. 575 was passed on file.

Assembly Bill No. 116—An act to amend section 15 of the Water Commission Act, approved June 16, 1913, relating to the appropriation of water.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 116 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, Nealon, Rigdon, Slater, and Stuckenbruck—22.

NOES—None.

Title read and approved.

Bill order transmitted to the Assembly.

Assembly Bill No. 118—An act to amend sections 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36 of the Water Commission Act, approved June 16, 1913, and to add thereto six new sections, to be numbered 36*a*, 36*b*, 36*c*, 36*d*, 36*e*, and 36*f*, relating to the ascertainment and adjudication of water rights.

Bill read third time.

On motion of Senator Jones, Assembly Bill No. 118 was passed on file.

Assembly Bill No. 231—An act to amend section 19*c* of the Juvenile Court Law, approved June 5, 1915.

On motion of Senator Benson, Assembly Bill No. 231 was passed on file.

Assembly Bill No. 42—An act to amend section 2972 of the Civil Code, relating to the continuance of a lien of mortgage on a crop.

On motion of Senator Benson, Assembly Bill No. 42 was passed on file.

SECRETARY CLIFTON E. BROOKS AT THE DESK.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 106—An act to repeal an act entitled "An act to provide for the creation of the State Commission Market, and the organization thereof, to carry on the business of receiving from the producers thereof the agricultural, fishery, dairy and farm products of the State of California and selling and disposing of such products on commission, creating the State Commission Market Fund and appropriating money therefor," approved June 10, 1915.

In the absence of the author, Senate Bill No. 106 was ordered passed, to retain its place on the file.

Senate Bill No. 1136—An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; providing for the issue by incorporated cities and towns, cities and counties, and counties of permits for the operation of such automobiles, jitney busses, auto trucks, stages and

auto stages; empowering incorporated cities and towns, cities and counties, and counties to enact ordinances for the supervision and regulation of automobiles, jitney busses, auto trucks, stages and auto stages and providing penalties for the violation of such ordinances; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts and parts of acts inconsistent with the provisions of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1136 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Johnson, Jones, Kehoe, King, Luce, McDonald, Nealon, Sharkey, Slater, Thompson, and Tyrrell—24.

NOES—Senator Rigdon—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1152—An act authorizing any county now or hereafter organized to incur indebtedness, issue negotiable bonds, levy taxes to pay the principal and interest thereof, acquire by condemnation or otherwise land with the county, and in consideration of the benefits to be derived therefrom by such county, to convey the same to the United States, for a permanent mobilization, training and supply station for any or all such military purposes, including supply stations, the mobilization, disciplining and training of the United States Army, State Militia and other military organizations, as are now or may at any time be authorized or provided for under any law or laws of the United States; conferring on such counties the power of eminent domain for the purposes of this act and providing the procedure therefor; granting the consent of the State to such conveyance and ceding exclusive jurisdiction to the United States over the land so conveyed.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1152 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Canepa, Carr, W. J., Chamberlin, Chandler, Evans, Flaherty, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Nealon, Purkitt, Rigdon, Sharkey, Slater, Thompson, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 992—An act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under an act hereby repealed, to be known as the "Inheritance Tax Act"; and to repeal Chapter 595 of the laws of the session of the Legislature of California of 1913, approved June 16, 1913, known as the

"Inheritance Tax Act," and all amendments thereto, and to repeal all acts and parts of acts in conflict with this act.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Kehoe moved to refer Senate Bill No. 992 to Senator Breed, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 22, line 10, of the printed bill, after the word "two" insert "or any other provisions".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 9, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 992, with instructions to amend, respectfully reports the same back, amended as per instructions.

BREED, Special Committee.

Report read, and, on motion of Senator Kehoe, adopted.

Bill ordered to print and reengrossment.

Senate Bill No. 990—An act to amend section 1444 of the Code of Civil Procedure of the State of California, relating to appraisers of estates of deceased persons.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 990 passed by the following vote:

AYES—Senators Ballard, Breed, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Evans, Flaherty, Hans, Ingram, Johnson, Jones, Kehoe, King, Luce, McDonald, Nealon, Purkitt, Rigdon, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—24.

NOES—Senator Duncan—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 806—An act to repeal sections 1537, 1538, 1539, 1540, 1542, 1543 and 1544 of the Code of Civil Procedure of the State of California, relating to sales by executors and administrators.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 806 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Duncan, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Nealon, Purkitt, Rigdon, Rominger, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 807—An act to amend sections 1516, 1517, 1522, 1523, 1525, 1536, 1545, 1547, 1549, 1552, 1554, 1555, 1559, 1565 and 1570 of the Code of Civil Procedure, relating to sales and conveyances of property of decedents.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 807 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Carr, F. M., Carr, W. J., Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Nealon, Purkitt, Rigdon, Rominger, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 346—An act to amend sections 7, 8, 9, 10, 12*c*, 13, 20, 28, 31*a*, 35, 41, 43, 45, 65, 68, 80, 83, 90, 98, 128, 139, 142 and 145 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," all relating to the definition and regulation of the business of banking.

On motion of Senator Hans, Senate Bill No. 346 was passed on file.

Senate Bill No. 94—An act to amend section 4232 of the Political Code, relating to the compensation of officers in counties of the third class.

On motion of Senator Tyrrell, Senate Bill No. 94 was passed on file.

Senate Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by adding a new article thereto, to be numbered 24, establishing a state athletic commission and regulating boxing and sparring in the State.

On motion of Senator Benson, Senate Constitutional Amendment No. 19 was passed on file.

Senate Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding thereto a new section to be known as section 5 of Article XIII, providing for the exemption of certain property from taxation.

On motion of Senator Kehoe, Senate Constitutional Amendment No. 27 was passed on file.

Senate Joint Resolution No. 13—Relative to the emancipation of Russia from autocratic rule.

In the absence of the author, Senate Joint Resolution No. 13 was ordered passed, to retain its place on the file.

Senate Joint Resolution No. 15—Relative to passage by Congress of the United States the universal and compulsory military training bill to meet the present crisis and provide for the perpetual safeguarding of the existence and interests of this Nation.

On motion of Senator Inman, Senate Joint Resolution No. 15 was passed on file.

Senate Bill No. 121—An act providing for the organization of water districts by the board of supervisors of any county of the State upon petition therefor by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of said county in the which the lands contained in said district are located; providing for the acquisition and construction by said district of water works,

for the irrigation of the lands embraced therein and for the distribution of water for irrigation purposes and domestic use; providing for the payment of the debts thereof by a tax levied on the property embraced therein; providing for the issuance and sale of bonds thereby.

On motion of Senator Carr, W. J., Senate Bill No. 121 was passed on file.

Senate Constitutional Amendment No. 44—A resolution to propose to the people of the State of California to amend section 13 of Article VI of the Constitution of the State, relating to inferior courts.

On motion of Senator Ballard, Senate Constitutional Amendment No. 44 was passed on file.

Senate Bill No. 971—An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds.

On motion of Senator King, Senate Bill No. 971 was passed on file.

Senate Bill No. 787—An act to amend the act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 15, 1915, by adding a new section thereto to be numbered section 19*x*, relating to probation officers and assistant probation officers in counties of the forty-sixth class and the salaries of such officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 787 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, McDonald, Nealon, Purkitt, Rominger, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 115—An act to amend the Penal Code by adding thereto a new section, to be numbered 349*d*, relating to the fraudulent sale of foreign-grown or foreign-produced walnuts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 115 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Jones, Kehoe, King, McDonald, Nealon, Purkitt, Rigdon, Rominger, Sharkey, Slater, and Stuckenbruck—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 516—An act to amend section 1521 of the Political Code, relating to the compensation and expenses of members of the State Board of Education and Assistant Superintendents of Public Instruction.

On motion of Senator Ballard, Senate Bill No. 516 was passed on file.

Senate Bill No. 811—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications.

On motion of Senator Ballard, Senate Bill No. 811 was passed on file.

Senate Bill No. 291—An act appropriating money for the purchase of live stock at the San Quentin State Prison.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 291 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Carr, W. J., Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Jones, Kehoe, King, McDonald, Nealon, Purkitt, Rigdon, Rominger, Sharkey, Slater, Stuckenbruck, and Tyrrell—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 293—An act appropriating money for the construction of new additions to farm buildings for San Quentin State Prison.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 293 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, W. J., Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Jones, Kehoe, King, McDonald, Nealon, Rigdon, Rominger, Sharkey, Slater, Thompson, and Tyrrell—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 294—An act appropriating money for repairs and improvements to buildings, structures and equipment at the San Quentin State Prison.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 294 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, W. J., Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Jones, Kehoe, King, McDonald, Nealon, Purkitt, Rigdon, Rominger, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 334—An act providing for reciprocal and interexchanges of indemnities, prescribing regulations therefor and fixing a license fee, and repealing an act entitled "An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor and fixing a license fee," approved December 24, 1911.

In the absence of the author, Senate Bill No. 334 was ordered passed, to retain its place on the file.

Senate Bill No. 1175—An act permitting daily payment into the county treasury of duplicate or excess payments of taxes made to the tax collector and providing for the refund of such payments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1175 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, W. J., Chamberlin, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Jones, Kehoe, King, McDonald, Nealon, Purkitt, Rigdon, Rominger, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—None.

Title read apd approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 596—An act to add a new section to the Code of Civil Procedure, to be numbered 1490, relating to notice to creditors of decedents.

On motion of Senator Brown, Senate Bill No. 596 was passed on file.

Senate Bill No. 987—An act to repeal section 280*a* of the Code of Civil Procedure, relating to diplomas granted by Hastings College of Law.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 987 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chamberlin, Evans, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Purkitt, Rominger, Rush, Shearer, Thompson, and Tyrrell—24.

NOES—Senators Canepa, Crowley, Flaherty, McDonald, Nealon, Rigdon, Scott, Sharkey, and Slater—9.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 665—An act to repeal section 280*b* of the Political Code, relating to admission of graduates of law school to practice law.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 665 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Evans, Gates, Hans, Ingram, Irwin, Jones, Kehoe, King, Luce, Purkitt, Rominger, Rush, Sharkey, Shearer, Stuckenbruck, and Thompson—24.

NOES—Senators Canepa, Crowley, Flaherty, McDonald, Nealon, Rigdon, Scott, and Slater—8.

TITLE AMENDED.

Senator Luce moved to amend the title of Senate Bill No. 665 as follows:

In line 2 of the title strike out the words "Political Code" and substitute in lieu thereof the words "Code of Civil Procedure".

Amendment adopted.

Title approved as amended.

Bill ordered to print, and transmitted to the Assembly.

Senate Bill No. 1094—An act to amend section 410 of the Political Code, relating to the distribution of the laws, resolutions and journals of Legislature; of reports of Supreme Court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1094 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Jones, Kehoe, King, McDonald, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 485—An act to amend section 4295 of the Political Code, relating to official services and fees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 485 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Jones, Kehoe, King, Luce, McDonald, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, and Stuckenbruck—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At four o'clock and fifty minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Senate Bill No. 685—An act to add a new section to the Political Code of the State of California, to be known as section 1718, relating to elementary school district libraries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 685 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Jones, Kehoe, King,

Luce, McDonald, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 309—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as heretofore amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 309 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Evans, Flaherty, Gates, Ingram, Irwin, Jones, Kehoe, King, Luce, Nealon, Purkitt, Rigdon, Rominger, Rush, Shearer, Slater, and Thompson—23.

NOES—Senators McDonald, and Scott—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 1154—An act to provide for the adoption of textbooks for use in the public high schools of the State, and for furnishing textbooks for the use of pupils of such schools.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Irwin moved to refer Assembly Bill No. 1154 to Senator Inman as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, strike out the word "any" and insert in lieu thereof the following: "each and every".

AMENDMENT NUMBER TWO.

On page 3, line 13, strike out the period and insert in lieu thereof a semicolon and the following: "*provided*, that no fee shall be required to accompany the application for the listing of a book in a subject studied by less than one hundred pupils in the high schools of the state."

AMENDMENT NUMBER THREE.

On page 5, line 15, insert after the word "*provided*" the word "*further*,".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 9, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 1154, with instructions to amend, respectfully reports the same back, amended as per instructions.

INMAN, Special Committee.

Report read, and, on motion of Senator Irwin, adopted.

Bill ordered to print.

Senate Bill No. 1090—An act to amend sections 1, 2, 3, 6, 7, 12, 15 and 16 of an act entitled "An act to provide for the organization,

control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911, as amended.

Bill read third time, previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Scott moved to refer Senate Bill No. 1090 to Senator Flaherty, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 5, line 9, of the printed bill as amended March 21, strike out the words "is provided for herein" and insert in lieu thereof the words "provided in section one hereof".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 9, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 1090, with instructions to amend, respectfully reports the same back, amended as per instructions.

FLAHERTY, Special Committee.

Report read, and, on motion of Senator Scott, adopted.

Bill ordered to print and re-engrossment.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, April 5, 1917.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 159—An act to create a cattle protection board, to define its powers and duties, to protect the breeders and growers of cattle from theft, to provide for the registration of cattle brands and the licensing of cattle slaughterers and sellers of the meat thereof, to provide for the inspection of cattle and cattle hides for brands and marks, to provide for the collection of license and inspection fees, to provide for the creation of a fund to be known as the cattle protection fund, and to provide penalties for violation of the provisions hereof—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

KING, Chairman.

Senate Bill No. 159 ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, April 9, 1917.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 1177—An act to authorize the board of State Harbor Commissioners to acquire by purchase, condemnation, gift, grant or cession, certain property in the city and county of San Francisco, including Mission Rock, and extending the jurisdiction of said board over the same, and providing for the payment for the same—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

McDONALD, Chairman.

Senate Bill No. 1177 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 258—An act to provide for the organization and government of commercial waterway districts, and to provide for the acquisition or construction thereby of a system of commercial waterways within such districts and for the

issuance of bonds and the payment thereof, and for levying and collecting taxes on property in such districts—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

McDONALD, Chairman.

Assembly Bill No. 258 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 973—An act to amend section 6 of an act entitled "An act concerning the waterfront of the city and county of San Francisco," approved March 15, 1878, as amended—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

McDONALD, Chairman.

Assembly Bill No. 973 ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, April 9, 1917.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending section 16½ of Article XI thereof, relating to the deposit of moneys belonging to the State or to any county or municipality within the State in any bank or banks—has had the same under consideration, and respectfully reports the same back with amendment and recommends that it be adopted, as amended.

BALLARD, Chairman.

Senate Constitutional Amendment No. 34 ordered on file.

REQUEST FOR INTRODUCTION OF BILL—(OUT OF ORDER).

The following request for permission to introduce a bill was presented:

By Senator Rominger:

SENATE CHAMBER, SACRAMENTO, April 9, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2, Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act empowering cities, cities and counties, and counties in the State of California to grant bounties to persons in the service of the United States, and to incur an indebtedness therefor, and to issue bonds in payment thereof.

Request referred to Committee on Rules.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 942—An act to amend sections 1519 and 1519*a*, of the Political Code, and to add thereto new sections, to be numbered 1519*b*, 1519*c*, 1519*d*, 1534 and 1696*b*, relating to the powers and duties of the State Board of Education and of the Superintendent of Public Instruction, and to the duties of the teachers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 942 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, McDonald, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Thompson, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1145—An act authorizing and empowering irrigation and reclamation districts to enter into contracts with the United States

Reclamation Service for the reclamation of lands within such districts under the provisions of the so-called "Twenty Year Extension Act."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1145 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, McDonald, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, and Tyrrell—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ADJOURNMENT.

At five o'clock and ten minutes p.m., on motion of Senator Benson, the President pro tempore declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Tuesday, April 10, 1917.

The Senate met at ten o'clock a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—39.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, April 9, 1917, its further reading was dispensed with, on motion of Senator Crowley.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Breed, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Hon. Aug. E. Muenter of San Francisco.

PETITIONS.

The following petition was presented by Senator Ingram and ordered printed in the Journal:

To Hon. Thomas Ingram and the Senate of the State of California:

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

Respectfully submitted

E. RUBY FARNHAM, Secretary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 10, 1917.

Mr. President: Your Committee on Finance, to which was referred Senate Bill No. 932—An act to amend section 4 of an act approved June 12, 1916, entitled "An act to provide for the establishment and maintenance of a farmers' [illegible] under the jurisdiction of the State Board of Health, defining the powers and duties, providing for the granting of state aid to [illegible] and [illegible] and [illegible] of [illegible] for the support and care of persons suffering with tuberculosis [illegible] the appropriating, disbursing and reporting officers of the Legislature of the State of California" and to provide for carrying into the provisions thereof, has had the same under consideration, and respectfully reports the same back with recommendation and recommends that it do pass as amended.

CHANDLER, Chairman.

Senate Bill No. 932 ordered on file for second reading.

Also:

Mr. President: Your Committee on Finance, to which was referred Senate Bill No. 515—An act to amend section 1729 of the Political Code and to add a new section to the Political Code to be numbered 1730b, relating to the organization and maintenance of [illegible] college courses of study.

Also: Senate Bill No. 535—An act to amend section 1721 of the Political Code and to add a new section to the Political Code to be numbered section 1730c, relating to the organization of high school districts and county junior college districts.

Also: Senate Bill No. 1164—An act making an appropriation for a portrait of former Governor Hiram W. Johnson and directing the State Board of Control to [illegible] and the purposes hereof.

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

CHANDLER, Chairman.

Senate Bill No. 1164 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 10, 1917.

Mr. President: Your Committee on Education, to which was referred Assembly Bill No. 574—An act to amend section 7[illegible] of the Political Code and to repeal section 1732 thereof, relating to high school principals and reports—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that same do pass as amended.

GATES, Chairman.

Assembly Bill No. 574 ordered on file for second reading.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 514—An act to amend section 1720 of the Political Code, and to add a new section to the Political Code, to be numbered 1750*b*, relating to the organization and maintenance of junior college courses of study.

On motion of Senator Ballard, Senate Bill No. 514 was passed on file.

Senate Bill No. 515—An act to amend section 1721 of the Political Code and to add a new section to the Political Code, to be numbered section 1739*b*, and to repeal section 1725 thereof, relating to the organization of high school districts and county junior college districts.

On motion of Senator Ballard, Senate Bill No. 515 was passed on file.

Senate Bill No. 816—An act to amend section 3 of an act entitled "An act relating to explosives and prescribing regulations for the transportation, storage and selling of explosives, and providing penalties for the violation of this act," in effect March 21, 1911, and known as Chapter 213, Statutes of 1911, and to repeal section 11 of said act.

On motion of Senator Luce, Senate Bill No. 816 was passed on file.

Senate Bill No. 627—An act amending an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities therein; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements and for the acquisition and construction of such improvements," approved April 20, 1915, by amending the title of said act and by amending section 1 of said act.

On motion of Senator Brown, Senate Bill No. 627 was passed on file.

Senate Bill No. 346—An act to amend sections 7, 8, 9, 10, 12*c*, 13, 20, 28, 31*a*, 35, 41, 43, 45, 65, 68, 80, 83, 90, 98, 128, 139, 142 and 145 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," all relating to the definition and regulation of the business of banking.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 346 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, King, Luce, Maddux, Nealon, Purkitt, Rominger, Rush, Sharkey, Shearer, Slater, and Stuckenbruck—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 94—An act to amend section 4232 of the Political Code, relating to the compensation of officers in counties of the third class.

In the absence of the author, Senate Bill No. 94 was ordered passed, to retain its place on the file.

Senate Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by adding a new article thereto, to be numbered

XXIV, establishing a State Athletic Commission and regulating boxing and sparring in the State.

In the absence of the author, Senate Constitutional Amendment No. 19 was ordered passed, to retain its place on the file.

Senate Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding thereto a new section to be known as section 5 of Article XIII, providing for the exemption of certain property from taxation.

In the absence of the author, Senate Constitutional Amendment No. 27 was ordered passed, to retain its place on the file.

Senate Joint Resolution No. 13—Relative to the emancipation of Russia from autocratic rule.

In the absence of the author, Senate Joint Resolution No. 13 was ordered passed, to retain its place on the file.

Senate Joint Resolution No. 15—Relative to passage by Congress of the United States of the universal and compulsory military training bill to meet the present crisis and provide for the perpetual safeguarding of the existence and interests of this Nation.

On motion of Senator Inman, Senate Joint Resolution No. 15 was passed on file.

Senate Bill No. 121—An act providing for the organization of water districts by the board of supervisors of any county of the State upon petition therefor by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of said county in which the lands contained in said district are located; providing for the acquisition and construction by said district of water works for the irrigation of the lands embraced therein and for the distribution of water for irrigation purposes and domestic use; providing for the payment of the debts thereof by a tax levied on the property embraced therein; providing for the issuance and sale of bonds thereby.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 121 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, W. J., Chandler, Crowley, Evans, Flaherty, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Sharkey, Slater, Stuckenbruck, and Tyrrell—26.

NOES—Senator King—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 44—A resolution to propose to the people of the State of California to amend section 13 of Article VI of the Constitution of the State, relating to inferior courts.

On motion of Senator Ballard, Senate Constitutional Amendment No. 44 was passed on file.

Senate Bill No. 516—An act to amend section 1521 of the Political Code, relating to the compensation and expenses of members of the

State Board of Education and Assistant Superintendents of Public Instruction.

Bill read third time.

On motion of Senator Ballard, Senate Bill No. 516 was passed on file.

Senate Bill No. 811—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications.

On motion of Senator Ballard, Senate Bill No. 811 was passed on file.

Senate Bill No. 1134—An act to amend section 131 of the Civil Code of the State of California, which relates to judgment in an action for divorce, and repealing section 132 of said Civil Code, which relates to the same subject.

In the absence of the author, Senate Bill No. 1134 was ordered passed, to retain its place on the file.

Senate Bill No. 596—An act to add a new section to the Code of Civil Procedure, to be numbered 1490, relating to notice to creditors of decedents.

In the absence of the author, Senate Bill No. 596 was ordered passed, to retain its place on the file.

Senate Bill No. 49—An act to repeal section 55*a* of the Penal Code, relative to soliciting, demanding, or pledging votes for or against any particular bill or measure.

In the absence of the author, Senate Bill No. 49 was ordered passed, to retain its place on the file.

Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending section 1 of Article IV thereof, relating to legislative powers, and reserving to the people of the State of California the power to propose laws, statutes and amendments to the Constitution and to enact the same at the polls, independent of the Legislature, and also reserving to the people of the State of California the power to approve or reject at the polls any act or section or part of any act of the Legislature.

In the absence of the author, Senate Constitutional Amendment No. 5 was ordered passed, to retain its place on the file.

Senate Bill No. 1110—An act to promote the development of the California fruit industry and to protect the State's reputation in the fruit markets by establishing a standard for the packing of certain fresh fruits specified herein, prescribing penalties for violations of the provisions hereof, and repealing all acts inconsistent herewith.

On motion of Senator Benson, Senate Bill No. 1110 was passed on file.

Senate Bill No. 106—An act to repeal an act entitled "An act to provide for the creation of the State Commission Market, and the organization thereof, to carry on the business of receiving from the producers thereof the agricultural, fishery, dairy and farm products of the State of California and selling and disposing of such products on commission, creating the State Commission Market Fund and appropriating money therefor," approved June 10, 1915.

On motion of Senator Ballard, Senate Bill No. 106 was passed on file.

Senate Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending section 16½ of Article XI thereof, relating to the deposit of moneys belonging to the State or to any county or municipality within the State in any bank or banks.

In the absence of the author, Senate Constitutional Amendment No. 34 was ordered passed, to retain its place on the file.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 10, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 755—An act to amend sections 2239, 2283, 2287 and 2289 of the Civil Code, relating to trusts—and reports that the same has been correctly re-engrossed.

ROMINGER, Acting Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Constitutional Amendment No. 30—A resolution to propose to the people of the State of California to amend section 21 of Article XX of the constitution, relative to workmen's compensation;

Also: Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the constitution by adding a new section 15 to Article XIII, relating to revenue and taxation;

And reports that the same have been correctly engrossed.

ROMINGER, Acting Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 343—An act to amend section 628*a* of the Penal Code, relating to the protection of fish and game;

Also: Senate Bill No. 430—An act to provide for the establishment within municipalities of districts or zones within which the use of property, height of improvements and required open spaces for light and ventilation of such buildings, may be regulated by ordinance;

And reports that the same have been correctly re-engrossed.

ROMINGER, Acting Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 1111—An act amending section 330 of the Penal Code, relative to games played with cards, dice, or any device for money in public places;

Also: Senate Bill No. 1112—An act amending the Penal Code of the State of California by adding thereto a new section to be numbered 321*a*, relating to the punishment of persons having in their possession lottery tickets or tools or devices used in connection with any lottery;

And reports that the same have been correctly engrossed.

ROMINGER, Acting Chairman.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 755—An act to amend sections 2239, 2283, 2287 and 2289 of the Civil Code, relating to trusts.

On motion of Senator Inman, Senate Bill No. 755 was passed on file.

Senate Constitutional Amendment No. 30—A resolution to propose to the people of the State of California to amend section 21 of Article XX of the Constitution, relative to workmen's compensation.

In the absence of the author, Senate Constitutional Amendment No. 30 was ordered passed, to retain its place on the file.

Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the Constitution by adding a new section 15 to Article XIII, relating to revenue and taxation.

On motion of Senator Benson, Senate Constitutional Amendment No. 31 was passed on file.

Senate Bill No. 343—An act to amend section 628*a* of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 343 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Maddux, Nealon, Purkitt, Rigdon, Rush, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 430—An act to provide for the establishment within municipalities of districts or zones within which the use of property, height or improvements and required open spaces for light and ventilation of such buildings, may be regulated by ordinance.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 430 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Maddux, Nealon, Rigdon, Rominger, Rush, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1111—An act amending section 330 of the Penal Code of the State of California, relative to games played with cards, dice, or any device for money in public places.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Jones moved to refer Senate Bill No. 1111 to Senator Benson as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, after the enacting clause, insert as follows:

SECTION 1. Section three hundred thirty of the Penal Code is hereby amended to read as follows:.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 10, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 1111, with instructions to amend, respectfully reports the same back, amended as per instructions.

BENSON, Special Committee.

Report read, and, on motion of Senator Jones, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 1112—An act amending the Penal Code of the State of California by adding thereto a new section to be numbered section 321*a*, relating to the punishment of persons having in their possession lottery tickets or tools or devices used in connection with any lottery.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1112 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, F. M., Carr, W. J., Chamberlin, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Maddux, Nealon, Purkitt, Rominger, Rush, Sharkey, Shearer, Stuckenbruck, and Thompson—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 366—An act to amend the Penal Code by amending section 561 thereof and by adding new sections to be numbered 561*a*, 561*b*, 561*c*, 561*d* and 563*a* thereto, all relating to frauds in the management of banks and prescribing penalties for violations of the provisions of the act;

Also: Assembly Bill No. 1120—An act to provide for the establishment and maintenance by fire insurance corporations of guaranty surplus funds and special reserve funds and thereby limiting liability and to provide for the waiver by policyholders of recourse against stockholders of such corporations.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate Amendments to Assembly Bill No. 268—An act to amend section 1469 of the Code of Civil Procedure, relating to administration of estate not exceeding $1,500 in value;

Also: To Assembly Bill No. 488—An act to amend sections 4 and 24 of an act entitled "An act to provide for the acquisition by municipalities of land for public park or playground purposes by condemnation, and for the establishment of assessment districts and the assessment of property therein to pay the expenses of acquiring such land," approved April 22, 1909, as amended;

Also: To Assembly Bill No. 580—An act to amend section 2643 of the Political Code, relating to the powers of boards of supervisors respecting roads;

Also: To Assembly Bill No. 1025—An act prohibiting employers of labor from coercing employees in the purchase of things of value, and prescribing a penalty for the violation of the provisions hereof.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 5th passed Assembly Bill No. 19—An act to add a new section to the Code of Civil Procedure to be numbered 274c, relating to compensation of phonographic reporters.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 19 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 6th passed Assembly Bill No. 59—An act providing for the establishment and maintenance of sewer districts outside of municipal corporations.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 59 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 107—An act appropriating $5,500 for restoring, repairing and preserving the old custom house in the city of Monterey, California.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 107 read first time, and referred to Committee on Finance.

THIRD READING OF SENATE BILLS—(RESUMED).

SENATOR NEALON IN THE CHAIR.

At eleven o'clock and five minutes a.m., Senator Nealon of the Twenty-first District was called to the chair.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Senate Bill No. 86, heretofore set as a special order for eleven o'clock a.m., the same was taken up for consideration.

Senate Bill No. 86—An act to provide for the creation of the State Market Commission and the organization thereof; to define its duties and powers; to create the position of State Market Director; to define his duties and powers; to create the State Market Commission Fund and a revolving fund; and repealing that act known as State Commission Market Act, approved June 10, 1915, Chapter 713 of the Statutes of 1915, and all other acts and parts of acts in conflict with the provisions of this act.

Bill read third time.

POINT OF ORDER.

Senator Ballard raised the point of order that lobbying was being engaged in in violation of Senate Rule No. 76.

DECISION ON POINT OF ORDER.

The President announced his decision, and declared the point of order well taken.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., the hour of recess was extended until twelve o'clock and thirty-five minutes p.m.

RECESS.

At twelve o'clock and thirty-five minutes p.m., on motion of Senator Inman, the acting President declared the Senate at recess until the hour of two o'clock and fifteen minutes p.m.

RECONVENED.

At two o'clock and fifteen minutes p.m., the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate in the chair.

Minute Clerk Joseph A. Beek at the desk.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 137—An act to provide for the care of the graves of soldiers, sailors and marines of the United States of America whose remains are buried in certain cemeteries.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1400—An act declaring certain drainage work already done within Drainage District No. 1, Butte County, to have been legally done, validating the same, and making such work a proper subject for the levy of an assessment to pay therefor; authorizing the levy and collection of such assessment in said district to provide for such payment, and interest; the original assessment levied and collected being insufficient to provide for such payment.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 304—An act appropriating money for plumbing repairs at the Mendocino State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 305—An act appropriating money for the enlarging of operation room at the Mendocino State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 306—An act appropriating money for the reconstruction of ward five and converting laundry and bakery at the Mendocino State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 335—An act appropriating money for the purpose of providing physicians and nurses at the Women's Relief Corps Home.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 341—An act appropriating money for the purchase of additional dairy herd for the Stockton State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 344—An act appropriating money for the purchase of a complete X-ray apparatus for the Stockton State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 351—An act appropriating money for repairs and improvements to buildings of the San Diego State Normal School.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 375—An act appropriating money for repairs and improvements to the buildings and equipment of the Los Angeles State Normal School.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 376—An act appropriating money for the making of additions to buildings of the Los Angeles State Normal School.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 389—An act appropriating money for the purchase and installation of a boiler at the Southern California State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 390—An act appropriating money for new wiring, old buildings and grounds at the Southern California State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 391—An act appropriating money for the construction and furnishing of a cottage for disturbed patients at the Southern California State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 392—An act appropriating money for the installation of pump, motor and connections, new well, at the Southern California State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 410—An act appropriating money for the purchase of bakery equipment at the Norwalk State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 411—An act appropriating money for the purchase of dairy herd and horses at the Norwalk State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 412—An act appropriating money for the construction and furnishing of superintendent's cottage at the Norwalk State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 413—An act appropriating money for the construction of farm buildings at the Norwalk State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 416—An act appropriating money for the purchase of laundry equipment at the Norwalk State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 449—An act appropriating money for the construction of creamery at the Whittier State School.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 450—An act appropriating money for the construction and equipment of power house at the Whittier State School.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 451—An act appropriating money for the construction of three cottages at the Whittier State School.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 452—An act appropriating money for the furnishing and equipment of trades building and three cottages at the Whittier State School.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 518—An act appropriating money for the heating of office in commissary building and manor house at the California School for Girls.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1024—An act appropriating money for electric lighting at Sutter's Fort.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1205—An act providing for the leasing of certain state lands.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1223—An act appropriating money for electric wiring at the Veterans' Home.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1224—An act appropriating money for plumbing and repairs to plumbing at the Veterans' Home.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1225—An act appropriating money for the purchase of dairy cows for the Veterans' Home.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1227—An act appropriating money for the construction of quarters for inebriates on the grounds of the Veterans' Home.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1228—An act appropriating money for the construction of a chapel on the grounds of the Veterans' Home.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1254—An act appropriating money to cover office rent, janitor service and supplies, State's offices in the Union League Building, Los Angeles.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 973—An act to amend "An act to amend an act entitled 'An act to amend an act entitled "An act to amend an act entitled 'An act to amend section 6 of an act entitled "An act concerning the water front of the city and county of San Francisco," approved March 15, 1878, and to confer further powers upon the Board of State Harbor Commissioners,' approved March 17, 1880, approved March 19, 1889, conferring further powers upon the said board," approved March 26, 1895,' approved March 23, 1901," approved March 18, 1905, approved March 19, 1909.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 258—An act to provide for the organization and government of commercial waterway districts, and to provide for the acquisition or construction thereby of a system of commercial waterways within such districts and for the issuance of bonds and the pay-

ment thereof, and for levying and collecting taxes on property in such districts.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 283—An act appropriating money for repairs to employees' cottages at the Folsom State Prison.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 2 of the title, strike out the words "repairs to".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, in line 5, strike out the words "repairs to".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, in line 5, strike out the period following the word "prison" and insert in lieu thereof a semicolon, and add the following: "two thousand five hundred dollars to be used for the repair of existing cottages and ten thousand dollars for the construction of new cottages."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 295—An act appropriating money for the purchase of machinery and equipment for the jute mill at San Quentin State Prison.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, strike out the words "jute mill at".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, in line 1, strike out the word "seven", and insert in lieu thereof the word "fifteen".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, in line 5, strike out the words "jute mill at".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1079—An act to provide for the forfeiture of certain lands to the State in the event of the nonpayment of delinquent interest upon any part of the unpaid portion of the purchase price thereof,

together with penalties and costs as herein provided, as well as for the forfeiture of all moneys previously paid thereon whether for principal or interest; prescribing the duties of certain public officers with respect thereto; providing for the giving of notice thereof; prescribing certain remedies; and making an appropriation for the purposes of this act.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 5, line 32, of the printed bill, after the word "auditor" insert the words: "and to the assessor".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 6, line 5, of the printed bill, after the period following the word "office" add the following: "It shall be the duty of each county assessor to whom a copy of any such statement shall be sent, immediately upon receipt thereof, to cause the same to be carefully compared with the records of assessments in his office of all tracts of land appearing in such list, and in the event it shall appear from such comparison that any person or persons whose names are not included in the register's statement are shown by such assessment records to have any interest in any part of the lands described in such statement, the assessor must forthwith return, by registered mail, to the register of the state land office a statement containing a description of the land affected and the names and addresses, as the same appear upon his records, of all persons appearing to have any interest therein and not included in the register's statement. In every such case the assessor must return his statement to the register within ten days after the receipt by him of the register's statement. Upon receipt of any such return the register shall without delay, forward to each person therein named, in the same manner as above provided, a copy of so much of said statement as pertains to the lands wherein such person is shown by the assessor's return to have any interest, to which shall be appended such demand and notice."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 464—An act to regulate the sale of eggs which have been in transit more than thirty-one days, and prescribing penalties for violations thereof.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill, strike out the words "one end" and insert in lieu thereof the words "the container".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 14, of the printed bill, strike out the compound word "one-eighth" and insert in lieu thereof the compound word "one-half".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 303—An act appropriating money for medical teaching in the University of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1106—An act appropriating money to pay the claim of ——— covering the funeral expenses of John M. Eshleman.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 159—An act to provide for the protection of breeders and growers of cattle from theft, for registration of marks and brands, butchers and slaughterhouses, and the inspection of cattle and the hides thereof; creating a cattle inspection board to administer this act; and prescribing penalties for violation of the provisions hereof.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 2 to 7, inclusive, of the title, and insert in lieu thereof the following: "to create a cattle protection board, to define its powers and duties, to protect the breeders and growers of cattle from theft, to provide for the registration of cattle brands and the licensing of cattle slaughterers and sellers of the meat thereof, to provide for the inspection of cattle and cattle hides for brands and marks, to provide for the collection of license and inspection fees, to provide for the creation of a fund to be known as the cattle protection fund, and to provide penalties for violation of the provisions hereof."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 1 to 13, inclusive, and all of pages 2 to 16, inclusive, and insert in lieu thereof the following:

SECTION 1. That there be and is hereby created a cattle protection board, to be appointed by the governor of the State of California, which shall consist of three members, two of whom shall be identified with and experienced in the cattle industry of the State of California and the other shall be the state veterinarian. Said board shall elect one of their number chairman. The members of said board shall each receive ten dollars per day for the time by him necessarily employed in discharging the duties required in this chapter; *provided, however*, that in no one year shall the board be in session more than sixty days, except upon the call of the governor.

The members of said board shall hold office during the pleasure of the governor. Said board is hereby authorized to appoint a secretary, counsel, inspectors, and such clerks as may be necessary to carry out the provisions of this act, and fix the salaries of said appointees. Such per diem and expenses of said members of the cattle protection board, as well as the salaries and expenses of all appointees of said board, including all other additional expenses incurred by enforcement of this act as hereinafter provided, shall be paid out of the cattle protection fund which fund is hereinafter provided.

Said board is hereby authorized, and it is made its duty, to exercise a general supervision over, and protect the cattle of this state from theft and to make such rules and regulations as may be necessary to carry out the purposes and intent of this act.

SEC. 2. Every person owning cattle in this state except as hereinafter provided shall adopt a brand with which to brand his cattle; *provided*, such brand be not similar to the brand heretofore adopted by any other person, except by special permit issued by the cattle protection board. Said board shall cause said brands to be recorded in books kept for that purpose. The recording of a brand shall consist of depicting in the brand book a facsimile of the design of the brand adopted, together with an entry in said book bearing a statement of the name, residence, and post-office address of the person adopting the same, the date the brand was presented for record, the place upon the animal where the brand is proposed to be used, the number of the district and a statement of the location of the range whereon such animals are to range. Before any such record shall be made, proof shall be made that the person applying to have such brand recorded is the owner thereof and entitled to use the same.

The said board may divide the state into a number of districts. Said districts may be changed from time to time, so that all of the persons engaged in raising cattle within the State of California may adopt and record a brand, without requiring that any one brand shall be adopted or recorded in any two contiguous districts; *provided, however*, that where cattle in two or more contiguous districts are owned by one person, said person shall have the right to the use of said brand in contiguous districts.

SEC. 3. The sum of two dollars shall be paid to said board for the recordation of any brand; for the right to the continued use of said brand, under the provisions of this act, the owner thereof shall before the first day of January of each year after its recordation transmit to the board the sum of one and one-half dollars. A failure to make such payment shall forfeit the right to use said brand.

When the right to any brand recorded hereunder shall have become forfeited, said brand shall not be recorded by any other person until after the expiration of one year from the date of the forfeiture thereof.

SEC. 4. No person shall brand any cattle in this state with a brand that has not been recorded under the provisions of this act, nor use any device to obliterate a brand.

SEC. 5. Upon the sale or transfer of any range cattle in this state, the actual delivery of such animal shall be accompanied by a written bill of sale, giving the number, kind and marks and brands of each animal, which bill of sale shall be signed by the party giving the same and acknowledged by him before two subscribing witnesses who have been freeholders of the county for at least two years.

SEC. 6. It is hereby expressly provided that the provisions in this act relative to marks and brands shall not in any particular apply to registered purebred cattle or purebred cattle which can be identified as being entitled to registration, or cows actually used for dairy purposes.

SEC. 7. It shall be unlawful for any person to slaughter any cattle or offer for sale, barter or exchange the meat thereof, unless he shall have a license therefor issued in accordance with the provisions of this act, except as herein otherwise provided.

Every person slaughtering cattle as a business shall do so in a designated slaughterhouse, and before he shall begin the business of slaughtering cattle or selling the meat thereof, he shall first procure from the board a license to carry on such business, under the conditions and upon the payment of the fees herein provided for. After procuring such license and before engaging in such business he shall execute a bond to the State of California, in the penal sum of one thousand dollars ($1000.00) to be approved by the secretary of the board, conditioned that such person shall not slaughter, sell or expose for sale any cattle or the meat thereof, without first being the legal and equitable owner thereof, or being authorized to so slaughter, sell or expose for sale such animal, or the meat thereof, by such owner, and that in case he shall violate any of the provisions hereof, he shall pay therefor double the value of such animal. The amount so recovered shall be paid as follows: One-half to the owner of such animal and the remaining one-half to the cattle protection fund.

Said board shall grant to every applicant thereof, who complies with all the provisions of this act a license to slaughter cattle and sell the meat thereof for the unexpired portion of the calendar year in which said license is granted. Every applicant for such a license shall pay to said board the following animal fee which shall be paid in advance: For applicants who slaughter less than ten head per month, one dollar per annum. For applicants who slaughter more than ten head and less than fifty head per month, ten dollars per annum. For applicants who slaughter more than fifty head per month, twenty-five dollars per annum. For a shorter term than one year a proportionate part of said fee shall be paid. The applicant for such license shall state in his application where his slaughterhouse is located, and during the term of such license he shall not slaughter any cattle at any other place than that specified in his license. If the holder of a license desires to change the location of his slaughterhouse, he shall apply to said board to have such license transferred and the board may reissue such license without any additional fee.

Every holder of such a license shall, at the expiration of each calendar month, make a written report and send the same by registered mail to said board. Such report shall include the following:

(a) The number and sex of the cattle slaughtered in such establishment during the calendar month just past.

(b) The names and addresses of persons from whom said cattle were purchased or otherwise obtained.

(c) The brands and marks on said cattle.

(d) The dates on which said cattle were purchased or otherwise obtained and the dates on which said cattle were slaughtered.

Said statement shall be signed by such licensee or his duly authorized agent. Upon failure or neglect of said licensee or his duly authorized agent for a period of fifteen days to file such a statement in the manner as herein provided, the said board shall have the power and it shall be its duty to forfeit the license of such licensee; and thereafter it shall be unlawful for the owner of said slaughtering establishment, or for any other person to slaughter any cattle in said establishment until a new application is made by him to said board, accompanied by a fee of twenty-five dollars: *provided, however*, that said board shall have the power and it shall be its duty to refuse to renew the license of any slaughterer who has knowingly slaughtered cattle without the consent of the owner thereof.

SEC. 8. Every peddler, butcher or retailer of meats, purchasing the meat of any bovine animal, must enter in a book to be kept for that purpose and open to the inspection of the board, the name of the person from whom said meat was purchased or otherwise obtained, the date of said purchase and the quantity so purchased.

It shall be unlawful for any peddler or retailer of meat, or person in control of any butcher shop, to purchase the meat of any slaughtered bovine animal from any person not known to him to be licensed under the provisions of this act.

Any person who fails on demand to inform any officer of this state where and from whom he has obtained any meat of any bovine animal that he has in his possession, shall be deemed guilty of a misdemeanor.

Nothing in this act shall be construed as to prohibit an owner of property, or a ranchman located on a definite property as a tenant, lessee or purchaser under contract, from slaughtering cattle in small numbers on said premises, and using, giving away or selling the meat of such cattle; such person shall keep such records and keep the hides for the stated length of time and comply with all the provisions of this act; *provided*, that such person shall not be required to take out a license.

SEC. 9. The hides of all such cattle slaughtered by the owner thereof, or removed from any cattle which have died from any cause, shall be retained in the possession of the owner where the same may be inspected, with the brands attached thereto, and without any alteration or disfiguration thereof, for a period of at least fifteen days after the death of said cattle.

Every ranchman, who so slaughters cattle on such premises, shall keep a record in a book to be kept for that purpose of all the cattle so slaughtered by him, with a description thereof, including all the marks and brands of such slaughtered cattle, the date of slaughter, and shall at the end of each month, make a true and correct copy of such record and send the same by registered mail to the office of the cattle protection board, and shall likewise exhibit the said record on demand of any officer of this state.

SEC. 10. No cattle except cattle shipped for slaughter and which have been inspected as herein provided prior to shipment, shall be slaughtered until they shall have been first inspected and certified to as being the property of the person slaughtering same or causing same to be slaughtered or being duly authorized by the owner thereof to slaughter said cattle; *provided*, that any person licensed hereunder to slaughter cattle after twenty-four hours notice in writing, addressed to the local inspector demanding his presence at a specified time and place for the purpose of inspecting such cattle for slaughtering, may, without the certificate of inspection of said inspector slaughter said cattle, providing he makes a written statement designating the general description of the animal or animals slaughtered, such as the age, color, weight, etc., and specifying in detail the earmarks and brands of such animal or animals; *and provided, further*, that he retain the hides of such animal or animals for at least fifteen days thereafter as hereinbefore provided.

SEC. 11. It shall be unlawful for any common carrier to receive any cattle, or the hides of any cattle, for transportation to points within or without this state until such carrier shall have been furnished with duplicate certificates signed by an inspector, showing in the case of cattle the brands and earmarks of such cattle, the number of cattle of each earmark and brand, the names of shipper and consignee and also the origin and destination of said cattle. In the case of cattle hides, the certificates shall state the number of hides, the names of shipper and consignee and also the origin and destination of said hides. One copy of said certificate shall be mailed forthwith by the agent or other person in control of the common carrier at the point at which said cattle are received for shipment, to the consignee.

SEC. 12. It shall be the duty of inspectors to inspect all cattle for marks and brands which are offered for transportation to any common carrier at the loading stations thereof.

If upon such inspection cattle shall be found not belonging to the shipper, all such cattle shall be taken by the inspector and dealt with in accordance with the rules of the board in such cases made.

Inspectors must inspect all cattle subject to inspection immediately, and when inspected, the one in charge thereof shall at once pay to the inspector therefor the sum of five cents per head, whereupon the inspector shall certify that said cattle have been inspected.

SEC. 13. It shall be the duty of the said board to prepare volumes for the recordation of said marks and brands, and to keep a true record of all its official transactions. When cattle or the hides thereof have been shipped or slaughtered, each record thereof must be entered under the name of the owner of said mark or brand, and must be entered in such a manner as to disclose under the record of each particular mark or brand, the number of cattle bearing any other marks or brands. An index shall be kept of unrecorded brands, as well as of those that have been recorded under the provisions hereof.

SEC. 14. Any person, not being the owner, or having the right of possession, of any cattle, who shall be found driving such cattle off its usual range, without the consent of the owner thereof, shall be guilty of grand larceny.

SEC. 15. The secretary of the cattle protection board, at least as often as once each month, shall report to the state controller the total amount of fees collected, and at the same time he shall pay into the state treasury the entire amount of such receipts. All such receipts shall be credited to the cattle protection fund, which fund is hereby created, and shall be held subject to the uses of the cattle protection board, as defined in this act.

SEC. 16. The term "range" for the purpose of the interpretation and application of this act shall be understood to mean the enclosed or unenclosed lands outside of cities, towns and villages in this state, whether of the public domain or in private ownership, upon which by custom, license or otherwise, cattle are kept or permitted to roam and feed.

The term "person" wherever used includes every person, persons, firm, association or corporation.

The term "cattle" wherever used includes every kind of animal of the bovine species.

SEC. 17. Any person violating any provisions of this act shall, unless otherwise specifically designated herein, be guilty of a misdemeanor.

All officers and employees except clerical help whose duties are prescribed in this act, are hereby exempted from the provisions of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office, and employment under state authority and, in that behalf, to create a state civil service commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act and to make an appropriation therefor," approved June 16, 1913.

SEC. 18. All acts and parts of acts in conflict herewith are hereby repealed.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1177—An act to authorize the Board of State Harbor Commissioners to acquire by purchase, condemnation, gift, grant or cession, certain property in the city and county of San Francisco, including Mission Rock, and extending the jurisdiction of said board over the same, and providing for the payment of the same.

Bill read second time, ordered engrossed, and on file for third reading.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

CONSIDERATION OF SPECIAL ORDER—(RESUMED).

Senate Bill No. 86—An act to provide for the creation of the State Market Commission and the organization thereof; to define its duties and powers; to create the position of State Market Director; to define his duties and powers; to create the State Market Commission Fund and a revolving fund; and repealing that act known as State Commission Market Act, approved June 10, 1915, Chapter 713 of the Statutes of 1915, and all other acts and parts of acts in conflict with the provisions of this act.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 86 passed by the following vote:

AYES—Senators Benson, Breed, Carr, F. M., Carr, W. J., Duncan, Evans, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Purkitt, Rigdon, Rominger, Rush, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—Senators Ballard, Brown, Burnett, Canepa, Chamberlin, Flaherty, Hans, Nealon, Scott, and Shearer—10.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER.

Senator Inman moved to reconsider the vote whereby Assembly Bill No. 529 was passed.

The question being on the motion to reconsider.

The roll was called, and the motion carried by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—35.

NOES—None.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Inman, the further reconsideration of Assembly Bill No. 529 was continued until the next legislative day.

MOTION TO RECONSIDER.

Senator Kehoe moved to reconsider the vote whereby Senate Constitutional Amendment No. 26 was refused adoption.

The question being on the motion to reconsider.

The roll was called, and the motion carried by the following vote:

AYES—Senators Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Crowley, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—Senators Ballard, Brown, and Chamberlin—3.

Senate Constitutional Amendment No. 26—A resolution to propose to to the people of the State of California an amendment to the Constitution of said State by adding to Article XX thereof a new section, to be numbered section 22, relative to health insurance.

SENATE CONSTITUTIONAL AMENDMENT No. 26.

A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XX thereof a new section, to be numbered section 22, relative to health insurance.

The Legislature of the State of California at its regular session commencing on the eighth day of January, 1917, two-thirds of the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes an amendment to the Constitution of the State of California by adding to Article XX thereof a new section, to be numbered section 22, to read as follows:

Sec. 22. It is hereby declared to be the policy of the State of California to make special provision for the health and welfare and support during illness of any and all persons, and their dependents, whose incomes, in the determination of the Legislature, are not sufficient to meet the hazards of sickness and disability, and for the general industrial welfare in this connection. The Legislature may establish a health insurance system applicable to any or all such persons, and for the financial support of such system may provide for contributions, either voluntary or compulsory, from each of the following, namely, from such persons, from employers, and from the State by appropriations.

The Legislature may confer upon any commission or court, now or hereafter created, such power and authority as the Legislature may deem requisite to carry out the provisions of this section.

The provisions of this section shall not be controlled or limited by any other provision of this Constitution, except the provisions thereof, relating to the passage and approval of acts by the Legislature and to the referendum thereof.

The question being on the adoption of the resolution.

The roll was called, and Senate Constitutional Amendment No. 26 adopted by the following vote:

AYES—Senators Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Rigdon, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—Senators Ballard, Brown, Chamberlin, Irwin, Purkitt, and Rominger—6.

Title read and approved.

Resolution ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 10, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Rominger to introduce a bill entitled: "An act empowering cities, cities and counties, and counties in the State of California to grant bounties to persons in the service of the United States, and to incur an indebtedness therefor, and to issue bonds in payment thereof" has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—33.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS.

The following bill was introduced in accordance with the above report:

By Senator Rominger: Senate Bill No. 1182—An act empowering cities, cities and counties, and counties in the State of California to grant bounties to persons in the service of the United States, and to incur an indebtedness therefor, and to issue bonds in payment thereof.

Bill read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER)—(RESUMED).

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 10, 1917.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 1079—An act to recognize and declare valid all proceedings in Happy Valley Irrigation District—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

MADDUX, Chairman.

Assembly Bill No. 1079 ordered on file for second reading.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 10, 1917.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 181—An act to provide for the furnishing by public utility corporations, to employees thereof leaving their service, of service letters—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

LYON, Chairman.

Senate Bill No. 181 ordered on file for second reading.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, April 10, 1917.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 788—An act to amend section 1055 of the Political Code, relating to publication of election proclamations;

Also: Assembly Bill No. 1246—An act to amend section 1096 of the Political Code and to add to the Political Code a new section to be known as section 1096a,

all relating to affidavits of registration and to the registering or to the change in registration of political affiliation;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

FLAHERTY, Chairman.

Assembly Bills Nos. 788 and 1246 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 1245—An act to forbid solicitation of contributions or payments from candidates for office for specified purposes; to forbid the payment or promise of payment by candidates for such purposes; to forbid receipt of money from candidates for specified purposes; and fixing a penalty for a violation of the terms of the act—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

FLAHERTY, Chairman.

Assembly Bill No. 1245 ordered on file for second reading.

ON CIVIL SERVICE.

SENATE CHAMBER, SACRAMENTO, April 10, 1917.

MR. PRESIDENT: Your Committee on Civil Service, to which was referred Senate Bill No. 576—An act to amend section 11 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

RIGDON, Chairman.

Senate Bill No. 576 ordered on file for second reading.

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, April 9, 1917.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 949—An act to amend section 594 of the Political Code, relating to the classification of insurance business and the capital stock of insurance companies—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

BURNETT, Chairman.

Senate Bill No. 949 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 10, 1917.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 793—An act declaring it unlawful to discriminate against certificates of titles issued by county registrars and making such discrimination a misdemeanor—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to Committee on Judiciary.

INMAN, Chairman.

Senate Bill No. 793 re-referred to Committee on Judiciary.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 719—An act to add a new section to the Political Code to be numbered 4256*a*, relating to the fees and mileage of jurors in counties of the twenty-seventh class—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

INMAN, Chairman.

Assembly Bill No. 719 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 10, 1917.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 397—An act to add a new section to the Penal Code to be numbered 351*a*, relating to unfair competition and substitution;

Also: Assembly Bill No. 512—An act to amend sections 19*i* and 19*k* of an act entitled "An act to be known as the juvenile court law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereto and all acts or parts of acts inconsistent herewith," approved June 5, 1915;

Also: Assembly Bill No. 733—An act to amend section 273*h* of the Penal Code, relating to the abandonment and neglect of children and the nonsupport of wife;

Also: Assembly Bill No. 553—An act to grant to the city of Newport Beach the tidelands and submerged lands of the State within the boundaries of said city; Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

KEHOE, Chairman.

Senate Bill No. 397 and Assembly Bills Nos. 512, 733, and 553 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Concurrent Resolution No. 25—Relative to tidelands granted to the city of San Diego—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

KEHOE, Chairman.

Senate Concurrent Resolution No. 25 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 988—An act repealing section 1483 of the Political Code, relating to licenses to practice law;

Also: Assembly Bill No. 55—An act to add a new section to the Code of Civil Procedure to be numbered 1663, relating to partial distribution of estates of deceased persons;

Also: Assembly Bill No. 545—An act to amend section 473 of the Code of Civil Procedure, relating to the time within which pleadings may be filed or amended, before or after judgment;

Also: Assembly Bill No. 271—An act to amend section 1776 of the Code of Civil Procedure, relating to the expenses and compensation of guardians;

Also: Assembly Bill No. 272—An act to add a new section to the Code of Civil Procedure to be numbered 1776*a*, fixing the compensation of attorneys for guardians; Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Senate Bill No. 988 and Assembly Bills Nos. 55, 545, 271, and 272 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 628—An act creating the office of state superintendent of the registration of land titles, providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a state superintendent of the registration of land titles and his deputy and the employment of attorneys, defining the powers and duties of such officers and making an appropriation to carry this act into effect—

has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do not pass, and be re-referred to Committee on Finance.

KEHOE, Chairman.

Senate Bill No. 628 ordered re-referred to Committee on Finance.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(OUT OF ORDER).

The following resolution was offered:

By Senator Rigdon: Senate Concurrent Resolution No. 26—Approving a certain amendment to the charter of the city of San Luis Obispo in the county of San Luis Obispo, State of California, voted for and ratified by the qualified electors of said city of San Luis Obispo at a special municipal election held therein on the 2d day of April, 1917.

Resolution ordered to print, and referred to Committee on Municipal Corporations.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 971—An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator King moved to refer Senate Bill No. 971 to Senator Evans as a Special Committee of One, to amend as follows:

On page 27, line 27, of the printed bill, insert a period at the end of the line, and on same page, line 28, strike out the small letter "a" in the word "any" and insert in lieu thereof "A".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 10, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 971, with instructions to amend, respectfully reports the same back, amended as per instructions.

EVANS, Special Committee.

Report read, and on motion of Senator King, adopted.

Bill ordered to print, and re-engrossment.

WITHDRAWAL OF BILL.

Senator Gates asked for and was granted unanimous consent to withdraw from the file Senate Bill No. 1078.

Senate Bill No. 1078 ordered withdrawn and stricken from the file.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 10, 1917.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 793—An act declaring it unlawful to discriminate against certificates of titles issued by county registrars and making such discrimination a misdemeanor—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

Minority report: Do not pass.

KEHOE, Chairman.

Senate Bill No. 793 ordered on file for second reading.

ADJOURNMENT.

At six o'clock and five minutes p.m., on motion of Senator McDonald, the President pro tempore declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Wednesday, April 11, 1917.

The Senate met at ten o'clock a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—39.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, April 10, 1917, its further reading was dispensed with, on motion of Senator Sharkey.

PRIVILEGE OF THE FLOOR OF SENATE EXTENDED.

On request of Senator Kehoe, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. Horace H. Breed of Oakland.

PETITIONS.

The following petitions were presented and ordered printed in the Journal:

To the Senate Fish and Game Committee, Sacramento.

GENTLEMEN: At a meeting of the Woman's Civic Club of Pacific Grove held on April 2, 1917, the following motion was passed:

That it is the belief of the Woman's Civic Club that in the abalone controversy both sides have some rights and that an adjustment can be made whereby the abalone can be protected and at the same time the commercial interests need not be destroyed.

That the interests of the whole people would be best served by prohibiting commercial fishing for abalones from Seaside to the Carmel River, and allowing commercial fishing below that point.

That Assembly Bill No. 242 should be amended by striking out District No. 18.

MRS. EVA W. BARKER, President.

MRS. W. V. GRIMES, Secretary.

Also:

TAXPAYERS' LEAGUE, OAKLAND, CALIFORNIA.

WHEREAS, Certain amendments to Senate Bill No. 884 have been proposed by the Public Utility District Committee; and

WHEREAS, We believe their amendment essential for safeguarding the people's rights; and

WHEREAS, We believe a public utility district should be formed by the East Bay Committees as soon as the said bill shall have been properly amended; now therefore, be it

Resolved, That the executive committee of the Taxpayers' League, Inc., respectfully requests the Legislature of the State of California to pass said amendment.

Above resolution passed at the regular meeting of Taxpayers' League, Thursday evening, March 29, 1917.

CHAS. S. KONIGSBERG, Assistant Secretary.

Also:

To the Honorable The Legislature of the State of California:

WHEREAS, Representatives of organized labor and of this council have visited Sutter County and investigated the merits of the eastern location of the Sutter by-pass, and from such investigations are satisfied that the location of said by-pass upon what is known as the eastern location is an injustice and a menace to a large and prosperous farming community, which is not only endangered by such change but will also be taxed in large sums for the construction and maintenance of levees; and

WHEREAS, A bill has been introduced in the Assembly by Assemblyman Tarke, known as Assembly Bill No. 877, to correct this injustice; therefore be it

Resolved, By the San Francisco Labor Council that we hereby endorse said Tarke bill and request those friendly to labor to show their good will toward the farmers of a prosperous district by casting their votes in favor of said bill;

Resolved, That a copy of this resolution be transmitted for presentation to the Assembly and Senate and a copy forwarded to each member of the San Francisco delegation of both houses.

I hereby certify that the foregoing resolution was adopted at a regular meeting of the San Francisco Labor Council held in the city of San Francisco on the 6th day of April, 1917.

A. W. BROUILLET, President.

JOHN A. O'CONNELL, Secretary.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 438—An act to prohibit employers from demanding or receiving any money or other consideration from an employee as a condition of employment;

Also: Senate Bill No. 185—An act to amend section 4279 of the Political Code, relating to salaries of county officers in counties of the fiftieth class;

Also: Senate Bill No. 878—An act to amend the Civil Code by adding thereto a new section to be numbered 3320, and providing for the damages recoverable from banks on the nonpayment of checks;

And respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 185 and 878 ordered to unfinished business.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 438—An act to prohibit employers from demanding or receiving any money or other consideration from an employee as a condition of employment.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FOUR HUNDRED THIRTY-EIGHT.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of line 8 of the title after the word "repeal" and all of line 9 and insert in lieu thereof the following: "An act entitled 'An act to forbid managers, superintendents, foremen and other persons having authority from their respective employers to hire, employ, or direct the services of other persons in such employments, to demand or receive any fee, gift or other remuneration in consideration of any such hiring, employment or permission to continue to perform work or services in such employment; and to provide for the enforcement of this act by the commissioner of the bureau of labor statistics,' approved April 12, 1915".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 438?

The roll was called, and Assembly amendment to Senate Bill No. 438 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Gates, Ingram, Johnson, Kelso, Lyon, Maddux, Nealon, Rush, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—23.

NOES—None.

Senate Bill No. 438 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 487—An act to amend sections 2, 3, 4, 8, 11, 13 and 15 of an act entitled "An act defining mattresses; regulating the making, remaking and sale thereof; prohibiting the use of insanitary and unhealthy materials therein, requiring that materials used shall be accurately described and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled; and making the violation of any of the provisions of this act a misdemeanor, and repealing legislation inconsistent with this act," approved June 7, 1915.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 487 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1090—An act appropriating money to pay the claim of J. H. Farraher;

Also—Assembly Bill No. 1091—An act appropriating money to pay the claim of N. E. Conklin;

Also—Assembly Bill No. 1092—An act appropriating money to pay the claim of D. F. Conway;

Also—Assembly Bill No. 857—An act making an appropriation for the payment of the claim of the Amador Central Railroad Company for excess taxes paid to the State of California for the calendar years 1912, 1913 and 1914;

Also—Assembly Bill No. 1015—An act to appropriate money to pay the claim of Union Tank Line Company upon a judgment rendered against the State of California;

Also—Assembly Bill No. 1093—An act appropriating money to pay the claim of Mrs. George Webb for the death of her husband;

Also—Assembly Bill No. 1312—An act appropriating money for a nurses' home and industrial building at the Southern California State Hospital;

Also—Assembly Bill No. 1438—An act appropriating money for completion, reclamation and irrigation of lands of the Napa State Hospital.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1090 read first time, and referred to Committee on Finance.

Assembly Bill No. 1091 read first time, and referred to Committee on Finance.

Assembly Bill No. 1092 read first time, and referred to Committee on Finance.

Assembly Bill No. 857 read first time, and referred to Committee on Finance.

Assembly Bill No. 1015 read first time, and referred to Committee on Finance.

Assembly Bill No. 1093 read first time, and referred to Committee on Finance.

Assembly Bill No. 1312 read first time, and referred to Committee on Finance.

Assembly Bill No. 1438 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 342—An act appropriating money for the purchase of 483 acres of land to be used as a farm by the Stockton State Hospital.

Also: Assembly Bill No. 343—An act appropriating money for the construction of a cottage for disturbed patients at the Stockton State Hospital.

Also: Assembly Bill No. 414—An act appropriating money for the construction of administration building at the Norwalk State Hospital;

Also: Assembly Bill No. 415—An act appropriating money for the construction of three patients' cottages at the Norwalk State Hospital;

Also: Assembly Bill No. 1270—An act to appropriate money for repairs and additions to mechanical equipment at the Stockton State Hospital.

Also: Assembly Bill No. 1271—An act to appropriate money for alterations and additions to kitchen and bakery and equipment therefor at Stockton State Hospital.

Also: Assembly Bill No. 453—An act appropriating money for the construction of trades building at the Whittier State School.

Also: Assembly Bill No. 454—An act appropriating money for equipment and general repairs and alterations to buildings, structures and equipment at the Whittier State School.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 342 read first time, and referred to Committee on Finance.

Assembly Bill No. 343 read first time, and referred to Committee on Finance.

Assembly Bill No. 414 read first time, and referred to Committee on Finance.

Assembly Bill No. 415 read first time, and referred to Committee on Finance.

Assembly Bill No. 1270 read first time, and referred to Committee on Finance.

Assembly Bill No. 1271 read first time, and referred to Committee on Finance.

Assembly Bill No. 453 read first time, and referred to Committee on Finance.

Assembly Bill No. 454 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 394—An act making an appropriation to supplement and to be added to the cash revolving fund provided by an act entitled "An act appropriating money to provide a cash revolving fund for the use of the State Engineer and defining its use and the liability therefor," approved May 8, 1913, and by an act entitled "An act appropriating money to supplement and be added to the cash revolving fund provided for the use of the State Engineer by Chapter 108 of the Statutes of 1913, approved May 8, 1913, approved May 18, 1915;

Also: Assembly Bill No. 1235—An act to make an appropriation for improvements of the Marshall monument grounds in El Dorado County;

Also: Assembly Bill No. 1407—An act making an appropriation to meet the expense of compiling, printing and distributing constitutional amendments;

Also: Assembly Bill No. 1433—An act making an appropriation for the preservation and protection of the Pio Pico Mansion property;

Also: Assembly Bill No. 1434—An act to amend sections 853, 996 and 4313 of the Political Code, relating to absence of officers from the State and vacancies in public office;

Also: Assembly Bill No. 1283—An act to provide for the prevention of forest fires in the San Antonio Canyon in the San Gabriel Mountains, California, and to make an appropriation therefor;

Also: Assembly Bill No. 651—An act making an appropriation for the painting of the State Capitol Building.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 394 read first time, and referred to Committee on Finance.

Assembly Bill No. 1235 read first time, and referred to Committee on Finance.

Assembly Bill No. 1407 read first time, and referred to Committee on Finance.

Assembly Bill No. 1433 read first time, and referred to Committee on Finance.

Assembly Bill No. 1434 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1283 read first time, and referred to Committee on Finance.

Assembly Bill No. 651 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 513—An act appropriating money for the equipment of trades building and gymnasium at the California School for Girls;

Also: Assembly Bill No. 515—An act appropriating money for the construction of trades building and gymnasium at the California School for Girls;

Also: Assembly Bill No. 517—An act appropriating money for service connections to new buildings at the California School for Girls;

Also: Assembly Bill No. 520—An act appropriating money for the construction of three cottages at the California School for Girls.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 513 read first time, and referred to Committee on Finance.

Assembly Bill No. 515 read first time, and referred to Committee on Finance.

Assembly Bill No. 517 read first time, and referred to Committee on Finance.

Assembly Bill No. 520 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1341—An act to amend sections 1, 3 and 9 of an act entitled "An act to regulate the conduct of election campaigns, and repealing an act entitled

'An act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,' approved February 23, 1893," approved March 19, 1907, as amended by an act approved June 6, 1913;

Also: Assembly Bill No. 1243—An act to amend sections 1071, 1116, 1121, 1195b, 1203, 1204, 1257, 1259, 1261, 1262, 1263, 1264 and 1280, of the Political Code, relating to elections, registration of electors, election ticket and ballots, canvassing and returning the vote, and canvassing the returns of elections;

Also: Assembly Bill No. 1370—An act providing for the control and management of a tract of land owned by the State of California and situated in the county of Napa, in said state;

Also: Assembly Bill No. 108—An act appropriating three thousand five hundred dollars for restoring, repairing and preserving the old theater in the city of Monterey, California.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1341 read first time, and referred to Committee on Elections.

Assembly Bill No. 1243 read first time, and referred to Committee on Elections.

Assembly Bill No. 1370 read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bill No. 108 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 5th adopted Assembly Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to section 14 of Article I of the Constitution, relating to the taking of private property for public use.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Constitutional Amendment No. 31 referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 11, 1917.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 289—An act to amend section 8 of an act entitled "An act to regulate and license the taking and catching of game fishes, and to define game fish and to provide revenue therefrom, for fish preservation and restoration," approved June 16, 1913;

Also: Assembly Bill No. 551—An act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 of an act entitled "An act to authorize and regulate the possession, use, transportation and sale of trout or other fish by persons engaged in the business of propagating and rearing such fish, and by persons who transport such fish, and by persons who purchase fish so reared," approved March 17, 1911;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

SLATER, Chairman.

Assembly Bills Nos. 289 and 551 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 374—An act to amend section 628f of the Penal Code of the State of California, relating to the protection of fish and game;

Also: Assembly Bill No. 362—An act to amend section 626 of the Penal Code, relating to the protection of game;

Also: Assembly Bill No. 690—An act to amend section 634 of the Penal Code, relating to the protection of fish;
Has had the same under consideration, and respectfully reports the same back, with amendments, and recommends that they do pass, as amended.

SLATER, Chairman.

Senate Bill No. 374 and Assembly Bills Nos. 362 and 690 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 11—An act to amend section 626 of the Penal Code, relating to the protection of fish and game;

Also: Assembly Bill No. 64—An act to amend section 626*d* of the Penal Code, relating to the protection of fish and game;
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

SLATER, Chairman.

Assembly Bills Nos. 11 and 64 ordered on file for second reading.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 514—An act to amend section 1720 of the Political Code, and to add a new section to the Political Code, to be numbered 1750*b*, relating to the organization and maintenance of junior college courses of study.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Duncan moved to refer Senate Bill No. 514 to Senator Nealon as a Special Committee of One, to amend as follows:

On page 2, line 2, of the printed bill, strike out the word "five" and insert the word "three".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 11, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 514, with instructions to amend, respectfully reports the same back, amended as per instructions.

NEALON, Special Committee.

Report read, and, on motion of Senator Duncan, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 515—An act to amend section 1721 of the Political Code and to add a new section to the Political Code, to be numbered section 1739*b*, and to repeal section 1725 thereof, relating to the organization of high school districts and county junior college districts.

On motion of Senator Ballard, Senate Bill No. 515 was passed on file.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 11, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 24—An act to regulate the examination of applicants for license, and the practice of those licensed to practice any drugless branch of the healing art in the treatment of diseases, injuries, deformities, or other physical or mental conditions of human beings without the use of drugs, or the practice of surgery except the severing of the umbilical cord; to establish a board of drugless examiners for the State of California; to provide for their appointment and prescribe their powers and duties, and to provide penalties to enforce the provisions of this act; to provide that such board may suspend or revoke the licenses or certificates to practice of any person licensed under the provisions of this act; to provide that the powers and duties of such board shall be exclusive; to provide for the creating of the board of drugless examiners' contingent fund, and to repeal all acts and parts of acts inconsistent with, or in conflict with, this act;

Also: Senate Bill No. 1085—An act to amend the Penal Code by adding thereto a new section, to be numbered 506*a*, relating to and defining who is guilty of embezzlement;

Also: Senate Bill No. 142—An act to amend the Code of Civil Procedure by adding thereto four new sections, to be numbered 204*a*, 204*b*, 204*c*, 204*d*, and 204*e*, relating to jury commissioners, their duties, appointment and compensation;

Also: Senate Bill No. 457—An act to regulate the construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings, and the maintenance, use and occupancy of the premises and land on which dwellings are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof;

Also: Senate Bill No. 800—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved April 16, 1909, Statutes of California of 1909, page 948," and approved June 13, 1913, Statutes of California, page 737, approved May 29, 1915;

Also: Senate Bill No. 433—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved June 16, 1913, Statutes of California of 1913, page 1429;

Also: Senate Bill No. 257—An act to amend an act entitled "An act to allow incorporated towns and villages to establish, equip and maintain systems of street lights on public highways, to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and the creation of ex officio boards of supervisors," approved March 20, 1909, and the acts amendatory thereof, by adding two new sections thereto, to be numbered sections 18*a* and 18*b*, relating to the annexation of additional territory to highway lighting districts and to the annexing to incorporated cities or cities and counties of territory embraced in highway lighting districts;

Also: Senate Bill No. 345—An act to amend sections 61, 61*a* and 67 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, designated the "bank act," relating to the definition and regulation of the business of banking;

And reports that the same have been correctly engrossed.

STUCKENBRUCK, Acting Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 320—An act to amend section 1858 of the Political Code, relating to the apportionment of the elementary school funds and the counting of attendance in the elementary and secondary schools of the State;

Also: Senate Bill No. 587—An act to add a new section to the Political Code to be numbered 2983, relating to the office of attorney for the State Board of Health, and repealing all acts inconsistent therewith;

And reports that the same have been correctly re-engrossed.

STUCKENBRUCK, Acting Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Constitutional Amendment No. 16—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XI thereof, to be designated as section 20, of said Article XI, of the Constitution of the State of California, relating to the taking of property for public use and additional adjoining or neighboring property, and for the payment therefor;

Also: Senate Joint Resolution No. 12—Relative to memorialization of Congress to support the President during the present crisis;

Also: Senate Bill No. 18—An act to repeal an act entitled "An act to prohibit the use of nets, seines, traps, or weirs in the Napa River and its tributaries in the counties of Sonoma, Napa and Solano," approved March 4, 1911;

Also: Senate Bill No. 67—An act to further divide the State into fish and game districts, by establishing a district specially suited for propagation of game, and to provide for the management and protection thereof;

Also: Senate Bill No. 1142—An act to amend section 4149 of the Political Code, relating to county live stock inspector;

Also: Senate Bill No. 730—An act to amend section 3480 of the Political Code, relating to swamp and overflowed, salt marsh and tidelands;

Also: Senate Bill No. 731—An act to amend sections 3446, 3447, 3449, 3452, 3453, 3454, 3455, 3456, 3457, 3459, 3460, 3462, 3463, 3465, 3466 and 3491 and to repeal sections 3467 and 3468, of the Political Code, relating to swamp and overflowed, salt marsh and tidelands;

Also: Senate Bill No. 334—An act providing for reciprocal and interexchanges of indemnities, prescribing regulations therefor and fixing a license fee, and repealing an act entitled "An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor and fixing a license fee," approved December 24, 1911;

Also: Senate Bill No. 812—An act providing for state insurance on public buildings and contents thereof and creating a state insurance fund;

Also: Senate Bill No. 156—An act to amend the Political Code by adding thereto a new section to be numbered 1618*a*, relating to the powers and duties of boards of school trustees and city boards of education; also to repeal an act entitled "An act to provide for health and development supervision in the public schools of the State of California," approved April 15, 1909;

Also: Senate Bill No. 541—An act to amend section 1858 of the Political Code relating to the apportionment of the elementary school funds and the counting of attendance in the elementary and secondary schools of the State;

Also: Senate Bill No. 359—An act to amend section 172 of the Civil Code and to add to said Civil Code a new section to be known as section 172*a*, relating to the management, control and disposition of community property;

Also: Senate Bill No. 1021—An act to amend section 4 of an act entitled "An act to create a commission for the purpose of making a survey of local historical material in the State of California; defining the power and duties of said commission; and making an appropriation therefor," approved June 12, 1915, extending the purpose, power and duties of said commission;

Also: Senate Bill No. 1155—An act making an appropriation for the purchase of an automobile for the use of the Governor of the State of California;

Also: Senate Bill No. 834—An act to add a new section to the Penal Code to be numbered 504*a*, relating to the removal and disposal of leased property;

Also: Senate Bill No. 131—An act to amend section 1203 of the Penal Code, relating to the probation of persons arrested for crime after a plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation, and the disposition of such accusation after full compliance with the terms of probation;

And reports that the same have been correctly engrossed.

STUCKENBRUCK, Acting Chairman.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 587—An act to add a new section to the Political

Code to be numbered 2983, relating to the office of attorney for the State Board of Health, and repealing all acts inconsistent therewith.

On motion of Senator Kehoe, Senate Bill No. 587 was passed on file.

Senate Bill No. 755—An act to amend sections 2239, 2283, 2287 and 2289 of the Civil Code, relating to trusts.

On motion of Senator Inman, Senate Bill No. 755 was passed on file.

Senate Bill No. 816—An act to amend section 3 of an act entitled "An act relating to explosives and prescribing regulations for the transportation, storage and selling of explosives, and providing penalties for the violation of this act," in effect March 21, 1911, and known as Chapter 213, Statutes of 1911, and to repeal section 11 of said act.

On motion of Senator Luce, Senate Bill No. 816 was passed on file.

Senate Constitutional Amendment No. 30—A resolution to propose to the people of the State of California to amend section 21 of Article XX of the Constitution, relative to workmen's compensation.

Resolution read.

On motion of Senator Luce, Senate Constitutional Amendment No. 30 was passed on file.

Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the Constitution by adding a new section 15 to Article XIII, relating to revenue and taxation.

On motion of Senator Benson, Senate Constitutional Amendment No. 31 was passed on file.

Senate Bill No. 627—An act amending an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities therein; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements and for the acquisition and construction of such improvements," approved April 20, 1915, by amending the title of said act and by amending section 1 of said act.

In the absence of the author, Senate Bill No. 627 was ordered passed, to retain its place on the file.

MINUTE CLERK JOSEPH A. BEEK AT THE DESK.

Senate Bill No. 320—An act to amend section 1858 of the Political Code, relating to the apportionment of the elementary school funds and the counting of attendance in the elementary and secondary schools of the State.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 320 passed by the following vote:

AYES—Senators Ballard, Breed, Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Johnson, Jones, Kehoe, Luce, Maddux, Nealon, Rush, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 94—An act to amend section 4232 of the Political Code, relating to the compensation of officers in counties of the third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 94 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Johnson, Jones, Kehoe, Luce, Maddux, Nealon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

Senate Constitutional Amendment No. 16—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to Article XI thereof, to be designated as section 20, of said Article XI, of the Constitution of the State of California, relating to the taking of property for public use and additional adjoining or neighboring property, and for the payment therefor.

SENATE CONSTITUTIONAL AMENDMENT No. 16.

A resolution proposing to the people of the State of California, an amendment to the Constitution of the State of California, by adding a new section to Article XI thereof, to be designated as section 20, of said Article XI, of the Constitution of the State of California, relating to the taking of property for public use and additional adjoining or neighboring property, and for the payment therefor.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its regular session, commencing on the eighth day of January, one thousand nine hundred seventeen, two-thirds of all the members elected to each of the houses of said Legislature voting in favor thereof, hereby proposes to the qualified electors of the State of California, that a new section be added to Article XI of the Constitution of the State of California, to be known and designated as section 20 of Article XI of the Constitution of the State of California, and to read as follows:

Sec. 20. The State, any county, city and county, or municipality may acquire, by eminent domain, the title in fee simple to property, in excess of that actually needed for use in an improvement. Property so acquired, in excess of that actually needed for such improvement, shall be deemed to be acquired for a public use. The procedure for such acquisition and the use and sale, lease or other disposition of property so acquired shall be prescribed by general law.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Constitutional Amendment No. 16 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, W. J., Chamberlin, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Maddux, Nealon, Purkitt, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Resolution ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 11, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 13—An act to add a new section to the Political Code to be numbered 2939, prohibiting the employment of minors under eighteen years of age from driving or operating vehicles engaged in carrying passengers, freight, or express matter, milk or foodstuffs, ice or fuel, building materials, or supplies of any kind or character whatever, on the public streets or highways of the State of California, and providing penalties therefor;

Also: Senate Bill No. 437—An act to amend section 1 of an act entitled "An act prohibiting the issuance as payment for wages of any evidence of indebtedness unless the same is negotiable and payable without discount, and providing that the same must be payable upon demand," approved March 4, 1911, and as amended by an act approved June 5, 1915;

Also: Senate Bill No. 620—An act to amend section 1 of an act entitled "An act to provide for the registration of factories, workshops, mills and other manufacturing establishments," approved June 2, 1913;

Also: Senate Bill No. 462—An act regulating the manner of preparation or manufacture of egg products which are used in the preparation of foods intended for human consumption, and providing penalties for violations of the provisions thereof;

Also: Senate Bill No. 88—An act to amend section 4307 of the Political Code, relating to county charges;

Also: Senate Bill No. 370—An act to authorize the incurring of indebtedness by counties for the construction of roads and highways and for all necessary public improvements or for any purpose whatsoever;

Also: Senate Bill No. 455—An act to amend section 4244 of the Political Code, relating to salaries and fees of officers in counties of the fifteenth class;

Also: Senate Bill No. 640—An act to amend section 9 of an act entitled "An act relating to hotels, defining the same, providing regulations in connection therewith, providing for the sanitation of the rooms of such hotels, providing for the sanitary method and manner of keeping, handling and using bed clothes or bed covering in such hotels, repealing all acts or parts of acts in conflict with this act, providing for its enforcement by the State Board of Health, and providing a penalty for the violation of any of its provisions," approved April 26, 1915;

And reports that the same have been correctly engrossed.

STUCKENBRUCK, Acting Chairman.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—[RESUMED.]

Senate Joint Resolution No. 12—Relative to memorialization of Congress to support the President during the present crisis.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 12 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Johnson, Kehoe, King, Luce, Maddux, Nealon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—None.

Title read and approved.

Resolution ordered transmitted to the Assembly.

SENATOR BENSON IN THE CHAIR.

At eleven o'clock and fifty minutes a.m., Senator Benson of the Twenty-seventh District was called to the chair.

Senate Bill No. 24—An act to regulate the examination of applicants for license, and the practice of those licensed to treat diseases, injuries, deformities, or other physical or mental conditions of human beings without the use of drugs, or what are known as medical preparations, and without in any manner severing or penetrating any of the tissues of human beings except the severing of the umbilical cord. To establish a board of examiners of drugless physicians for the State of California; to provide for their appointment and prescribe their powers and duties, and to provide penalties to enforce the provisions of this act; to provide that such board may suspend or revoke the right to practice of drugless practitioners, or drugless physicians; to revoke the licenses or certificates of such practitioners or physicians; to provide that the powers and duties of such board shall be exclusive; to provide for the transfer of a portion of the Board of Medical Examiners' contingent fund to the Board of Drugless Examiners' contingent fund, and to repeal all acts and parts of acts inconsistent with, or in conflict with, this act.

Bill read third time.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., the hour of recess was extended until twelve o'clock and fifty minutes p.m.

CALL OF THE SENATE.

The roll was called on the passage of Senate Bill No. 24.

Pending the announcement of the vote, Senator Scott moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, Luce, Maddux, Nealon, Rigdon, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—31.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At twelve o'clock and forty-five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Scott.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Senate Bill No. 24 refused passage by the following vote:

AYES—Senators Ballard, Brown, Burnett, Duncan, Flaherty, Ingram, Inman, Irwin, Kehoe, Nealon, Shearer, Slater, and Stuckenbruck—13.

NOES—Senators Benson, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Evans, Gates, Hans, Johnson, Jones, Luce, Maddux, Rigdon, Scott, Sharkey, Thompson, and Tyrrell—18.

NOTICE OF MOTION TO RECONSIDER.

Senator Scott gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 24 was refused passage.

REPORTS OF STANDING COMMITTEE—(OUT OF ORDER).

The following reports of standing committee were received and read:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 11, 1917.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 585—An act to amend section 765 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended;

Also: Assembly Bill No. 697—An act to amend section 863 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended.

TYRRELL, Chairman.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 89—An act to amend sections 3, 4, 5, 6, 7 and 12 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued," approved June 14, 1915;

Also: Assembly Bill No. 69—An act to amend sections 1 and 2 of an act entitled "An act relating to senior rights of members of paid police departments of counties, cities and counties, cities or towns," approved February 23, 1907;

Also: Assembly Bill No. 63—An act to amend section 852 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883;

Also: Assembly Bill No. 560—An act to amend sections 2, 60, 63, 66, 68, 70, 72 and 73 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911;

Also: Assembly Bill No. 1435—An act to amend the title and sections 1, 2, 3, 5 and 46 of an act entitled "An act to provide for the establishment and change of grade of public streets, lanes, alleys, courts, places and rights of way in municipalities, and providing for the improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessments for the costs, damages and expenses of such improvement, and for the payment and effect of such bonds," approved June 16, 1913;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

TYRRELL, Chairman.

Assembly Bills Nos. 89, 69, 63, 560 and 1435 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 1160—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, and all amendments thereto, by amending sections 64, 102, 320, 329, 527 and 623 thereof, and authorizing the legislative body of municipal corporations of the first, second, third and fourth class to borrow money in anticipation of the collection of taxes, and to execute and deliver negotiable promissory notes or other evidences of indebtedness for such money, and limiting the amount of money which may be so borrowed, and prescribing the purposes to which the same may be applied—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

TYRRELL, Chairman.

Senate Bill No. 1160 ordered on file for second reading.

RECESS.

At twelve o'clock and fifty minutes p.m., on motion of Senator Jones, the acting President declared the Senate at recess until the hour of two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Minute Clerk Joseph A. Beek at the desk.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 574—An act to amend section 1743 of the Political Code and to repeal section 1743*a* thereof, relating to high school principals and reports.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, strike out the entire line, also lines 6 and 7, and insert in lieu thereof the following: "of the elementary school of the school district in which the high school is located, or as supervising principal of one or more elementary school districts included in the high school district, if so desired by the trustees of said school district or districts and the high school board; *provided*, that no high school principal shall supervise the elementary schools of any district except the district in which the high school building is located without the approval of the county superintendent of schools".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 788—An act to amend section 1055 of the Political Code, relating to publication of election proclamation.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1246—An act to amend section 1096 of the Political Code and to add to the Political Code a new section, to be known as section 1096*a*, all relating to affidavits of registration and to the registering or to the change in registration of political affiliation.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1245—An act to forbid solicitation of contributions or payments from candidates for office for specified purposes; to forbid the payment or promise of payment by candidates for such purposes; to forbid receipt of money from candidates for specified purposes; and fixing a penalty for a violation of the terms of this act.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 34 of the printed bill, strike out the words "upon conviction be ineligible to", and insert in lieu thereof the words "also forfeit".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, following line 6, add a new section to be known as section 8, and to read as follows:

Sec. 8. Whenever any elector of this state shall present his unqualified affidavit, that is to say, his affidavit not made upon information or belief, to the attorney general of the state, stating that any candidate is guilty of a misdemeanor in violation of the provisions of this act, and specifying the particulars which constitute such guilt, it shall be the duty of the attorney general forthwith to commence an action in the superior court of the proper county in the name of the people of the State of California, upon the relation of the person making such affidavit against such candidate as defendant, for the purpose of having the office to which such candidate may have been so elected declared forfeited, and said court shall have jurisdiction of said action, and upon proof of the facts stated in the complaint it shall be the duty of the court to render judgment forfeiting the said office and declaring that the defendant is ousted from said office by the terms of said judgment, and immediately upon the entry of said judgment the said office shall become vacant and a successor to the said defendant shall be appointed, or the said vacancy be filled in the manner required by law for filling a vacancy in said office.

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 719—An act to add a new section to the Political Code, to be numbered 4256*a*, relating to the fees and mileage of jurors in counties of the twenty-seventh class.

Bill read second time, and on file for third reading.

SENATOR STUCKENBRUCK IN THE CHAIR.

At two o'clock and ten minutes p.m., Senator Stuckenbruck of the Tenth District was called to the chair.

Assembly Bill No. 512—An act to amend sections 19*i* and 19*k* of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill as amended March 19, 1917, at the end of line 2 of the title, add a comma and the following: "nineteen *m*".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill as amended March 19, 1917, line 3 of the title, strike out the letter "r" and insert in lieu thereof the letter "o".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill as amended March 19, 1917, in line 1 of the title on said page, strike out the word "two" and insert in lieu thereof the word "three".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill as amended March 19, 1917, strike out all of line 2 of the title on said page and insert in lieu thereof the following: "teen *ll*, nineteen *mm* and nineteen *nn*.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 21, of the printed bill as amended March 19, 1917, strike out the word "fifth".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 25, of the printed bill as amended March 19, 1917, after the word "one" insert the following: "probation officer at one hundred seventy-five dollars per month, one".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 26, of the printed bill as amended March 19, 1917, strike out the words "twenty-five" and insert in lieu thereof the word "fifty".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 4, of the printed bill as amended March 19, 1917, after the word "except" insert the following: "his necessary expenses and".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, line 28, of the printed bill as amended March 19, 1917, strike out the word "forty" and insert in lieu thereof the word "sixty".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 4 of the printed bill as amended March 19, 1917, after line 23, insert the following:

SEC. 6. Section nineteen *m* of said act, approved June 5, 1915, is hereby amended to read as follows:

19*m*. In each of the counties of the thirty-ninth, fortieth and forty-second classes, there shall be one probation officer whose salary shall be fifty dollars per month.

SEC. 7. A new section is hereby added to said act, approved June 5, 1915, to be numbered nineteen *mm* and to read as follows:

19*mm*. In each of the counties of the twenty-first class there shall be one probation officer, whose salary shall be sixty-five dollars per month.

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 4 of the printed bill as amended March 19, 1917, in line 24, strike out the figure "6" and insert in lieu thereof the figure "8".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 4 of the printed bill as amended March 19, 1917, strike out lines 29 to 34, inclusive, and insert in lieu thereof the following:

SEC. 9. Section nineteen *o* of said act, approved June 5, 1915, is hereby amended to read as follows:

SEC. 19*o*. In counties of the twenty-fifth class there shall be one probation officer whose salary shall be one hundred fifty dollars per month, and one assistant probation officer whose salary shall be seventy-five dollars per month.

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 733—An act to amend section 273*b* of the Penal Code, relating to the abandonment and neglect of children and the nonsupport of wife.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 15, after the word "available", insert a comma.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 15, strike out the comma after the word "wife".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 553—An act to grant to the city of Newport Beach the tidelands and submerged lands of the State within the boundaries of said city.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, after line 30, add a new section to be known as section two and to read as follows:

SEC. 2. The foregoing conveyance is made upon the condition that the city of Newport Beach shall, within five years from the approval of this act, exclusive of such time as said city may be restrained from so doing by injunction issued out of any court of this state or of the United States, and exclusive of such further delay as may be caused by unavoidable misfortune or great public or municipal calamity, issue its bonds for harbor improvement purposes in an amount of not less than one hundred thousand dollars, and shall, within five years after the approval of this act, exclusive of the time in this section hereinbefore mentioned, commence the work of such harbor improvement, and the said work and improvement shall be prosecuted with such diligence, that not less than one hundred thousand dollars shall be expended thereon within five years from the approval of this act. If said bonds be not issued or said work be not prosecuted and completed as and in the manner herein provided, then the lands by this act conveyed to the city of Newport Beach shall revert to the State of California.

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 55—An act to add a new section to the Code of Civil Procedure to be numbered 1663, relating to partial distribution of estates of deceased persons.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 545—An act to amend section 473 of the Code of Civil Procedure, relating to the time within which pleadings may be filed or amended, before or after judgment.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 271—An act to amend section 1776 of the Code of Civil Procedure, relating to the expenses and compensation of guardians.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 272—An act to add a new section to the Code of Civil Procedure to be numbered 1776*a*, fixing the compensation of attorneys for guardians.

Bill read second time, and ordered on file for third reading.

SECOND READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 932—An act to amend section 4 of an act approved June 12, 1916, entitled "An act to provide for the establishment and maintenance of a bureau of tuberculosis under the direction of the State Board of Health; defining its powers and duties; providing for the granting of state aid to cities, counties, cities and counties and groups of counties for the support and care of persons afflicted with tuberculosis; making an appropriation therefor, and repealing certain acts of the Legislature of the State of California," so as to provide for carrying out the purposes thereof.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all the title and insert in lieu thereof the following:

An act making an appropriation to carry out the purposes of an act entitled "An act to provide for the establishment and maintenance of a bureau of tuberculosis under the direction of the state board of health; defining its powers and duties; providing for the granting of state aid to cities, counties, cities and counties and groups of counties for the support and care of persons afflicted with tuberculosis; making an appropriation therefor, and repealing certain acts of the legislature of the State of California," approved June 12, 1915.

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all of the printed bill after the enacting clause, and insert in lieu thereof the following:

SECTION 1. The sum of one hundred twenty-five thousand dollars is hereby appropriated out of any money in the state treasury not otherwise appropriated, to be expended by the state board of health in carrying out the provisions of an act entitled "An act to provide for the establishment and maintenance of a bureau of tuberculosis under the direction of the state board of health; defining its powers and duties; providing for the granting of state aid to cities, counties, cities and counties and groups of counties for the support and care of persons afflicted with tuberculosis; making an appropriation therefor, and repealing certain acts of the legislature of the State of California," approved June 12, 1915; *provided, however*, that not more than the sum of thirty thousand dollars shall be available for the purposes of said act other than the state aid therein provided. All claims against this appropriation shall

be submitted for approval and audit to the state board of control, and shall be paid in accordance with law.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1164—An act making an appropriation for a portrait of former Governor Hiram W. Johnson, and directing the State Board of Control to carry out the provisions hereof.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 181—An act to provide for the furnishing by public utility corporations, to employees thereof leaving their service, of service letters.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, strike out the words "service was" and insert in lieu thereof the following: "such service was and kind of service".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 576—An act to amend section 11 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and in that behalf, to create a state civil service commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 11, after the semicolon, strike out all down to and including the period in line 17, and insert in lieu thereof the following: "*provided, however*, that whenever a person shall have occupied a position in the state service for over one year, whether on account of being exempted from the operation of this act by resolution of the commission, because of professional or technical skill or other requirement, or because no eligible lists were available from which to fill such position, the commission may upon the written petition of the appointing power setting forth in detail the reasons therefor, give a qualifying examination to such person to determine his ability to fill such position satisfactorily, which examination may in the judgment of the commission be restricted to such person alone. It is further provided that such qualifying examination may not be given except where the appointing power specially requests the same for the good of the service, and except there be no eligible list from which to fill such position, and except such person may not have failed to pass an examination to provide an eligible list from which such position may be filled."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 949—An act to amend section 594 of the Political Code, relating to the classification of insurance business and the capital stock of insurance companies.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 6, line 1, beginning with the semicolon after the word "policy" strike out all down to and including the word "dollars" on line 4.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 6, line 20, after the word "company" insert: "or as a joint stock life insurance company".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 397—An act to add a new section to the Penal Code of the State of California, relating to unfair competition and substitution, to be known as and numbered 351*a* of said code.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 6, after the word "who" strike out the words "wilfully and".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 7, after the word "otherwise" insert the words "wilfully and falsely".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 9, strike out the word "other".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 9, after the comma following the word "producer" insert the following: "other than the true dealer, manufacturer or producer,".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 14, after the word "to" insert the word "falsely".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 1, strike out the word "other".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 2, after the comma following the word "producer" insert the words "other than the true dealer, manufacturer or producer,".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 988—An act repealing section 1483 of the Political Code, relating to licenses to practice law.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 793—An act declaring it unlawful to discriminate against certificates of titles issued by county registrars and making such discrimination a misdemeanor.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out lines 2, 3 and 4 of the title and insert in lieu thereof the following: "To amend section one hundred eighty-two of the Penal Code relating to punishment for conspiracy".

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all of line 1 of the printed bill after "Section 1." and all of lines 2 to 6, inclusive, and insert in lieu thereof the following: "Section one hundred eighty-two of the Penal Code is hereby amended to read as follows:

182. If two or more persons conspire:

One—To commit any crime;

Two—Falsely and maliciously to indict another for any crime, or to procure another to be charged or arrested for any crime;

Three—Falsely to move or maintain any suit, action, or proceeding;

Four—To cheat and defraud any person of any property, by any means which are in themselves criminal, or to obtain money or property by false pretenses; or,

Five—To commit any act injurious to the public health, to public morals, or for the perversion or obstruction of justice, or due administration of the laws;

Six—To hinder, intimidate or obstruct by threats, false representations or by any unfair means, or to prevent or attempt to prevent by any such means any person from exercising the rights or privileges extended by the 'land title law', an act approved by the electors of California and in effect December 19, 1914:

They are punishable by imprisonment in the county jail not exceeding one year, or by fine not exceeding one thousand dollars, or both."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1079—An act to recognize and declare valid all proceedings in Happy Valley Irrigation District.

On motion of Senator Shearer, Assembly Bill No. 1079 was passed on file.

Assembly Bill No. 980—An act relating to and regulating the carrying, possession, sale or other disposition of firearms capable of being concealed upon the person; prohibiting the sale to or carrying of concealed weapons by persons under the age of eighteen years; prohibiting the possession, carrying, manufacturing and sale of certain other dangerous weapons and the giving, transferring and disposition thereof

to other persons within this State; providing for the registering of the sales of firearms; prohibiting the carrying or possession of concealed weapons in municipal corporations; providing for the destruction of certain dangerous weapons as nuisances and making it a felony to use or attempt to use certain dangerous weapons against another.

On motion of Senator Crowley, Assembly Bill No. 980 was passed on file.

Assembly Bill No. 309—An act to amend section 465 of the Civil Code of the State of California, relating to powers of railroad corporations.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 309 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Sharkey, Shearer, Stuckenbruck, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 529—An act to add a new section to the Penal Code, to be numbered 626*f*, relating to the protection of game.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Chamberlin moved to refer Assembly Bill No. 529 to Senator Inman, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 4, strike out the words "on a public highway".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of line 6 and insert in lieu thereof the following: "public road or highway, is guilty of a misdemeanor; *provided*, that in fish and game district four every person who discharges any firearm on any public road or highway is guilty of a misdemeanor."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 11, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 529, with instructions to amend, respectfully reports the same back, amended as per instructions.

INMAN, Special Committee.

Report read, and, on motion of Senator Chamberlin, adopted.

Bill ordered to print.

Assembly Bill No. 1006—An act to prevent fraud upon the traveling public by adding a new section to the Penal Code of the State of California, to be known and numbered as section 483, making it a misdemeanor to sell, transfer or deliver to another for the use of any person other than the person entitled by the terms thereof to the use of same, any ticket scrip, mileage or commutation book, coupon, etc.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1006 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Rigdon, Rominger, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—25.
NOES—Senator Ballard—1.

Title read and approved.
Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At two o'clock and thirty-five minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Assembly Bill No. 1388—An act to amend section 1593 of the Political Code, relating to the election of school trustees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1388 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Chamberlin, Chandler, Crowley, Duncan, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, McDonald, Nealon, Rigdon, Rominger, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—28.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

Assembly Bill No. 958—An act to amend sections 1, 5, 6 and 7 of Chapter 653, approved June 8, 1915, the same being "An act defining public weighmaster; describing his duties; providing for rules and regulations governing the performance of his duties; prescribing a bond and fixing the amount thereof; and providing penalties for any violations of the provisions of this act."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 958 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Chandler, Duncan, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Purkitt, Rominger, Rush, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—26.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

SENATOR STUCKENBRUCK IN THE CHAIR.

At two o'clock and forty-five minutes p.m., Senator Stuckenbruck of the Tenth District was called to the chair.

Assembly Bill No. 1162—An act to amend section 4268 of the Political Code, relating to counties of the thirty-ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1162 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Chandler, Crowley, Duncan, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Purkitt, Rominger, Rush, Shearer, Slater, Stuckenbruck, and Tyrrell—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1393—An act to amend section 4283 of the Political Code, relating to compensation of officers in counties of the fifty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1393 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Chandler, Crowley, Duncan, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Sharkey, Slater, Stuckenbruck, and Tyrrell—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 367—An act to amend section 631*d* of the Penal Code of the State of California, relating to the domestication of wild game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 367 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Chandler, Crowley, Duncan, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Sharkey, Slater, Stuckenbruck, and Tyrrell—28.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 706—An act to amend sections 7 and 8 and to add four new sections to be known as section 8½, section 8*e*, sections 8*f* and 8*g*, of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 706 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, Luce, McDonald, Nealon, Rush, Scott, Sharkey, Slater, and Tyrrell—24.
NOES—Senators Purkitt, and Stuckenbruck—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 765—An act to define commercial feeding stuffs and to establish a standard therefor, providing for the branding and

labeling of same, empowering the State Board of Health to enforce the provisions of the act and providing penalties for the violation of the same.

On motion of Senator Benson, Assembly Bill No. 765 was passed on file.

Assembly Bill No. 395—An act extending the Mono Lake Basin State Road easterly to a junction with the county road from Mono Lake post office to Mono Mills.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 395 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Chandler, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Sharkey, Slater, Stuckenbruck, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1217—An act to amend section 542*a* of the Code of Civil Procedure, relating to attachment liens.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1217 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 695—An act to amend sections 15 and 20 of an act entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, as amended.

On motion of Senator Crowley, Assembly Bill No. 695 was passed on file.

Assembly Bill No. 262—An act to amend section 1 and to repeal section 2 of an act entitled "An act granting to the city of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Berkeley, and regulating the management, use and control thereof," approved June 11, 1913, also approved May 27, 1915.

On motion of Senator Tyrrell, Assembly Bill No. 262 was passed on file.

Assembly Bill No. 206—An act to amend section 1 and to repeal section 2 of an act entitled "An act granting to the city of Alameda the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Alameda, and regulating the management, use and control thereof," approved June 11, 1913.

Bill read third time.

[illegible]

[illegible]

[illegible]

Assembly Bill No. 1151—An act to amend section 626 of the Penal Code, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1151 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Chamberlin, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Lyon, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Sharkey, Stuckenbruck, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 327—An act to amend section 626d of the Penal Code, relating to the protection of fish and game.

On motion of Senator Benson, Assembly Bill No. 327 was passed on file.

Assembly Bill No. 673—An act to add a new section to the Penal Code of the State of California to be numbered 626e, relating to the protection of game.

On motion of Senator Benson, Assembly Bill No. 673 was passed on file.

Assembly Bill No. 156—An act to repeal an act entitled "An act to preserve and maintain the lakes, ponds, brooks, creeks, rivers, and streams of this State and to prevent the waters thereof from being carried by pipes, conduits, ditches, tunnels, or canals into other states for use therein," approved March 3, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 156 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Chamberlin, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, McDonald, Maddux, Nealon, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 158—An act to add a new section to the "Water Commission Act," approved June 16, 1913, to be numbered section 15a, relating to the right to use the waters of an interstate stream.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 158 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Inman, Johnson, Jones, Kehoe, King, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 926—An act prohibiting discrimination in favor of individuals between insurants of the same class and expectation of life

in the amount or payment of premiums, or rates charged for policies of insurance, or in the dividends or other benefits payable thereon; also prohibiting the giving or the acceptance of rebates on life insurance policies and providing penalty therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 926 passed by the following vote:

AYES—Senators Breed, Burnett, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, McDonald, Maddux, Nealon, Purkitt, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 925—An act providing for the license of life insurance agents, limiting the payment of commissions or other compensation for services in procuring new insurance to licensed agents only and providing penalty for the violation of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 925 passed by the following vote:

AYES—Senators Breed, Burnett, Canepa, Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Jones, Kehoe, King, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, and Stuckenbruck—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 266—An act to amend sections 1107, 1214, and 1217 of the Civil Code, relating to the effect of transfers of real property and of the recording and nonrecording thereof.

On motion of Senator Maddux, Assembly Bill No. 266 was passed on file.

Assembly Bill No. 575—An act to add a new section to the Political Code, to be numbered 1733*a*, relating to the exclusion of elementary school districts from union and joint union high school districts, for the purpose of organizing a new union or joint union high school district, and providing for the organization of such new union or joint union high school district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 575 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Canepa, Chamberlin, Crowley, Duncan, Evans, Gates, Ingram, Inman, Johnson, Jones, Kehoe, King, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Slater, and Stuckenbruck—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1154—An act to provide for the adoption of textbooks for use in the public high schools of the State, and for furnishing textbooks for the use of pupils of such schools.

On motion of Senator Gates, Assembly Bill No. 1154 was passed on file.

Assembly Bill No. 118—An act to amend sections 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36 of the Water Commission Act, approved June 16, 1913, and to add thereto six new sections, to be numbered 36*a*, 36*b*, 36*c*, 36*d*, 36*e* and 36*f*, relating to the ascertainment and adjudication of water rights.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 118 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Canepa, Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, McDonald, Nealon, Rigdon, Rominger, Scott, Sharkey, Slater, Stuckenbruck, and Tyrrell—26.

NOES—Senators Purkitt, and Shearer—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 231—An act to amend section 19*c* of the Juvenile Court Law, approved June 5, 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 231 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Canepa, Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, McDonald, Maddux, Nealon, Rigdon, Rominger, Scott, Sharkey, Slater, Stuckenbruck, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 42—An act to amend section 2972 of the Civil Code, relating to the continuance of a lien of mortgage on a crop.

Bill read third time.

CALL OF THE SENATE.

The roll was called on the passage of Assembly Bill No. 42.

Pending the announcement of the vote, Senator Duncan moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Ballard, Breed, Brown, Burnett, Canepa, Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—35.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At four o'clock p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Duncan.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Duncan moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Ballard, Breed, Brown, Burnett, Canepa, Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—36.

The Secretary announced the absentees.

Time, four o'clock and five minutes p.m.

The Acting President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to bar of the Senate.

At four o'clock and ten minutes p.m., Senators Chandler and Benson were brought to the bar of the Senate, and, on motion of Senator Duncan, were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At four o'clock and fifteen minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Duncan.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Assembly Bill No. 42 refused passage by the following vote:

AYES—Senators Ballard, Breed, Brown, Crowley, Evans, Flaherty, Hans, Ingram, Inman, Irwin, King, Luce, Lyon, Nealon, Rominger, Rush, Scott, Stuckenbruck, and Tyrrell—19.

NOES—Senators Benson, Burnett, Canepa, Carr, W. J., Duncan, Gates, Johnson, Jones, Maddux, Purkitt, Sharkey, Shearer, Slater, and Thompson—14.

NOTICE OF MOTION TO RECONSIDER.

Senator Duncan gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 42 was refused passage.

SECRETARY CLIFTON E. BROOKS AT THE DESK.

Assembly Constitutional Amendment No. 21—Proposed amendment to Article XII of the Constitution, relative to poll taxes.

Resolution read.

COMMITTEE AMENDMENT.

During reading of the resolution, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 9, after the second comma, insert "except in cities and counties having a consolidated city and county government, the collection shall be made by the tax collector,".

Amendment adopted.

Resolution ordered to print.

Assembly Bill No. 253—An act to amend section 4251 of the Political Code, relating to salaries and fees of officers of counties of the twenty-second class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Sharkey moved to refer Assembly Bill No. 253 to Senator Luce, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 7, strike out the words "three thousand" and insert in lieu thereof the words "two thousand five hundred".

AMENDMENT NUMBER TWO.

On page 2, line 21, after the word "month" insert the word "each".

AMENDMENT NUMBER THREE.

On page 3, line 5, strike out the words "three thousand two hundred fifty" and insert in lieu thereof the words "two thousand five hundred".

AMENDMENT NUMBER FOUR.

On page 3, line 6, commencing with the word "which" strike out down to and including the word "rendered" in lines 6 and 7.

AMENDMENT NUMBER FIVE.

On page 4, line 21, after the word "salary" insert the following: "not to exceed the sum of one hundred fifty dollars per month".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 10, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 253, with instructions to amend, respectfully reports the same back, amended as per instructions.

LUCE, Special Committee.

Report read, and on motion of Senator Sharkey, adopted.

Bill ordered to print.

Assembly Bill No. 281—An act to add a new section to the Political Code to be numbered 633*b*, concerning insurance and surety companies, agents and brokers, requiring that policies or contracts of insurance, or surety bonds shall show the correct premium consideration and the risks insured thereunder; prohibiting the giving of rebates on insurance or surety bonds and providing penalty therefor and for the suspension of certificate of authority of any insurance or surety company and the revoking or suspension of the license of any agent or broker violating the same, and prescribing the powers and duties of the Insurance Commissioner in relation thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 281 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Canepa, Chamberlin, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon,

McDonald, Nealon, Rigdon, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—Senators Ballard and Brown.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 283—An act to add a new section to the Political Code to be numbered 633*a*, concerning the licensing of insurance brokers, and providing for the issuance and revoking of licenses by the Insurance Commissioner, and providing penalties for a violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 283 passed by the following vote:

AYES—Senators Benson, Brown, Burnett, Canepa, Chamberlin, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rush, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—Senator Ballard—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 284—An act to amend section 633 of the Political Code, relating to the licensing of insurance agents.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Burnett moved to refer Assembly Bill No. 284 to Senator Scott, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out all of lines 15, 16 and 17.

On page 2, line 18, strike out the word "sixth" and insert in lieu thereof the word "fifth".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 11, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 284, with instructions to amend, respectfully reports the same back, amended as per instructions.

SCOTT, Special Committee.

Report read, and, on motion of Senator Burnett, adopted.

Bill ordered to print.

Assembly Bill No. 502—An act to amend section 4041 of the Political Code, relating to the general powers of board of supervisors.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator King moved to refer Assembly Bill No. 502 to Senator Johnson, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 11 of the printed bill, after line 31, add a new subsection thereto, to be numbered 38*a*, as follows:

38*a*. Whenever it is determined by a four-fifths vote of the board of supervisors of any county that the interests of the county will be promoted thereby the board may, upon the written request of the advisory board of the state department of engineering, determine to aid in the maintenance of any state road within the county limits. The cost of such maintenance upon the part of the county may be charged to the general county road fund, the general road fund or the district fund of the district or districts benefited. The state is hereby authorized to receive and use any and all moneys so contributed by a county under the provisions of this act and the moneys so received shall be paid into the state fund designated by the board of supervisors in the resolution providing for such aid.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 11, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 502, with instructions to amend, respectfully reports the same back, amended as per instructions.

JOHNSON, Special Committee.

Report read, and, on motion of Senator King, adopted.

Bill ordered to print.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senate Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending section 16½ of Article XI thereof, relating to the deposit of moneys belonging to the State or to any county or municipality within the State in any bank or banks.

Resolution read.

COMMITTEE AMENDMENT.

During reading of the resolution, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 19, strike out the period and add the following: "*and provided, further*, that the state or any county, city and county, city, town or municipality, issuing bonds under the laws of this state, may deposit moneys in any bank or banks outside this state for the payment of the principal or interest of such bonds at the place or places at which the same are payable."

Amendment adopted.

Resolution ordered to print.

Senate Bill No. 1085—An act to amend the Penal Code of the State of California by adding thereto a new section to be numbered 506*a*, relating to and defining who is guilty of embezzlement.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1085 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Chamberlin, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, King, Luce, Lyon, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 516—An act to amend section 1521 of the Political Code, relating to the compensation and expenses of members of the State Board of Education and Assistant Superintendents of Public Instruction.

Senate Bill No. 516 re-referred to Committee on Finance.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 11, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 872—An act defining the meaning of the term "appointive officer," and to prohibit any appointive officer of the State of California, or of any of its departments or commissions, from participating in political conventions, discussions or campaigns for or against any political party, or measure, or candidate, making public political speeches to influence the action of any voter or voters for or against any party, person, or measure, or using any official stationery, for such purpose, and providing penalties for the violation thereof;

Also: Senate Bill No. 936—An act to revise and amend an act entitled "An act to define the duties of and to license land surveyors, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 31, 1891," approved March 16, 1907; so as to constitute the Surveyor General, the State Engineer and the Dean of the College of Civil Engineering, University of California, ex officio, a State Board of Land Surveyors to examine persons applying to become licensed land surveyors; to prescribe the powers and duties of such board; to provide for the issuance, suspension, or revocation of licenses; to provide penalties for violations hereof; and to provide for paying the actual necessary expenses of such board;

And reports that the same have been correctly re-engrossed.

CANEPA, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 303—An act appropriating money for medical teaching in the University of California;

Also: Senate Bill No. 1106—An act appropriating money to pay the claim of _____ covering the funeral expenses of John M. Eshleman;

Also: Senate Bill No. 1177—An act to authorize the Board of State Harbor Commissioners to acquire by purchase, condemnation, gift, grant or cession, certain property in the city and county of San Francisco, including Mission Rock, and extending the jurisdiction of said board over the same, and providing for the payment for the same;

Also: Senate Bill No. 126—An act to amend sections 12, 18, 19, and 20 of an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913;

Also: Senate Bill No. 1035—An act to make lawful certain agreements between employees and laborers, to define the cases in which injunctions may and may not issue, to prescribe the procedure in trials for contempt and to secure the right of jury trial in all such cases;

Also: Senate Bill No. 176—An act adding a new section to the Political Code to be numbered 3245*a*, relating to hours of labor of females employed in state hospitals;

Also: Senate Bill No. 534—An act providing for the resettlement of franchise rights of and the granting of a resettlement franchise to any person, firm or corporation actually engaged in operating a street, suburban or interurban railroad in cities or cities and counties having at the effective date of this act a freeholders' charter adopted under the provisions of section 8 of Article XI of the Constitution of the State of California, which charter provides for the resettlement of franchise rights of and the granting of resettlement franchises to any person, firm or corporation engaged in operating a public utility in such a municipality, and providing conditions for the granting of such franchises by legislative or other governing bodies of such city or city and county;

And reports that the same have been correctly engrossed.

CANEPA, Chairman.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 142—An act to amend an act entitled "The Code of Civil Procedure of California," by adding thereto four new sections, to be numbered 204*a*, 204*b*, 204*c* and 204*d*, relating to jury commissioners, their duties, appointment and compensation.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Carr, W. J., moved to refer Senate Bill No. 142 to Senator Ballard, as a Special Committee of One, to amend as follows:

On page 1, line 2, of the title of the printed bill, strike out the word "four" and insert in lieu thereof the word "five".

Also, on page 1, line 1, of the printed bill, strike out the word "four" and insert in lieu thereof the word "five".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 11, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 142, with instructions to amend, respectfully reports the same back, amended as per instructions.

BALLARD, Special Committee.

Report read, and, on motion of Senator Carr, W. J., adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 457—An act to regulate the construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings, and the maintenance, use and occupancy of the premises and land on which dwellings are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Benson moved to refer Senate Bill No. 457 to Senator Jones, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE

On page 1 strike out all of lines 1 to 8, inclusive; also on said page 1, line 9, strike out the following: "Scope." and insert in lieu thereof the following: "Section 1."

AMENDMENT NUMBER TWO.

On page 2, line 1, strike out the following: "Enforcement."

AMENDMENT NUMBER THREE.

On page 3, line 18, strike out the following: "Unlawful to violate."; also on said page 3, line 36, strike out the following: "Unlawful to alter or change contrary to law."

AMENDMENT NUMBER FOUR.

On page 4, line 8, strike out the following: "Buildings converted, moved or altered."; also on said page 4, line 17, strike out the following: "General penalty.", and also on said page 4, line 29, strike out the following: "Entry Inspection."

AMENDMENT NUMBER FIVE.

On page 5, line 24, strike out the following: "Definitions."

AMENDMENT NUMBER SIX.

On page 8, line 21, strike out the following: "Construction."; also on said page 8, line 26, strike out the following: "Cellar living prohibited.", and also on said page 4, line 29, strike out the following: "Basement living rooms."

AMENDMENT NUMBER SEVEN.

On page 9, line 5, strike out the following: "Lowest floor ventilation.", and on said page 9, line 17, strike out the following: "Rooms, size of.", and also on said page 9, line 30, strike out the following: "Windows required."

AMENDMENT NUMBER EIGHT.

On page 10, line 18, strike out the following: "Windows, sizes of, in rooms.", and on said page 10, line 24, strike out the following: "Windows, sizes of, in water-closets, bathrooms.", and on said page 10, line 28, strike out the following: "Water-closets required.", and also on said page 10, line 31, strike out the following: "Water and sewer connections."

AMENDMENT NUMBER NINE.

On page 11, lines 10 and 11, strike out the following: "When water-closets, baths, showers, other plumbing fixtures, need not be installed.", and also on said page 11, line 36, strike out the following: "Plumbing connections."

AMENDMENT NUMBER TEN.

On page 12, line 12, strike out the following: "Cooking, sleeping, living."

AMENDMENT NUMBER ELEVEN.

On page 13, line 1, strike out the following: "Wall paper.", also on said page 13, line 7, strike out the following: "Repairs and drainage.", also on said page 13, line 17, strike out the following: "Mosquito screening.", also on said page 13, line 22, strike out the following: "Garbage and ash receptacles.", and also on said page 13, line 29, strike out the following: "Cleanliness."

AMENDMENT NUMBER TWELVE.

On page 14, line 12, strike out the following: "Prohibitive uses.", and also on said page 14, line 18, strike out the following: "Restraining order."

AMENDMENT NUMBER THIRTEEN.

On page 15, line 12, strike out the following: "Fine is a lien.", and also on said page 15, line 25, strike out the following: "Notice of pendency."

AMENDMENT NUMBER FOURTEEN.

On page 16, line 9, strike out the following: "Time of service.", also on said page 16, line 13, strike out the following: "Method of service.", and also on said page 16, line 20, strike out the following: "Minimum requirements for protection declared."

AMENDMENT NUMBER FIFTEEN.

On page 17, lines 18 and 19, strike out the following: "Validity of each separate section, sentence, clause, etc.", and also on page 17, line 27, strike out the following: "Effective."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 11, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 457, with instructions to amend, respectfully reports the same back, amended as per instructions.

JONES, Special Committee.

Report read, and, on motion of Senator Benson, adopted.
Bill ordered to print, and re-engrossment.

Senate Bill No. 800—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled 'An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," and approved June 13, 1913, Statutes of California, page 737, approved May 29, 1915.

In the absence of the author, Senate Bill No. 800 was ordered passed, to retain its place on the file.

Senate Bill No. 433—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved June 16, 1913, Statutes of California of 1913, page 1429.

In the absence of the author, Senate Bill No. 433 was ordered passed, to retain its place on the file.

Senate Bill No. 257—An act to amend an act entitled "An act to allow incorporated towns and villages to establish, equip and maintain systems of street lights on public highways, to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and the creation of ex officio boards of supervisors," approved March 20, 1909, and the acts amendatory thereof, by adding a new section thereto to be numbered section 18½, relating to the annexation of additional territory to highway lighting districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 257 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Luce, Lyon, McDonald, Maddux, Nealon, Scott, Slater, Stuckenbruck, and Thompson—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RUSH ORDER TO PRINTER.

On motion of Senator Gates, the Secretary was directed to issue a rush order for printing Senate Bill No. 457.

Senate Bill No. 345—An act to amend sections 61 and 67 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," relating to the definition and regulation of the business of banking.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 345 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Chamberlin, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, Luce, Lyon, Maddux, Nealon, Rigdon, Rush, Scott, Sharkey, Slater, and Stuckenbruck—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 811—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications.

On motion of Senator Ballard, Senate Bill No. 811 was passed on file.

Senate Bill No. 18—An act to amend section 1 of an act entitled "An act to prohibit the use of nets, seines, traps, or weirs in the Napa River and its tributaries in the counties of Sonoma, Napa and Solano," approved March 4, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 18 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rush, Scott, Sharkey, and Stuckenbruck—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 67—An act to further divide the State into fish and game districts by establishing a district specially suited for propagation of game, and to provide for the management and protection thereof.

Bill read third time.

On motion of Senator Sharkey, Senate Bill No. 67 was passed on file.

Senate Bill No. 1142—An act to amend section 4149 of the Political Code, relating to county live stock inspector.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1142 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, W. J., Chamberlin, Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, King, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Slater, Stuckenbruck, and Thompson—28.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 730—An act to amend section 3480 of the Political Code, relating to swamp and overflowed, salt-marsh and tide lands.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 730 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, King, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 731—An act to amend sections 3446, 3447, 3449, 3452, 3453, 3454, 3455, 3456, 3457, 3459, 3460, 3462, 3463, 3465, 3466 and 3491, and to repeal sections 3467 and 3468 of the Political Code, and relating to swamp and overflowed, salt-marsh and tide lands.

On motion of Senator Rush, Senate Bill No. 731 was passed on file.

Senate Bill No. 334—An act providing for reciprocal and inter-exchanges of indemnities, prescribing regulations therefor and fixing a license fee, and repealing an act entitled "An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor and fixing a license fee," approved December 24, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 334 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Canepa, Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, McDonald, Maddux, Nealon, Rigdon, Rominger, Scott, Slater, Stuckenbruck, Thompson, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 812—An act providing for state insurance on public buildings, creating a state insurance fund.

On motion of Senator Carr, W. J., Senate Bill No. 812 was passed on file.

Senate Bill No. 156—An act to amend the Political Code of the State of California by adding thereto a new section, to be numbered 1618*a*, relating to the powers and duties of boards of school trustees and city boards of education; also to repeal an act entitled "An act to provide for health and development supervision in the public schools of the State of California," approved April 15, 1909.

In the absence of the author, Senate Bill No. 156 was ordered passed, to retain its place on the file.

Senate Bill No. 541—An act to amend section 1858 of the Political Code, relating to the number of teachers each school is entitled to and to the apportionment of school funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 541 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Crowley, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, King, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1134—An act to amend section 131 of the Civil Code, relating to judgment in an action for divorce, and repealing section 132 of said Civil Code.

On motion of Senator Scott, Senate Bill No. 1134 was passed on file.

Senate Bill No. 359—An act to amend section 172 of the Civil Code of the State of California, relating to the management and control of community property.

In the absence of the author, Senate Bill No. 359 was ordered passed, to retain its place on the file.

Senate Bill No. 596—An act to add a new section to the Code of Civil Procedure, to be numbered 1490, relating to notice to creditors of decedents.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 596 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Chamberlin, Chandler, Crowley, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, King, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1021—An act to amend an act entitled "An act to create a commission for the purpose of making a survey of local historical material in the State of California; defining the power and duties of said commission; and making an appropriation therefor," approved June 12, 1915, by amending sections 4 and 7 thereof, extending the purpose, power and duties of said commission and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1021 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Chamberlin, Chandler, Crowley, Duncan, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, King, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Sharkey, Slater, Stuckenbruck, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1155—An act making an appropriation for the purchase of an automobile for the use of the Governor of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1155 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Chamberlin, Chandler, Crowley, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, King, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—Senators Duncan, Irwin, and Purkitt—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 936—An act to amend an act entitled "An act to define the duties of and to license land surveyors, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 31, 1891," approved March 16, 1907; by amending sections 1, 2, 3, 11, and 14 thereof, so as to constitute the Surveyor General, the State Engineer and the Highway Engineer, ex officio, a State Board of Land Surveyors to examine persons applying to become licensed land surveyors; to prescribe the powers and duties of such board; to provide for the issuance, suspension, or revocation of licenses; to provide penalties for violations hereof; and to provide for paying the actual necessary expenses of such board.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 936 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, King, Lyon, McDonald, Maddux, Rigdon, Rominger, Rush, Sharkey, Stuckenbruck, Thompson, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 834—An act to add a new section to the Penal Code to be numbered 504*a*, relating to embezzlement, removal and disposal of leased property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 834 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Chamberlin, Chandler, Crowley, Flaherty, Gates, Ingram, Inman, Johnson, Jones, King, Lyon, Nealon, Rigdon, Slater, Stuckenbruck, and Tyrrell—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 131—An act to amend section 1203 of the Penal Code, relating to the probation of persons arrested for crime after a plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation, and the disposition of such accusation after full compliance with the terms of probation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 131 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Chamberlin, Chandler, Crowley, Evans, Flaherty, Hans, Ingram, Inman, Johnson, Jones, King, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Sharkey, Slater, Stuckenbruck, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—("OUT OF ORDER").

The following reports of standing committees were received and read:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 11, 1917.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 26—Approving a certain amendment to the charter of the city of San Luis Obispo in the county of San Luis Obispo, State of California, voted for and ratified by the qualified electors of said city of San Luis Obispo at a special municipal election held therein on the second day of April, 1917—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

TYRRELL, Chairman.

Senate Concurrent Resolution No. 26 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1336—An act to authorize certain improvements upon the grounds of the California School for the Deaf and the Blind at Berkeley, California—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

TYRRELL, Chairman.

Assembly Bill No. 1336 ordered on file for second reading.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, April 11, 1917.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 406—An act creating a State Board of Forestry and providing for the qualifications and duties of the members of said board and the payment of their expenses, providing for the appointment of a proper person therefor; etc.—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

KING, Chairman.

Senate Bill No. 406 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 211—An act to establish standards of purity and viability of agricultural seeds sold for sowing or seeding in the State of California; to provide for uniform labels and certificates, to provide for a charge per acre for the inspection of seed to be certified, and to create the office of state seed inspector, providing his duties and making an appropriation to carry out the provisions of the act—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to Committee on Finance.

KING, Chairman.

Senate Bill No. 211 re-referred to Committee on Finance.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 11, 1917.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 774—An act appropriating money to reimburse Reclamation District No. 1001 for the expense of repair and reconstruction of

Nelson's Bend on the Feather River in Sutter County has had the same under consideration, and respectfully reports the same back without recommendation, and asks that it be re-referred to Committee on Finance.

JONES, Chairman.

Senate Bill No. 774 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 489—An act to amend sections 1, 2, 3, 4 and 27 of an act entitled "An act to provide for the formation, organization and government of storm water districts, for the purpose of protecting the land therein from damage from storm water and from the waters from any innavigable stream, watercourse, canyon or wash, for the construction of the necessary works of protection by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909, as amended—has had the same under consideration, and respectfully reports the same back, with amendments, and recommends that it do pass, as amended.

JONES, Chairman.

Assembly Bill No. 489 ordered on file for second reading.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Rigdon:

SENATE CHAMBER, SACRAMENTO, April 11, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2, Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend section 1 of an act entitled "An act making an appropriation for the use of the creamery department of the California Polytechnic School and making provision for the return of said appropriation to the State Treasury," approved March 14, 1911, by providing for a cash revolving fund for the use of the California Polytechnic School.

Request referred to Committee on Rules.

ADJOURNMENT.

At five o'clock and twenty minutes p.m., on motion of Senator Benson, the Acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Thursday, April 12, 1917.

The Senate met at ten o'clock a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—39.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, April 11, 1917, its further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Slater, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Judge Thos. C. Denny and Frank A. Brush of Santa Rosa.

On request of Senator Duncan, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Dr. and Mrs. N. T. Enloe of Chico.

On request of Senator Slater, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Hon. and Mrs. W. F. Cowan of Santa Rosa, City Attorney Gil P. Hall, Attorney E. J. Dole and Attorney Crooks of Petaluma.

COMMUNICATION.

The following communication was received and ordered printed in the Journal:

REPORT OF ADVISORY ROAD COMMITTEE.

To the Honorable State Senate and State Assembly, Forty-second Session, 1917:

Chapter 777, Statutes 1913—Assembly Concurrent Resolution No. 31, Senate Resolution, Report of Standing Committee, Contingent Expenses.

Senate Journal, May 6, 1915.

REPORT OF STANDING COMMITTEE—(RESUMED).

ON CONTINGENT EXPENSES.

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Committee on Contingent Expenses, to which was referred the following resolution:

WHEREAS, At the session of the Legislature of 1913, there was provided an Advisory Committee to confer with the State Engineer and the State Board of Control regarding location, construction and maintenance of state roads other than state highways constructed under and by virtue of the "State Highway Act" of California, which committee was appointed and has reported its investigations and findings to this session of the Legislature; and,

WHEREAS, Because of lack of funds, said committee was unable to cover all of the sections which should be considered in the determination of a complete road policy for the State; and,

WHEREAS, Three members of the committee of four so appointed are members of this body, and because of the study and knowledge gained, under the original resolution, should logically complete the investigation; therefore,

Resolved, That said three members of the Senate constitute an Advisory Committee to confer with the State Engineer and the State Board of Control to complete the investigation regarding the location, construction and maintenance under and by virtue of the "State Highway Act" of California and report back with recommendations to the forty-second session of the Legislature;

Resolved, That the sum of twelve hundred dollars is hereby made available for the purpose of defraying the expenses of such committee, to be paid from the Contingent Fund of the Senate, and the State Controller is hereby authorized and directed to draw his warrant in favor of the chairman of said committee for such expenditures as the same may be certified to him from time to time by the chairman of said committee, and the State Treasurer is hereby authorized and directed to pay the same;

Has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

BEBAN, Chairman.

Resolution read.

The question being on the adoption of the resolution.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Breed, Brown, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

Agreeable to the provisions of the above quoted resolution, the examination referred to was continued, and we respectfully submit the following:

On September 11, 1916, Senators P. F. Cogswell of El Monte, California, W. F. Chandler of Fresno, California, and B. F. Rush of Suisun, California, P. J. Tehaney, secretary of and representing the State Board of Control, and W. F. McClure, State Engineer, left Sacramento at 2 p.m. in a Winton Six automobile owned and driven by Mr. C. C. Kratzer, for Truckee by the way of Auburn and Emigrant Gap.

The old county road from Emigrant Gap, Placer County, to the west end of Donner Lake, in Nevada County, was taken over as a state road by legislative enactment, approved March 13, 1909 (Chapter 224, Statutes 1909), at which time an appropriation of $15,000 was made for survey and improvement. During the forty-first session (1915) of the Legislature, the old county road from Emigrant Gap westerly to Auburn and the old county road from the west end of Donner Lake by the way of Truckee to McKinneys on the west side of Lake Tahoe were made state roads by special enactment. (Chapters 203 and 678, Statutes 1915.) We found this road in fairly good condition, but noted many places which should be improved by added cutting and filling in order to obtain a more uniform grade and wider roadbed. We noted some very dangerous grade crossings over the Southern Pacific Railroad Company's tracks. We heartily approve of the elimination of these crossings by separation of grades as far as possible, in line with special report and recommendations of the Railroad Commission, contained in their reports Nos. 18 and 28.

Because of repeated effort to secure and finance a state road from Truckee to the California-Nevada state line, we spent the next day, September 12th, in examination of the territory. We visited Verdi, by the way of the steep Dog Valley grade, and are convinced that a better road should be furnished. From Truckee to Boca the present county road is good, but the Dog Valley grade from a point near the state line for a distance of two and one half miles northwesterly is steep and difficult. The suggestion of a road down the Truckee River from Boca to a point on the state line a short distance up river from Verdi as referred to by measures introduced during past sessions of the Legislature appeals to us as deserving serious consideration.

From Truckee we traveled northerly through the counties of Nevada, Sierra and Plumas, and into Lassen County to Bieber. The county roads traversed were, in the main, in good condition. By an act of the Legislature, approved April 22, 1911 (Chapter 498, Statutes 1911), a county road beginning on the northern boundary line between Lassen and Shasta counties in the northeast corner of township 37 north, range 6 east, Mount Diablo base and meridian, and running thence to the Lassen-Modoc County line in township 38 north, range 8 east, a distance of twenty-nine miles, was declared a state road. Five thousand dollars was appropriated for improving the road, and since that time some additional moneys from the Motor Vehicle Fund have been spent in maintenance.

The route followed by this road is mapped as a prospective portion of the highway lateral between the Sacramento Valley and Alturas, the county seat of Modoc County, to be constructed by funds provided by bonds voted for on November 7, 1916. We drove over this Lassen County state road, and found it in very good condition.

The State Engineer called our attention to an appropriation made by the 1915 session of the Legislature (Chapter 765, Statutes 1915), of $20,000 for a road in Surprise Valley across a shallow lake, stating that the amount had proven insufficient by about $3,000 to properly complete the work. This road is so remote from centers of population and the demand for improvement so insignificant in comparison with other demands for state aid that we did not consider it of sufficient importance to warrant a trip into eastern Modoc County. It was not made a state road.

We next proceeded by the way of Lookout, Malin, Merrill, Klamath Falls, Dorris, Klamath Hot Springs, Ager and Hornbrook to Yreka, the county seat of Siskiyou County. Effort having been made to secure state aid for a road down the Klamath River Valley, we continued our journey from Yreka to the Klamath River, thence down the valley of the Klamath River over and along a narrow, choppy county road to Happy Camp. This road should be improved and we are willing to recognize the merit of the proposal of securing state aid for continuing the road from Happy Camp southerly to the Humboldt County line, it being our understanding that if this were done, Humboldt County would cheerfully make connection and thus furnish a desirable road between the coast region territory of Humboldt Bay and north central California.

Scott Valley, Siskiyou County, desires better connection with the mining districts of Trinity County and the south. Scott Mountain, however, is a serious barrier. The present road is next to impassable and your committee believes the project of improving a road over this mountain one of merit.

Our course from the Siskiyou-Trinity County line was by the way of Trinity Center, Weaverville and Hayfork to Peanut, thence by the way of the Trinity-Humboldt state road to Mad River near the Trinity-Humboldt County line, thence to Bridgeville, Humboldt County. The road from the west end of the Trinity-Humboldt state road to Bridgeville is very poorly located, very steep and crooked and the proposal to change location and get state aid for construction down the valley of the Van Dusen River appears to us both practicable and reasonable.

From Bridgeville we traveled by the way of Fort Seward, Cummings, Laytonville and Willits, to Ukiah. From Ukiah we traveled through Lake County, by the way of Blue Lakes and Lakeport to the town of Lower Lake.

Chapter 283, Statutes 1915, provides for a state highway from Rumsey, in Yolo County, following generally the meanderings of Cache Creek to the town of Lower Lake in Lake County and appropriated $3,000 for the location and survey of said highway.

Agreeable to the provisions of said Chapter 283, survey was made during December, 1915, and January, 1916.

The result of this survey indicates that the topography of the country between Lower Lake and Rumsey is such that the valley of Cache Creek is the only route which affords a good grade. The elevation of Rumsey, above sea level, is 420 feet, and the elevation of Lower Lake is 1,500 feet above sea level. The grade of Cache Creek between the two towns is a nearly uniform down grade of one-half of one per cent. The distance between Rumsey and Lower Lake is thirty-five miles by the survey.

State Engineer McClure reports that the survey was but preliminary and that for the greater part of the distance the material is of such character that the maintenance of a road in the canyon would be very expensive. The mountain sides are very steep, and in general composed of very soft material. Mr. McClure doubts the wisdom of the construction of a road on the survey made, and recommends that if additional state aid be desired, further examination should be made with the hope of finding a location over territory affording more stable materials for a road bed.

We traveled from Lower Lake to Rumsey by way of a steep mountain road, located for most of the distance from three to five miles south of the valley of Cache Creek.

This is the last project examined by your committee, and we reached Sacramento on the night of September 21st.

Signed:

PRESCOTT F. COGSWELL,
B. F. RUSH,
P. J. TEHANEY,
State Board of Control.
W. F. CHANDLER,
W. F. McCLURE,
State Engineer.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 91—An act to prevent the providing for common use of receptacles for drinking purposes in public places, and prescribing penalties for violations thereof—and respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 91—An act to prevent the providing for common use of receptacles for drinking purposes in public places, and prescribing penalties for violations thereof.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER NINETY-ONE.

AMENDMENT NUMBER ONE.

On page 1, line 6, of printed bill, strike out the words "place of employment".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 91?

The roll was called, and Assembly amendment to Senate Bill No. 91 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—29.

NOES—None.

Senate Bill No. 91 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 73—An act to regulate the taking and harvesting of kelp and other aquatic plants of the State of California by recognizing and declaring their ownership in the State of California, and providing for the control thereof by the Fish and Game Commissioners, and providing for a license tax upon all persons, firms or corporations engaged in the industry of taking or harvesting kelp or other aquatic plants, and providing for the collection and disbursement of the revenues derived therefrom, and providing for a privilege tax upon all kelp taken in the waters of this State, and providing for the protection of the kelp beds, and for the manner of taking kelp and other aquatic plants, and providing for hearings by the Fish and Game Commissioners, and providing penalties for the violation of this act;

Also: Assembly Bill No. 229—An act making an appropriation to aid in the construction of a breakwater in Monterey Bay, California;

Also: Assembly Bill No. 1113—An act to revise and amend an act entitled "An act to define the duties of and to license land surveyors, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 31, 1891," approved March 16, 1907, so as to constitute the Surveyor General, the State Engineer and the dean of the college of civil engineering, University of California, ex officio, a state board of land surveyors to examine persons applying to become licensed land surveyors; to prescribe the powers and duties of such board; to provide for the issuance, suspension, or revocation of licenses; to provide penalties for violations hereof; and to provide for paying the actual necessary expenses of such board;

Also: Assembly Bill No. 1116—An act to provide for the reforestation, the cutting of fire lanes and fire trails on the Angeles National Forest and to make an appropriation therefor.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 73 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 229 read first time, and referred to Committee on Finance.

Assembly Bill No. 1113 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1116 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 145—An act to establish standards for the packing and marketing of apples, forbidding the sale of certain infected and diseased apples, providing for its enforcement, fixing penalties for its violation, and making an appropriation

to carry into effect the provisions thereof, and repealing an act entitled "An act to establish a standard for the packing and marketing of apples, fixing penalties for the violation of its provisions, and providing for its enforcement and making an appropriation to carry into effect the provisions hereof," approved June 10, 1915;

Also: Assembly Bill No. 516—An act appropriating money for the furnishing of three cottages at the California School for Girls;

Also: Assembly Bill No. 735—An act to amend section 343 of the Political Code, relative to the designation and number of civil executive officers.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 145 read first time, and referred to Comimttee on Agriculture.

Assembly Bill No. 516 read first time, and referred to Committee on Finance.

Assembly Bill No. 735 read first time, and referred to Committee on Judiciary.

UNFINISHED BUSINESS.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Asembly Amendments to Senate Bill No. 185—An act to amend section 4279 of the Political Code, relating to salaries of county officers in counties of the fiftieth class.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED EIGHTY-FIVE.

AMENDMENT NUMBER ONE.

SECTION 1. Subdivision fourteen thereof is hereby amended to read as follows:

14. Constables, the sum of three hundred dollars per annum, which shall be paid in the same manner and at the same time and out of the same funds as county officers are now paid. The above compensation shall be in lieu of all other fees received for services, and said fees shall be accounted for to the auditor and paid into the county treasury: *provided*, the provisions hereof and herein contained shall apply to the present incumbent:

AMENDMENT NUMBER TWO.

(a) So that subdivision three of said section shall read as follows:

3. Recorder. The recorder one thousand six hundred dollars per annum; *provided*, that when the amount of fees collected by said recorder in any month shall exceed the sum of one hundred dollars, the recorder may receive and retain for his own use, in addition to his salary, one-half of all fees in excess of one hundred dollars collected by him in such month.

AMENDMENT NUMBER THREE.

(b) So that subdivision five thereof shall read as follows:

5. Treasurer. The treasurer nine hundred dollars per annum.

AMENDMENT NUMBER FOUR.

(c) So that subdivision six thereof shall read as follows:

6. Tax collector. The tax collector six hundred dollars per annum, which shall be in full for all services as tax collector and license collector.

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 185?

The roll was called, and Assembly amendment to Senate Bill No. 185 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, W. J., Evans, Flaherty, Gates, Ingram, Irwin, Johnson, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Shearer, Slater, Stuckenbruck, and Thompson—24.

NOES—None.

Senate Bill No. 185 ordered to enrollment.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 587—An act to add a new section to the Political Code to be numbered 2983, relating to the office of attorney for the State Board of Health, and repealing all acts inconsistent therewith.

In the absence of the author, Senate Bill No. 587 was ordered passed, to retain its place on the file.

Senate Bill No. 755—An act to amend sections 2239, 2283, 2287 and 2289 of the Civil Code, relating to trusts.

On motion of Senator Inman, Senate Bill No. 755 was ordered to unfinished business.

Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the Constitution by adding a new section 15 to Article XIII, relating to revenue and taxation.

On motion of Senator Benson, Senate Constitutional Amendment No. 31 was passed on file.

Senate Bill No. 800—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled 'An act to regulated the building and occupancy of tenement houses in incorporated towns, incorporated cities and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," and approved June 13, 1913, Statutes of California, page 737, approved May 29, 1915.

In the absence of the author, Senate Bill No. 800 was ordered passed, to retain its place on the file.

Senate Bill No. 433—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved June 16, 1913, Statutes of California of 1913, page 1429.

In the absence of the author, Senate Bill No. 433 was ordered passed, to retain its place on the file.

Senate Bill No. 67—An act to further divide the State into fish and game districts by establishing a district specially suited for propagation of game, and to provide for the management and protection thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 67 passed by the following vote:

Ayes—Senators Breed, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Elkins, Fogarty, Gates, Ingram, Inman, Irwin, Johnson, Luce, Lyon, Maddux, Nutter, Pickett, Rigdon, Roninger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 731—An act to amend sections 3446, 3447, 3449, 3452, 3453, 3454, 3455, 3456, 3457, 3459, 3460, 3462, 3463, 3465, 3466 and 3491, and to repeal sections 3467 and 3468, of the Political Code, and relating to swamp and overflowed, salt marsh and tidelands.

On motion of Senator Rush, Senate Bill No. 731 was passed on file.

Senate Bill No. 812—An act providing for state insurance on public buildings, creating a state insurance fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 812 passed by the following vote:

Ayes—Senators Bulkley, Burnett, Breed, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Elkins, Fogarty, Gates, Ingram, Inman, Irwin, Johnson, Jones, King, Luce, Lyon, Maddux, Nutter, Pickett, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—29.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON RULES.

STATE CHAMBER, SACRAMENTO, April 11, 1917.

Mr. President: Your Committee on Rules, to which was referred the request of Senator Rigdon to introduce a bill entitled "An act to amend section 1 of an act entitled 'An act making an appropriation for the use of the creamery department of the California Polytechnic School and making provision for the return of such appropriation to the state treasury,' approved March 14, 1911, by providing for a tax collection fund for the use of the California Polytechnic School," has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

Ayes—Senators Bulkley, Burnett, Breed, Burney, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Elkins, Fogarty, Gates, Ingram, Inman, Irwin, Johnson, Jones, King, Luce, Lyon, Maddux, Nutter, Pickett, Rigdon, Roninger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Thompson—31.

Noes—None.

INTRODUCTION AND FIRST READING OF BILL

The following bill was introduced in accordance with the above report:

By Senator Rigdon: Senate Bill No. 1183—An act to amend section 1 of an act entitled "An act making an appropriation for the use of the creamery department of the California Polytechnic School and making provision for the return of said appropriation to the state treasury," approved March 14, 1911, by providing for a cash revolving fund for the use of the California Polytechnic School.

Bill read first time, and referred to Committee on Finance.

THIRD READING OF SENATE BILLS—RESUMED

Senate Bill No. 156—An act to amend the Political Code of the State of California by adding thereto a new section to be numbered 1618a, relating to the powers and duties of boards of school trustees and city boards of education; also to repeal an act entitled "An act to provide for health and development supervision in the public schools of the State of California," approved April 15, 1909.

On motion of Senator Carr, F. M., Senate Bill No. 156 was passed on file.

Senate Bill No. 359—An act to amend section 172 of the Civil Code of the State of California, relating to the management and control of community property.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE

During third reading of bill, Senator Duncan moved to refer Senate Bill No. 359 to Senator Purkitt as a Special Committee of One, to amend as follows:

On page 2, line 12, of the printed bill, after the word "be" insert the word "conclusively".

The question being upon the motion to refer to a Special Committee of One.

AYES AND NOES DEMANDED

A roll call was demanded by Senators Duncan, Purkitt and Inman. Thereupon the Secretary was directed to call the roll.

The roll was called, and the motion to refer to a Special Committee of One lost by the following vote:

AYES—Senators Ballard, Duncan, Irwin, McDonald, Maddux, and Purkitt—6.
NOES—Senators Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, King, Luce, Lyon, Nealon, Rigdon, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 359 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, King,

Luce, Nealon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—26.

NOES—Senators Ballard, Canepa, Chandler, Duncan, Irwin, McDonald, Maddux, and Purkitt—8.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 12, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 992—An act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under an act hereby repealed, to be known as the "Inheritance Tax Act"; and to repeal Chapter 595 of the laws of the session of the Legislature of California of 1913, approved June 16, 1913, known as the "Inheritance Tax Act," and all amendments thereto, and to repeal all acts and parts of acts in conflict with this act;

Also: Senate Bill No. 665—An act to repeal section 2806 of the Code of Civil Procedure, relating to admission of graduates of law school to practice law;

Also: Senate Bill No. 1090—An act to amend sections 1, 2, 3, 6, 7, 12, 15, and 16 of an act entitled "An act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of $5000 therefor," approved April 5, 1911, as amended;

Also: Senate Bill No. 1111—An act amending section 330 of the Penal Code, relative to games played with cards, dice, or any device for money in public places;

Also: Senate Bill No. 283—An act appropriating money for employees' cottages at the Folsom State Prison;

Also: Senate Bill No. 295—An act appropriating money for the purchase of machinery and equipment for the San Quentin State Prison;

Also: Senate Bill No. 1079—An act to provide for the forfeiture of certain lands to the State in the event of the nonpayment of delinquent interest upon any part of the unpaid portion of the purchase price thereof, together with penalties and costs as herein provided, as well as for the forfeiture of all moneys previously paid thereon, whether for principal or interest; prescribing the duties of certain public officers with respect thereto; providing for the giving of notice hereof; prescribing certain remedies; and making an appropriation for the purposes of this act;

Also: Senate Bill No. 464—An act to regulate the sale of eggs which have been in transit more than thirty-one days, and prescribing penalties for violations thereof;

Also: Senate Bill No. 1164—An act making an appropriation for a portrait of former Governor Hiram W. Johnson, and directing the State Board of Control to carry out the provisions hereof;

Also: Senate Bill No. 988—An act repealing section 1483 of the Political Code, relating to licenses to practice law;

Also: Senate Bill No. 159—An act to create a cattle protection board, to define its powers and duties, to protect the breeders and growers of cattle from theft, to provide for the registration of cattle brands and the licensing of cattle slaughterers and sellers of the meat thereof, to provide for the inspection of cattle and cattle hides for brands and marks, to provide for the collection of license and inspection fees, to provide for the creation of a fund to be known as the cattle protection fund, and to provide penalties for violation of the provisions hereof;

And reports that the same have been correctly engrossed.

CANEPA, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 971—An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds—and reports that the same has been correctly re-engrossed.

CANEPA, Chairman.

SENATOR CHANDLER IN THE CHAIR.

At eleven o'clock and forty minutes a.m., Senator Chandler of the Twenty-sixth District was called to the chair.

REPORTS OF STANDING COMMITTEE—(OUT OF ORDER).

The following reports of standing committee were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 12, 1917.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 47—An act appropriating money for the equipment and furnishing of buildings at Humboldt State Normal School;

Also: Senate Bill No. 48—An act appropriating money for the construction of buildings, sidewalks, sewers and grading of grounds on the property of the Humboldt State Normal School;

Also: Senate Bill No. 197—An act appropriating money for the painting of buildings at the Veterans' Home;

Also: Senate Bill No. 263—An act appropriating money to pay the claim of the Board of Regents of the University of California;

Also: Senate Bill No. 266—An act appropriating money to pay the claim of the Board of Regents of the University of California;

Also: Senate Bill No. 284—An act appropriating money for the erection and repairing barns, sheds and buildings at the State Agricultural Park.

Also: Senate Bill No. 285—An act appropriating money for the improvement of grounds and erection of stock barns at the State Agricultural Park.

Also: Senate Bill No. 286—An act appropriating money for the construction and equipment of addition to the training school building of the Chico State Normal School;

Also: Senate Bill No. 310—An act appropriating money for the construction and equipment of new laundry and bakery at the Mendocino State Hospital;

Also: Senate Bill No. 489—An act appropriating money to pay the claim of the County of San Bernardino for additional reimbursement, as determined by investigation of the State Tax Commission;

Also: Senate Bill No. 502—An act appropriating money to pay the claims of various contractors against the State of California in connection with the construction of the Fresno Normal School;

Also: Senate Bill No. 581—An act to appropriate money for paving in front of the San Diego State Normal School;

Also: Senate Bill No. 668—An act to appropriate money for the repair of the Naval Reserve Armory at San Diego, California.

Also: Senate Bill No. 856—An act making an appropriation for the support of the Department of Sanitary Engineering under the direction of the State Board of Health;

Also: Senate Bill No. 871—An act appropriating money for the support of the Advisory Pardon Board during the sixty-ninth and seventieth fiscal years.

Also: Senate Bill No. 908—An act appropriating money for the construction and equipment of a state printing office and the necessary removal thereto;

Also: Senate Bill No. 913—An act appropriating money for the creating of a revolving fund for Engineering Department in lieu of that created by Chapter 108 of Statutes of 1913 and Chapter 355 of Statutes of 1915;

Also: Senate Bill No. 914—An act appropriating money to create a revolving fund for the State Purchasing Department.

Also: Senate Bill No. 915—An act appropriating money for the support of the State Purchasing Department during the sixty-ninth and seventieth fiscal years;

Also: Senate Bill No. 916—An act appropriating money for machinery and equipment, State Printing Plant;

Also: Senate Bill No. 933—An act appropriating money for the support of the State Board of Health, in the control of contagious diseases, during the sixty-ninth and seventieth fiscal years;

Also: Senate Bill No. 986—An act appropriating money for the support of the Social Insurance Investigating Commission during the sixty-ninth and seventieth fiscal years;

Also: Senate Bill No. 1003—An act appropriating money for the enlargement of kitchen for hospital and additional equipment for same at the Veterans' Home;

Also: Senate Bill No. 1008—An act appropriating money for the support and payment of all salaries of the State Market Commission during the sixty-ninth and seventieth fiscal years;

Also: Senate Bill No. 1029—An act appropriating money for the support of the Historical Commission during the sixty-ninth and seventieth fiscal years;

Also: Senate Bill No. 1030—An act appropriating money for the equipment of vault, Secretary of State's office;

Also: Senate Bill No. 1122—An act to appropriate money for a water system at the California School for Girls;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

CHANDLER, Chairman.

Senate Bills Nos. 47, 48, 187, 253, 266, 284, 285, 286, 310, 489, 502, 581, 668, 856, 871, 908, 913, 914, 915, 916, 933, 986, 1003, 1008, 1029, 1030 and 1122 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 292—An act appropriating money for recreation center at the San Quentin State Prison;

Also: Senate Bill No. 400—An act to appropriate money to pay the expense of improving certain streets in the city of Berkeley adjoining the grounds of the University of California;

Also: Senate Bill No. 415—An act making an appropriation to pay the claim of the city of Los Angeles against the State of California;

Also: Senate Bill No. 416—An act making an appropriation for the payment of certain assessments for sanitary sewers levied upon the property of the State of California known as the Normal School property on Vermont avenue, in the city of Los Angeles, State of California;

Also: Senate Bill No. 417—An act making an appropriation for the payment of certain assessments for main outfall sewer levied upon the property of the State of California known as the Normal School property, on Vermont avenue, in the city of Los Angeles, State of California;

Also: Senate Bill No. 460—An act to amend sections 2319, 2319*a*, 2319*b*, 2319*c*, 2319*d*, 2319*g* and 2319*i* of the Political Code; to add sections 2319*k* and 2319*l* as new sections to the Political Code, relating to the State Commissioner of Horticulture and prescribing the powers, duties and compensation of said State Commissioner of Horticulture and the officers and employees appointed by said Commissioner and providing methods, means and penalties for the enforcement of such powers and duties, and providing for the appointment of additional officers, fixing their compensation and prescribing their duties;

Also: Senate Bill No. 773—An act appropriating money for the purpose of constructing new school and farm buildings to be used in connection with the California Polytechnic School at San Luis Obispo;

Also: Senate Bill No. 907—An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, as recommended in the special report of the California Debris Commission, dated June 30, 1907, and made jointly by Brigadier General A. Mackenzie, chief of engineers, C. H. McKinstry, major, corps of engineers, and Thomas H. Jackson, captain, corps of engineers, of the United States Army, and printed with the annual report of the chief of engineers of the United States Army, for the fiscal year ending June 30, 1917, and making an appropriation for such work;

Also: Senate Bill No. 1006—An act to amend section 4 of an act entitled "An act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain acts a felony and repealing an act entitled 'An act creating a commissioner of public works, defining his duties and powers and fixing his compensation,' approved February 9, 1900, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897; also repealing an act entitled 'An act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this act,' approved March 17, 1897, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to provide for the appointment, duties and compensation of a Debris Commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties

as such commissioner,' approved March 24, 1893, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to create the office of Lake Tahoe Wagon Road Commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this act,' approved April 1, 1897, and all acts or parts of acts amendatory thereof," approved March 11, 1907, and all acts or parts of acts amendatory thereof;

Also: Senate Bill No. 1020—An act appropriating money to pay the claim of various counties and institutions, orphan and ;

Also: Senate Bill No. 1091—An act to amend sections 2283, 2285 and 2289 of the Political Code, relating to the support and maintenance of orphans, half orphans and abandoned children;

Also: Senate Bill No. 1126—An act providing for the establishment and maintenance of a state nursery under the jurisdiction and management of the State Forester for the growing of stock for reforestation and the planting of trees along highways and in public places, and making an appropriation therefor;

Also: Senate Bill No. 1140—An act to accept the provisions and benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled and approved February 23, 1917, to provide for the promotion of vocational education; to create a vocational education fund and making an appropriation therefor;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

CHANDLER, Chairman.

Senate Bills Nos. 292, 400, 415, 416, 417, 460, 773, 907, 1006, 1020, 1091, 1126 and 1140 ordered on file for second reading.

THIRD READING OF SENATE BILLS—RESUMED.

Senate Bill No. 872—An act defining the meaning of the term "appointive officer," and to prohibit any appointive officer of the State of California, or of any of its departments or commissions, from participating in political conventions, discussions or campaigns for or against any political party, or measure, or candidate, making public political speeches to influence the action of any voter or voters for or against any party, person, or measure, or using any official stationery for such purpose, and providing penalties for the violation thereof.

Bill read third time previously.

RECESS.

The hour of twelve o'clock and thirty minutes p.m. having arrived, the Acting President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Minute Clerk Joseph A. Beek at the desk.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 289—An act to amend section 3 of an act entitled "An act to regulate and license the taking and catching of game fishes and to define game fish and to provide revenue therefrom, for fish preservation and restoration," approved June 16, 1913.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 551—An act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 of an act entitled "An act to authorize and regulate the possession, use, transportation and sale of trout or other fish by

persons engaged in the business of propagating and rearing such fish, and by persons who purchase fish so reared." approved March 17, 1911.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 362—An act to amend section 626 of the Penal Code, relating to the protection of game.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, in line 4, strike out the comma after the word "grouse" and the words "or sage hen.".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, in line 5, strike out the word "*provided*" and insert in lieu thereof the following: "or who, between the first day of October and the fourteenth day of August, both dates inclusive, of the year following, hunts, pursues, takes, kills or destroys, or has in his possession any sage hen, is guilty of a misdemeanor; *provided*, that in fish and game district number four every person who at any time hunts, pursues, takes, kills or destroys, or has in his possession any sage hen is guilty of a misdemeanor; *provided, further*.".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 690—An act to amend section 634 of the Penal Code of the State of California, relating to the protection of fish.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill strike out all of line 1 after the word "between" and strike out the word "June" in line 2 and insert in lieu thereof the following: "the sixth day of June and the thirty-first day of July".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 4 of the printed bill, in lines 10 and 11, strike out the words "fifteenth day of May and the fourteenth day of June" and insert in lieu thereof the words "sixth day of June and the thirty-first day of July".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 89—An act to amend sections 3, 4, 5, 6, 7 and 12 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued." approved June 11, 1915.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 69—An act to amend sections 1 and 2 of an act entitled "An act relating to senior rights of members of paid police

departments of counties, cities and counties, cities or towns," approved March 23, 1907.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 63—An act to amend section 852 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 560—An act to amend sections 5, 68, 70 and 72 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1435—An act to amend the title and sections 1, 2, 3, 5 and 46 of an act entitled "An act to provide for the establishment and change of grade of public streets, lanes, alleys, courts, places and rights of way in municipalities, and providing for the improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessments for the costs, damages and expenses of such improvement, and for the payment and effect of such bonds," approved June 16, 1913.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1336—An act to authorize certain improvements upon the grounds of the California School for the Deaf and the Blind at Berkeley, California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 489—An act to amend sections 1, 2, 3, 4 and 27 of an act entitled "An act to provide for the formation, organization and government of storm water districts, for the purpose of protecting the land therein from damage from storm water and from the waters from any innavigable stream, watercourse, canyon or wash, or for the purpose of saving and conserving any storm, flood, or snow water for beneficial and useful purposes, for the construction of the necessary works of protection and conservation of such storm or flood waters by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2 of the title after the word "four" insert a comma and the words "sixteen, seventeen".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended March 28, in line 6 of the title, strike out the word "from" following the word "waters" and insert in lieu thereof the word "of".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, in line 11 of the title, strike out the period and insert in lieu thereof a comma and the following: "and to add five new sections thereto, to be numbered twenty-six *a*, twenty-six *b*, twenty-six *c*, twenty-six *d* and twenty-six *e*".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, in line 5, strike out the word "from" and insert in lieu thereof the word "of".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 29 of the printed bill as amended March 28, 1917, after the figure "3" strike out the words "Any person interested objecting to the formation" and insert the following: "Section three of said act, approved March 13, 1909".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 31 of the printed bill as amended March 28, 1917, after the figure 3 strike out the words "Section three of said act, approved March 13, 1909, and insert in lieu thereof the following: "Any person interested objecting to the formation".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 4, after line 17 of the printed bill as amended March 28, 1917, insert the following:

SEC. 5. Section sixteen of said act, approved March 13, 1909, is hereby amended to read as follows:

SEC. 16. After said report has been adopted, the board of trustees, if they consider the total sum to be raised for the payment of the cost of such improvements too great to be properly expended in one year, or too great to be raised in one year by assessment against the property in such storm-water district, may by order entered upon their minutes, provide that the total sum assessed shall be raised in any number of equal annual installments, not exceeding ten. When the board has adopted the report and determined the number of equal annual installments in which such assessment shall be raised, they shall cause their clerk to forward to the tax collector of the county in which such district is situated, who shall file the same in his office, a certified copy of the report, assessment and plat as adopted and confirmed by said board of trustees, together with a certified copy of the order of said board, fixing the number of equal annual installments in which such assessment is to be raised, and the county tax collector shall enter said assessments upon the county assessment roll in the same manner as county taxes. From and after such entry upon the county assessment roll, the first year's installment of the amount assessed thereon against each parcel of land shall become due and payable immediately, and the total amount assessed against each parcel of land shall constitute a lien thereon; and thereafter installments of the assessment for the succeeding years shall become due and payable on the first Monday of October of each year; *provided*, that any or all subsequent installments of the assessment on any parcel of land may, at the option of any person desiring to pay the same, be paid at any time after the first installment becomes due and payable. If the district is situated in two or more counties, a certified copy of said report, assessment, plat and order of the board of trustees shall be filed with the tax collector of each county in which any part of said district is situated, and thereafter each tax collector shall enter the assessments upon the assessment-roll of his county and proceed as to the property in said district within his own county in the manner hereinafter directed, and the assessment on the property in said county shall be collected in the manner hereinafter directed.

SEC. 6. Section seventeen of said act, approved March 13, 1909, is hereby amended to read as follows:

SEC. 17. Within one month after the filing of such certified copy of said report, assessment, plat and order with the tax collector, and the entry of the same upon the county assessment roll, said tax collector shall give notice by ten days' publication in a newspaper of general circulation published in said district, or if there is none, in a newspaper of general circulation published in his county, that the assessment roll of _____ storm-water district of _____ county, has been filed in his office, and entered upon the county assessment-roll, with the date of such entry, that the amounts entered thereon are due and payable; that if not paid on or before the first Monday in January next ensuing, the same will become delinquent and will be collected in the same manner as delinquent taxes. If the first Monday in January next ensuing is less than three months from the date of filing the assessment roll with the tax collector, the date, to be stated in the notice, shall be three months after such entry upon the county assessment-roll. The tax collector shall note on the county assessment-roll all assessments paid, with the dates of payment, giving receipts as in the case of payments of taxes, and shall pay all money collected into the county treasury at the same time and in the same manner as money collected for taxes paid into such treasury. All collections of subsequent installments of the assessment shall be made in the same manner as above set forth, and the tax collector shall annually (after the first year), immediately after the first Monday of October give notice as above directed that the (giving the number) annual installment of the assessments of said district is now due and payable, and that if not paid on or before the first Monday of January next ensuing, the same will become delinquent and will be collected in the same manner as delinquent taxes, and the same proceedings shall be had thereon as upon the collection of the first assessment. If said district is situated in two or more different counties, all moneys collected on account of such assessment shall be paid into the treasury of the county in which said district was organized.

SEC. 7. A new section is hereby added to said act, to be numbered twenty-six *a* and to read as follows:

SEC. 26*a*. Whenever the board of trustees deem it necessary for the district to incur a bonded indebtedness, it shall, by resolution, so declare and state the proposition to be submitted to the electors, the purpose for which the proposed debt is to be incurred, the amount of debt to be incurred, the maximum term the bonds proposed to be issued shall run before maturity, which shall not exceed twenty years, and the maximum rate of interest to be paid, which shall not exceed six per cent per annum, payable semiannually. The board of trustees shall fix a date upon which an election shall be held, for the purpose of authorizing said bonded indebtedness to be incurred. It shall be the duty of the board of trustees to provide for holding such special elections on the day so fixed and in accordance with the general election laws of the state, so far as the same shall be applicable, except as herein otherwise provided. Such board of trustees shall give notice of the holding of such election, which notice shall contain the resolution adopted by the board of trustees of the district, boundaries of precincts, the location of polling places, and the names of the officers selected to conduct the election, who shall consist of one judge, one inspector and one clerk in each precinct. Such notice shall be published for two weeks in at least one newspaper, and not more than two newspapers published in such district, which newspaper or newspapers shall be designated by the board of trustees; and if there is no newspaper printed in such district, then by publication for two weeks in one newspaper published in the county in which such district is situated, or by posting such notice in three public places therein, at least two weeks before the date of such election. All the expenses of holding such election shall be borne by the district. The returns of such election shall be made, the votes canvassed by said board of trustees on the first Monday following said election, and the results thereof ascertained and declared in accordance with the general election laws of the state, so far as they may be applicable, except as herein otherwise provided. The secretary of the board of trustees, as soon as the result is declared, shall enter in the records of such board a statement of such results. No irregularities or informalities in conducting such election shall invalidate the same, if the election shall have otherwise been fairly conducted. In all respects not otherwise provided for herein, said election shall be called, managed and directed as is by law provided for general elections in this state applicable thereto.

SEC. 8. A new section is hereby added to said act, to be numbered twenty-six *b* and to read as follows:

SEC. 26*b*. If from such returns it appears that more than two-thirds of the votes cast at such election were in favor of and assented to the incurring of such indebtedness, then the board of trustees may, by resolution, at such time or times as it deems proper, provide for the form, denomination and execution of such bonds and for the issuance of any part thereof, and may sell or dispose of the bonds so issued at such time or times and in such manner, either in cash in lawful money of the United States, or its equivalent, as it may deem to be to the public

interest, but for not less than the par value thereof; said bonds shall be signed by the president and clerk of said district and the seal of the district shall be affixed.

SEC. 9. A new section is hereby added to said act, to be numbered twenty-six *c* and to read as follows:

Sec. 26*c*. Any bonds issued by any district, under the provisions of this act, are hereby given the same force as bonds issued by any municipality, and shall be exempt from all taxation within the State of California.

SEC. 10. A new section is hereby added to said act, to be numbered twenty-six *d* and to read as follows:

Sec. 26*d*. Any bonds issued under the provisions of this act shall be a lien upon the property of the district and the lien of the bonds of any issue shall be a preferred lien to that of any subsequent issue. Said bonds, and the interest thereon, shall be paid by revenue derived from an annual assessment upon the real property of the district; and all the real property in the district shall be and remain liable to be assessed for such payments.

SEC. 11. A new section is hereby added to said act, to be numbered twenty-six *e* and to read as follows:

Sec. 26*e*. The board of trustees of each storm water district shall annually during the month of August estimate the amount of money which will be needed to pay the interest and such portion of any bond issue maturing prior to the preceding August, and certify such amount to the board of supervisors of the county or counties in which said district lies. Such board or boards of supervisors shall, at the time of making the levy of taxes, for county purposes for that year, levy a tax upon the real property in their county in said district, sufficient in amount to raise the sum estimated by the board of trustees to be necessary. When the district is in two or more counties, the amount to be raised upon the part of the district in each county shall be in proportion to the assessed valuation of the several portions of the districts in the respective counties. Said tax, when levied, shall be entered upon the assessment roll and collected in the same manner as the state and county taxes. When the same is collected, it shall be placed in the treasury of the county in which said district is organized, to the credit of the bond fund of said district, and shall be used only for the purpose for which it is raised.

AMENDMENT NUMBER EIGHT.

On page 4 of the printed bill, in line 18, strike out the figure "5" and insert in lieu thereof the figure "12".

AMENDMENT NUMBER NINE.

On page 4 of the printed bill, in line 36, strike out the period and insert in lieu thereof a semicolon and the following, "*provided*, that if at the time of the dissolution, or disincorporation of said district, there be any outstanding bonded or other indebtedness of such district, then taxes for the payment of such bonded or other indebtedness shall be levied and collected, the same as if such district had not been dissolved and disincorporated, but for all other purposes, such district shall be deemed dissolved and disincorporated from the time of the forwarding of said copy of such entry to said board of supervisors".

Amendments adopted.

Bill read second time, and ordered to print, and third reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 374—An act to amend section 628*f* of the Penal Code of the State of California, relating to the protection of fish and game.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, in line 7, strike out the comma after "Haliotis" and insert in lieu thereof the following: "for other than food purposes,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, in lines 10 and 11, strike out the words "fresh or dried or in cans holding more than one pint".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, after the word "districts", in line 15, insert the following: ", seventeen,".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out lines 18 and 19 and insert in lieu thereof the following: "or who, in fish and game districts four or nineteen, takes, catches or kills or has in possession during any one".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, in line 20, after "haliotis" insert the following: ": or who, in fish and game district seventeen takes, catches, kills or has in possession more than twenty abalones in any one calendar week".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2 of the printed bill, in line 35, strike out the words "August first and November fourteenth" and insert in lieu thereof the following: "the first day of May and the thirty-first day of August".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3 of the printed bill, strike out all of lines 14, 15, 16 and 17 and insert in lieu thereof the following: "Every person who takes, catches or kills or has in possession any clam or clams taken from fish and game districts eight or nine, between the first day of May and the thirty-first day of August of any year, both dates inclusive; or who at any time ships or offers for shipment or receives for shipment or transportation, to any place outside the limits of fish and game district one, any clam or clams of any species taken in fish and game districts seven, eight or nine, is guilty of a misdemeanor."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1160—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, and all amendments thereto, by amending sections 64, 102, 320, 329, 527 and 623 thereof, and authorizing the legislative body of municipal corporations of the first, second, third and fourth class to borrow money in anticipation of the collection of taxes, and to execute and deliver negotiable promissory notes or other evidences of indebtedness for such money, and limiting the amount of money which may be so borrowed, and prescribing the purposes to which the same may be applied.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 406—An act creating a state board of forestry and providing for the qualifications and duties of the members of said board and the payment of their expenses; providing for the appointment of a state forester and providing for the appointment of a proper person therefor; providing for the appointment of a deputy and an assistant

state forester and for the salaries of such forester, deputy forester and assistant forester; providing for the appointment of technical and other assistants and for their compensation; providing for the duties of the state forester, deputy state forester, assistant state forester and other assistants; providing for cooperation with landowners, counties and others in forest protection and for the employment of fire wardens; providing for the summons of citizens to assist in fighting forest fires; providing for the issuance of permits for burning brush, inflammable debris, or rubbish; providing for prevention of forest destruction by insects; providing for the inspection of forest areas; declaring certain dangerous areas and forest fires to be public nuisances; providing for notice to owners and others of the existence of such nuisance and for the abatement thereof by such owner or others or by the state forester; providing for a lien upon the property of such owner for the cost of such abatement; exempting certain classes of owners from the liens created by this act; providing for the foreclosure of such liens; providing for the payment into county treasuries of all of moneys recovered under the penal sections of the forest laws of this State; making certain violations of the forest laws of this State misdemeanors and fixing a penalty therefor; defining the term "forest"; repealing Chapter 264 of the Laws of 1905, and all acts and parts of acts in conflict herewith.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, line 22 of the title, strike out after the semicolon following the word "Forester," all the balance of the line. Also strike out all of lines 23, 24 and 25 of the title.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, line 5, strike out the word "science" and insert in lieu thereof the word "practice."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3 of the printed bill, line 4, after the word "practical" insert the words "and technically trained".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3 of the printed bill, line 5, after the word "western" insert the word "forest".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3 of the printed bill, line 7, after the word "office" insert "for the term of four years from and after his appointment or".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3 of the printed bill, line 8, after the word "power" insert a period and strike out all the balance of line 8; also all of line 9 except the words "The state".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 4 of the printed bill, line 3, strike out the words "this act and other" and insert in lieu thereof the word "the".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 4 of the printed bill, line 4, strike out the words "this and other state" and insert in lieu thereof the word "the".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 4 of the printed bill, line 4, after the word "and" insert the words "aid in".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 4 of the printed bill, line 7, strike out the words "carry on investi-".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 4, line 8 of the printed bill, strike out the letters and words "gations which may."

Amendment adopted.

AMENDMENT NUMBER ELEVEN AND ONE-HALF.

On page 4, line 5 of the printed bill, strike out the word "prosecute" and insert in lieu thereof the word "prosecuting."

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 7, line 26 of the printed bill, strike out the word "In" and all of lines 27, 28, 29, 30, 31 and 32.

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 7, line 35 of the printed bill, strike out the words "or control".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 8 of the printed bill strike out all of line 8 and the following in line 9: "nuisance may have existed."

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 8 of the printed bill strike out all following the period after the word "forestry," on line 15, and all of lines 16 and 17.

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 8 of the printed bill strike out all of section 12.

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 8, line 36 of the printed bill, strike out the figures "13" and insert in lieu thereof the figures "12."

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 9, line 15 of the printed bill, insert a period after the word "destroyed", and strike out all of line 16.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

THIRD READING OF SENATE BILLS, ETC.—(OUT OF ORDER).

Senate Bill No. 872—An act defining the meaning of the term "appointive officer," and to prohibit any appointive officer of the State of California, or of any of its departments or commissions, from participating in political conventions, discussions or campaigns for or against any political party, or measure, or candidate, making public political speeches to influence the action of any voter or voters for or against any party, person, or measure, or using any official stationery for such purpose, and providing penalties for the violation thereof.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 872 refused passage by the following vote:

AYES—Senators Duncan, Irwin, King, Nealon, Purkitt, Shearer, and Stuckenbruck—7.

NOES—Senators Ballard, Benson, Breed, Burnett, Carr, F. M., Crowley, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, Luce, McDonald, Maddux, Rigdon, Scott, Sharkey, and Slater—21.

Senate Constitutional Amendment No. 30—A resolution to propose to the people of the State of California to amend section 21 of Article XX of the Constitution, relative to workmen's compensation.

SENATE CONSTITUTIONAL AMENDMENT No. 30.

A resolution to propose to the people of the State of California to amend section 21 of Article XX of the Constitution, relative to workmen's compensation.

Resolved by the Senate, the Assembly concurring. That the Legislature of the State of California, at its forty-second regular session commencing on the eighth day of January, nineteen hundred seventeen, two-thirds of the members elected to each of the two Houses of the said Legislature voting therefor, hereby proposes to the people of the State of California that section 21 of Article XX of the Constitution be amended to read as follows:

SEC. 21. The Legislature is hereby expressly vested with plenary power, unlimited by any provision of this Constitution, to create, and enforce a complete system of workmen's compensation, by appropriate legislation, and in that behalf to create and enforce a liability on the part of any or all persons to compensate any or all of their workmen for injury or disability, and their dependents for death incurred or sustained by the said workmen in the course of their employment, irrespective of the fault of any party. A complete system of workmen's compensation includes adequate provisions for the comfort, health and safety and general welfare of any and all workmen and those dependent upon them for support to the extent of relieving from the consequences of any injury or death incurred or sustained by workmen in the course

of their employment, irrespective of the fault of any party; also full provision for securing safety in places of employment; full provision for such medical, surgical, hospital and other remedial treatment as is requisite to cure and relieve from the effects of such injury; full provision for adequate insurance coverage against liability to pay or furnish compensation; full provision for regulating such insurance coverage in all its aspects, including the establishment and management of a state compensation insurance fund; full provision for otherwise securing the payment of compensation; and full provision for vesting power, authority and jurisdiction in an administrative body with all the requisite governmental functions to determine any disputes or matters arising under such legislation, to the end that the administration of such legislation shall accomplish substantial justice in all cases expeditiously, inexpensively, and without incumbrance of any character; all of which matters are expressly declared to be the social public policy of this State, binding upon all departments of the state government.

The Legislature is vested with plenary powers, unlimited by any other provision of this Constitution, to provide for the settlement of any disputes arising under such legislation by arbitration, or by an industrial accident commission, by the courts, or by either, any, or all of these agencies, either separately or in combination, and may fix and control the method and manner of trial of any such dispute, the rules of evidence and the manner of review of decisions rendered by the tribunal or tribunals designated by it. The Legislature may combine in one statute all the provisions for a complete system of workmen's compensation, as herein defined.

Nothing contained herein shall be taken or construed to impair or render ineffectual in any measure the creation and existence of the industrial accident commission of this State or the state compensation insurance fund, the creation and existence of which, with all the functions vested in them, are hereby ratified and confirmed.

Resolution read.

The question being on the adoption of the resolution

The roll was called, and Senate Constitutional Amendment No. 30 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Curt, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Inman, Johnson, Jones, Kehoe, King, Lee, Lyon, McDonald, Nealon, Rigdon, Rush, Scott, Sharkey, Slater, and Thompson—27.

NOES—Senators Chamberlin, Irwin, Purkitt, and Shearer—4.

Title read and approved.

Resolution ordered transmitted to the Assembly.

Senate Bill No. 49—An act to repeal section 55a of the Penal Code, relative to soliciting, demanding, or pledging votes for or against any particular bill or measure.

On motion of Senator Duncan, Senate Bill No. 49 was passed on file.

Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending section 1 of Article IV thereof, relating to legislative powers, and reserving to the people of the State of California the power to propose laws, statutes and amendments to the Constitution and to enact the same at the polls, independent of the Legislature, and also reserving to the people of the State of California the power to approve or reject at the polls any act or section or part of any act of the Legislature.

On motion of Senator Duncan, Senate Constitutional Amendment No. 5 was passed on file.

Senate Bill No. 1110—An act to promote the development of the California fruit industry and to protect the State's reputation in the fruit markets by establishing a standard for the packing of certain fresh fruits specified herein, prescribing penalties for violations of the provisions hereof, and repealing all acts inconsistent herewith.

On motion of Senator Benson, Senate Bill No. 1110 was passed on file.

Senate Bill No. 106—An act to repeal an act entitled "An act to provide for the creation of the State Commission Market, and the

organization thereof, to carry on the business of receiving from the producers thereof the agricultural, fishery, dairy and farm products of the State of California and selling and disposing of such products on commission, creating the state commission market fund and appropriating money therefor," approved June 10, 1915.

On motion of Senator Ballard, Senate Bill No. 106 ordered to unfinished business.

Senate Bill No. 126—An act to amend sections 12, 18, 19, and 20 of an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913.

On motion of Senator Purkitt, Senate Bill No. 126 was passed on file.

Senate Bill No. 13—An act to add a new section to the Political Code, to be numbered 2939, prohibiting the employment of minors under eighteen years of age, from driving or operating vehicles engaged in carrying passengers, freight, or express matter, milk or foodstuffs, ice or fuel, building materials, or supplies of any kind or character whatever, on the public streets or highways of the State of California, and providing penalties therefor.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Inman moved to refer Senate Bill No. 13 to Senator Shearer, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, before the word "vehicle" insert the word "motor".

Motion lost.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 13 refused passage by the following vote:

AYES—Senators Burnett, Campa, Duncan, Flaherty, Inman, McDonald, Nealon, Rush, Scott, and Thompson—10.

NOES—Senators Ballard, Benson, Breed, Brown, Carr, W. J., Chamberlin, Chandler, Crowley, Gates, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Purkitt, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—24.

MOTION TO RECONSIDER.

Senator Duncan moved to reconsider the vote whereby Asembly Bill No. 42 was refused passage.

POSTPONEMENT OF CONSIDERATION.

On motion of Senator Duncan, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 42 was refused passage, was continued until the next legislative day.

THIRD READING OF SENATE BILLS, ETC.—(OUT OF ORDER).

Senate Bill No. 437—An act to amend an act entitled "An act prohibiting the issuance as payment for wages of any evidence of indebtedness unless the same is negotiable and payable without discount, and providing that the same must be payable on demand," approved March 1, 1911, and as amended by act approved June 5, 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 437 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Chamberlin, Crowley, Duncan, Flaherty, Hans, Inman, Jones, King, Luce, Lyon, McDonald, Maddux, Nealon, Rigdon, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 620—An act to amend section 1 of an act entitled "An act to provide for the registration of factories, workshops, mills and other manufacturing establishments," approved June 2, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 620 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Duncan, Flaherty, Gates, Hans, Inman, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rush, Scott, Sharkey, Shearer, Slater, Thompson, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 462—An act regulating the manner of preparation or manufacture of egg products which are used in the preparation of foods intended for human consumption, and providing penalties for violations of the provisions thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 462 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, W. J., Duncan, Flaherty, Gates, Hans, Inman, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—Senator Chamberlin—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 176—An act adding a new section to the Political Code, to be numbered 3245*a*, relating to hours of employment of state employees.

On motion of Senator Flaherty, Senate Bill No. 176 was passed on file.

Senate Bill No. 1035—An act to make lawful certain agreements between employees and laborers and to limit the issuing of injunctions in certain cases.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Flaherty moved to refer Senate Bill No. 1035 to Senator Benson, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 22, of the printed bill, strike out all after the word "thereto", and all of lines 23 and 24, and insert in lieu thereof a period.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 12, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 1035, with instructions to amend, respectfully reports the same back, amended as per instructions.

BENSON, Special Committee.

Report read, and, on motion of Senator Flaherty, adopted.

Bill ordered to print, and re-engrossment.

RUSH ORDER TO PRINTER.

On motion of Senator Flaherty, the Secretary was directed to issue a rush order for printing Senate Bill No. 1035.

Senate Bill No. 534—An act providing for the resettlement of franchise rights and the granting of a resettlement franchise in counties and municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting acts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 534 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Flaherty, Gates, Hans, Inman, Jones, Kehoe, Luce, McDonald, Maddux, Nealon, Rigdon, Shearer, Slater, Thompson, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECRETARY CLIFTON E. BROOKS AT THE DESK.

Senate Bill No. 88—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 88 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Canepa, Carr, W. J., Chamberlin, Crowley, Flaherty, Gates, Hans, Luce, McDonald, Maddux, Nealon, Rigdon, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—22.

NOES—Senators Carr, F. M., Duncan, Inman, Jones, Kehoe, and Purkitt—6.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following report of standing committee was received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 12, 1917.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 617—An act to amend section 591 of the Political Code, relating to the maintenance of the office of the Insurance Commissioner—respectfully reports the same back and recommends that it be referred to a Special Committee of One to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended March 30th, in line 13, strike out the word "seventy-five" and insert in lieu thereof the word "sixty".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, as amended March 30th, in line 7, strike out the words "one thousand" and insert in lieu thereof the words "five hundred".

CHANDLER, Chairman.

Report adopted.

APPOINTMENT OF SPECIAL COMMITTEE OF ONE.

Whereupon the President appointed Senator Scott a Special Committee of One to amend Senate Bill No. 617 in accordance with the above report.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 12, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 617, with instructions to amend, respectfully reports the same back, amended as per instructions.

SCOTT, Special Committee.

Report read, and, on motion of Senator Benson, adopted.

Senate Bill No. 617 ordered to print and re-engrossment.

THIRD READING OF SENATE BILLS, ETC.—(RESUMED.)

Senate Bill No. 370—An act to authorize the incurring of indebtedness by counties for the construction of roads and highways and for all necessary public improvements or for any purpose whatsoever.

In the absence of the author, Senate Bill No. 370 was ordered passed, to retain its place on the file.

Senate Bill No. 455—An act to amend section 4244 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fifteenth class.

On motion of Senator Kehoe, Senate Bill No. 455 was passed on file.

Senate Bill No. 640—An act to amend section 9 of an act entitled "An act relating to hotels, defining the same, providing regulations in connection therewith, providing for the sanitation of the rooms of such hotels, providing for the sanitary method and manner of keeping, handling and using bedclothes or bed covering in such hotels, repealing all acts or parts of acts in conflict with this act, providing for its enforcement by the State Board of Health, and providing a penalty for the violation of any of its provisions," approved April 26, 1915.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Burnett moved to refer Senate Bill No. 640 to Senator Scott, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, commencing at the word "superintendent", strike out to and including the word "measures", on line 12, and insert in lieu thereof the words "board of health and local health officers".

AMENDMENT NUMBER TWO.

On page 1, line 8 of the title, after the word "Health" and before the word "and", insert the following words: "and local health officers".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 12, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 640, with instructions to amend, respectfully reports the same back, amended as per instructions.

SCOTT, Special Committee.

Report read, and on motion of Senator Burnett, adopted.

Bill ordered to print and re-engrossment.

Senate Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by adding a new article thereto, to be numbered XXIV, establishing a State Athletic Commission and regulating boxing and sparring in the State.

On motion of Senator Scott, Senate Constitutional Amendment No. 19 was passed on file.

Senate Bill No. 1111—An act amending section 330 of the Penal Code of the State of California, relative to games played with cards, dice, or any device for money in public places.

Bill read third time, previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Chamberlin moved to refer Senate Bill No. 1111 to Senator Lyon, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 5, of the printed bill, strike out the words "less than one hundred dollars nor not".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 12, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 1111, with instructions to amend, respectfully reports the same back, amended as per instructions.

LYON, Special Committee.

Report read, and, on motion of Senator Chamberlin, adopted.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Jones moved to refer Senate Bill No. 1111 to Senator Inman, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 1, of the printed bill, after the word "checks" strike out the comma and insert the word "or".

AMENDMENT NUMBER TWO.

On page 2, lines 1 and 2, strike out the words "or other representative of value".

AMENDMENT NUMBER THREE.

On page 2, line 2, after the word "where" insert the word "intoxicating".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 12, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 1111, with instructions to amend, respectfully reports the same back, amended as per instructions.

INMAN, Special Committee.

Report read, and, on motion of Senator Jones, adopted.

Bill ordered to print, and re-engrossment.

Senate Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding thereto a new section to be known as section 5 of Article XIII, providing for the exemption of certain property from taxation.

In the absence of the author, Senate Constitutional Amendment No. 27 was ordered passed, to retain its place on the file.

Senate Joint Resolution No. 13—Relative to the emancipation of Russia from autocratic rule.

In the absence of the author, Senate Joint Resolution No. 13 was ordered passed, to retain its place on the file.

WITHDRAWAL OF RESOLUTION.

Senator Inman asked for and was granted unanimous consent to withdraw Senate Joint Resolution No. 15 from the file.

Senate Constitutional Amendment No. 44—A resolution to propose to the people of the State of California to amend section 13 of Article VI of the Constitution of the State, relating to inferior courts.

On motion of Senator Ballard, Senate Constitutional Amendment No. 44 was passed on file.

Senate Bill No. 283—An act appropriating money for repairs to employees' cottages at the Folsom State Prison.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 283 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Canepa, Carr, F. M., Chamberlin, Flaherty, Gates, Hans, Inman, Irwin, Jones, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 295—An act appropriating money for the purchase of machinery and equipment for the San Quentin State Prison.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 295 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Carr, F. M., Chamberlin, Flaherty, Gates, Hans, Inman, Jones, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, and Stuckenbruck—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1079—An act to provide for the forfeiture of certain lands to the State in the event of the nonpayment of delinquent interest upon any part of the unpaid portion of the purchase price thereof, together with penalties and costs as herein provided, as well as for the forfeiture of all moneys previously paid thereon whether for principal or interest; prescribing the duties of certain public officers with respect thereto; providing for the giving of notice thereof; prescribing certain remedies; and making an appropriation for the purposes of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1079 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Carr, F. M., Carr, W. J., Flaherty, Gates, Hans, Irwin, Jones, Kehoe, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 12, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 514—An act to amend section 1720 of the Political Code, and to add a new section to the Political Code, to be numbered 1750*b*, relating to the organization and maintenance of junior college courses of study—and reports that the same has been correctly re-engrossed.

STUCKENBRUCK, Acting Chairman.

THIRD READING OF SENATE BILLS, ETC.—(RESUMED).

Senate Bill No. 464—An act to regulate the sale of eggs which have been in transit more than thirty-one days, and prescribing penalties for violations thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 464 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Carr, F. M., Carr, W. J., Flaherty, Hans, Inman, Irwin, Jones, Kehoe, Luce, McDonald, Maddux, Nealon, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—25.

NOES—Senator Chamberlin—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 303—An act appropriating money for medical teaching in the University of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 303 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Carr, F. M., Carr, W. J., Crowley, Duncan, Flaherty, Hans, Irwin, Jones, Kehoe, Luce, McDonald, Maddux, Nealon, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 992—An act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under an act hereby repealed, to be known as the "Inheritance Tax Act"; and to repeal Chapter 595 of the laws of the session of the Legislature of California of 1913, approved June 16, 1913, known as the "Inheritance Tax Act," and all amendments thereto, and to repeal all acts and parts of acts in conflict with this act.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 992 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Carr, F. M., Carr, W. J., Crowley, Duncan, Flaherty, Gates, Hans, Jones, Kehoe, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1106—An act appropriating money to pay the claim of ———— covering the funeral expenses of John M. Eshleman.

On motion of Senator Benson, Senate Bill No. 1106 was passed on file.

Senate Bill No. 159—An act to create a cattle protection board, to define its powers and duties, to protect the breeders and growers of cattle from theft, to provide for the registration of cattle brands and the licensing of cattle slaughterers and sellers of the meat thereof, to provide for the inspection of cattle and cattle hides for brands and marks, to provide for the collection of license and inspection fees, to provide for the creation of a fund to be known as the cattle protection fund, and to provide penalties for violation of the provisions hereof.

In the absence of the author, Senate Bill No. 159 was ordered passed, to retain its place on the file.

Senate Bill No. 1177—An act to authorize the Board of State Harbor Commissioners to acquire by purchase, condemnation, gift, grant or cession, certain property in the city and county of San Francisco, including Mission Rock, and extending the jurisdiction of said board over the same, and providing for the payment of the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1177 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Carr, F. M., Crowley, Duncan, Flaherty, Gates, Hans, Jones, Kehoe, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Concurrent Resolution No. 25—Relative to tidelands granted to the city of San Diego.

In the absence of the author, Senate Concurrent Resolution No. 25 was ordered passed, to retain its place on the file.

Senate Bill No. 816—An act to amend section 3 of an act entitled "An act relating to explosives and prescribing regulations for the transportation, storage and selling of explosives, and providing penalties for the violation of this act," in effect March 21, 1911, and known as Chapter 213, Statutes of 1911, and to repeal section 11 of said act.

In the absence of the author, Senate Bill No. 816 was ordered passed, to retain its place on the file.

Senate Bill No. 932—An act making an appropriation to carry out the purposes of an act entitled "An act to provide for the establishment and maintenance of a bureau of tuberculosis under the direction of the State Board of Health; defining its powers and duties; providing for the granting of state aid to cities, counties, cities and counties and groups of counties for the support and care of persons afflicted with tuberculosis; making an appropriation therefor, and repealing certain acts of the Legislature of the State of California, approved June 12, 1915.

In the absence of the author, Senate Bill No. 932 was ordered passed, to retain its place on the file.

Senate Bill No. 627—An act amending an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities therein; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements and for the acquisition

and construction of such improvements," approved April 20, 1915, by amending the title of said act and by amending section 1 of said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 627 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Carr, F. M., Crowley, Duncan, Flaherty, Gates, Hans, Jones, Kehoe, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, and Stuckenbruck—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 811—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications.

On motion of Senator Ballard, Senate Bill No. 811 was passed on file.

Senate Bill No. 1134—An act to amend section 131 of the Civil Code, relating to judgment in an action for divorce, and repealing section 132 of said Civil Code.

On motion of Senator Scott, Senate Bill No. 1134 was passed on file.

Senate Bill No. 1164—An act making an appropriation for a portrait of former Governor Hiram W. Johnson, and directing the State Board of Control to carry out the provisions hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1164 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Carr, F. M., Chamberlin, Crowley, Duncan, Flaherty, Gates, Hans, Inman, Jones, Kehoe, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 988—An act repealing section 1483 of the Political Code, relating to licenses to practice law.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 988 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Carr, F. M., Chamberlin, Crowley, Duncan, Flaherty, Gates, Hans, Inman, Jones, Kehoe, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Concurrent Resolution No. 26—Approving a certain amendment to the charter of the city of San Luis Obispo in the county of San Luis Obispo, State of California, voted for and ratified by the qualified electors of said city of San Luis Obispo at a special municipal election held therein on the second day of April, 1917.

SENATE CONCURRENT RESOLUTION No. 26.

Approving a certain amendment to the charter of the city of San Luis Obispo in the county of San Luis Obispo, State of California, voted for and ratified by the qualified electors of said city of San Luis Obispo at a special municipal election held therein on the second day of April, 1917.

WHEREAS, The said proposed amendment so ratified has been duly presented and submitted to the Legislature of the State of California, for approval or rejection, without power of alteration or amendment, in accordance with section 8 of Article XI of the Constitution of the State of California; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring, (a majority of all members elected to each House voting for the adoption of this resolution and concurring therein), That the said proposed amendment to the said charter of the city of San Luis Obispo, hereinbefore set forth, as presented and as submitted to and adopted and ratified by the qualified electors of said city, be and the same is hereby approved as a whole for and as an amendment to the said charter of the city of San Luis Obispo.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 26 adopted by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Carr, F. M., Chamberlin, Crowley, Duncan, Flaherty, Gates, Hans, Inman, Jones, Kehoe, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—26.

NOES—None.

Title read and approved.

Resolution ordered transmitted to the Assembly.

Senate Bill No. 514—An act to amend section 1720 of the Political Code, and to add a new section to the Political Code, to be numbered 1750*b*, relating to the organization and maintenance of junior college courses of study.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 514 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Gates, Hans, Inman, Irwin, Jones, Kehoe, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, and Stuckenbruck—27.

NOES—Senators Benson, and Flaherty—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

UNFINISHED BUSINESS.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 878—An act to amend the Civil Code by adding thereto a new section to be numbered 3320, and providing for the damages recoverable from banks on the nonpayment of checks.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED SEVENTY-EIGHT.

AMENDMENT NUMBER ONE.

In line 5, insert a comma after the word "error".

AMENDMENT NUMBER TWO.

In line 5, insert a comma after the word "malice".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 878?

The roll was called, and Assembly amendment to Senate Bill No. 878 concurred in by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Flaherty, Gates, Hans, Inman, Irwin, Jones, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, and Stuckenbruck—27.

NOES—None.

Senate Bill No. 878 ordered to enrollment.

Senate Bill No. 515—An act to amend section 1721 of the Political Code and to add a new section to the Political Code, to be numbered section 1739*b*, and to repeal section 1725 thereof, relating to the organization of high school districts and county junior college districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 515 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Flaherty, Gates, Hans, Inman, Irwin, Jones, Kehoe, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, and Stuckenbruck—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES (OUT OF ORDER).

The following reports of standing committees were received and read:

ON HOSPITALS AND ASYLUMS.

SENATE CHAMBER, SACRAMENTO, April 12, 1917.

MR. PRESIDENT: Your Committee on Hospitals and Asylums, to which was referred Senate Bill No. 881—An act to amend section 2185*b* of the Political Code, relating to temporary and voluntary patients in the state hospitals—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

CROWLEY, Chairman.

Senate Bill No. 881 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 12, 1917.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 1138—An act to provide for the establishment of public medical centers for the care of the health of the children of the State of California; prescribing penalties for violations of the provisions hereof and repealing an act entitled "An act to provide for health and development supervision in the public schools of the State of California," approved April 15, 1909, and all acts and parts of acts inconsistent herewith—has had the same under consideration, and respectfully reports the same back with amendments and recommends that same do not pass, as amended.

GATES, Chairman.

Senate Bill No. 1138 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 941—An act to amend section 1543, relating to the duty of the superintendent of schools, and to add a new section to the Political Code, to be numbered 1582, relating to his duties concerning the lapsing and suspension of school districts;

Also: Senate Bill No. 947—An act to add two new sections to the Political Code, to be numbered 1547 and 1671, relating to the apportionment of school moneys by the county superintendent of schools and the minimum school day, and to repeal section 1858 of the Political Code;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

GATES, Chairman.

Senate Bills Nos. 941 and 947 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 426—An act to add a new section to the Political Code, to be numbered 1838, relating to the powers and duties of the governing boards of school districts in levying taxes for building purposes;

Also: Senate Bill No. 692—An act to amend section 1548 of the Political Code, relating to postage, expressage, printing and binding of documents and other incidental expenses of the county, or city and county, superintendent of schools;

Also: Senate Bill No. 693—An act to amend section 1712 and 1714 of the Political Code, relating to school libraries, what books and apparatus may be bought, how and when they may be purchased, and providing a library fund in cities, and cities and counties;

Also: Senate Bill No. 981—An act to add a new section to the Political Code to be numbered 1617*b*, relating to power of trustees of elementary school districts;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

GATES, Chairman.

Senate Bills Nos. 426, 692, 693 and 981 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 308—An act confirming and validating the organization of school districts;

Also: Assembly Bill No. 1290—An act to amend section 1533 of the Political Code, relating to annual convention of county and city school superintendents;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

GATES, Chairman.

Assembly Bills Nos. 308 and 1290 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 477—An act to add a new section to the Political Code to be numbered 1734*a*, providing for the annexation of elementary school districts to high school districts;

Also: Assembly Bill No. 828—An act to amend section 1665 of the Political Code, relating to the subjects in which instruction shall be provided in the elementary schools of the State;

Also: Assembly Bill No. 1148—An act to amend section 1489 of the Political Code, relating to the powers and duties of boards of trustees of State normal schools;

Also: Assembly Bill No. 1149—An act to add a new section to the Political Code, to be numbered 1743*b*, relating to the duty of high school principals concerning the activities and finances of student organizations;

Also: Assembly Bill No. 1416—An act to amend sections 1611, 1613, 1614, 1615, 1616 and 1617 of the Political Code; to add thereto ten new sections, to be numbered 1603, 1603*a*, 1604, 1605, 1606, 1607, 1608, 1609, 1610 and 1612; and to repeal sections 1617*a*, 1617*b*, 1617*c* and 1617*d* of the Political Code, relating to boards of school trustees and city boards of education;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

GATES, Chairman.

Assembly Bills Nos. 477, 828, 1148, 1149 and 1416 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 12, 1917.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 507—An act to amend section 338 of the Code of Civil Procedure, relating to the period within which certain actions may be commenced;

Also: Assembly Bill No. 1292—An act to amend section 28 of an act entitled "An act to regulate fees of office and salaries of certain officers, and to repeal certain other acts in relation thereto," approved March 5, 1870, as amended;

Also: Senate Bill No. 505—An act relating to the liability in damages of towns, cities, cities and counties, and counties, for damages for injuries to person or property resulting from defects and dangers in streets, highways, public bridges, public buildings, public work or property, and providing for the payment of judgments recovered for such damages, and repealing acts in conflict herewith.

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

KEHOE, Chairman.

Assembly Bills Nos. 507 and 1292, and Senate Bill No. 505 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 755—An act to amend section 601 of the Code of Civil Procedure, relating to challenge of jurors—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do not pass, as amended.

KEHOE, Chairman.

Assembly Bill No. 755 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 756—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications;

Also: Assembly Bill No. 1100—An act to amend section 17 of an act entitled "An act to establish a standard of weights and measures in the State of California, to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act, for the admission in evidence of copies of the state's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a state superintendent of weights and measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, and known as the "Weights and Measures Act," and amended June 8, 1915;

Also: Assembly Bill No. 1331—An act to amend the Penal Code by adding a new section thereto, to be numbered 626*r*, relating to the possession of aigrettes, aigrette plumes, or so-called osprey plumes;

Also: Senate Bill No. 1181—An act to amend section 1547 of the Penal Code, relating to offering rewards for the apprehension of fugitives from justice;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Assembly Bills Nos. 756, 1100 and 1331, and Senate Bill No. 1181 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 716—An act relating to the regulation of real estate brokers, agents, salesmen and dealers in the State of California—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

KEHOE, Chairman.

Senate Bill No. 716 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 6—An act to regulate the preparation of plans and specifications and awarding of contracts for the erection, construction and alteration of public buildings in the State of California—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do not pass, as amended.

KEHOE, Chairman.

Senate Bill No. 6 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 837—An act to amend the Code of Civil Procedure by adding a new section, to be numbered 300, relating to costs in proceedings for the removal and suspension of attorneys;

Also: Senate Bill No. 1178—An act authorizing the State Board of Control for and on behalf of the State of California to retransfer a certain tract of land back to original owners;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Senate Bills Nos. 837 and 1178 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 22—An act authorizing suits against the State concerning certain real property and regulating procedure therein;

Also: Senate Bill No. 132—An act to amend section 270 of the Penal Code, providing punishment for failing to support a minor child, and conferring jurisdiction upon the juvenile court;

Also: Assembly Bill No. 213—An act to amend sections 540, 554, 555, and 868 of the Code of Civil Procedure, all relating to the attachment of property as security for the satisfaction of judgments;

Also: Senate Bill No. 589—An act to amend section 290*a* of the Civil Code, relating to corporations authorized to act as executor, administrator, guardian, assignee, receiver, depositary, or trustee or to engage in the business of banking;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended.

KEHOE, Chairman.

Assembly Bills Nos. 22 and 213 and Senate Bills Nos. 132 and 589 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 674—An act to amend sections 1, 2, 3, 4, 5, 6 and 9 of an act entitled "An act to establish a legislative counsel bureau and making an appropriation therefor," approved May 26, 1913, as amended—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended, and be re-referred to Committee on Finance.

KEHOE, Chairman.

Senate Bill No. 674 re-referred to Committee on Finance.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 11, 1917.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 849—An act to amend section 4290 of the Political Code, relating to fees and salaries of county officers—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

INMAN, Chairman.

Assembly Bill No. 849 ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, April 11, 1917.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 35—A resolution to propose to

the people of the State of California to amend the constitution of said State by adding a new section to Article XIII thereof to be numbered 1*b*, relating to the exemption from taxation of Young Men's Christian Association and Young Women's Christian Association properties used for association purposes—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

BALLARD, Chairman.

Assembly Constitutional Amendment No. 35 ordered on file.

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, April 12, 1917.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 817—An act to authorize cooperation by the Railroad Commission and the Industrial Accident Commission in the exercise of jurisdiction with respect to safety orders, rules and regulations in employments and places of employment conducted by public utilities—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass, as amended.

CARR, W. J., Chairman.

Senate Bill No. 817 ordered on file for second reading.

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, April 11, 1917

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 829—An act to amend section 597 of the Political Code, relating to the examination by the Insurance Commissioner of insurance carriers—has had the same under consideration, and respectfully reports the same back and recommends that it do pass

BURNETT, Chairman.

Senate Bill No. 829 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 907—An act to amend section 453*c* of the Civil Code, relating to insurance on the assessment plan—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

BURNETT, Chairman.

Assembly Bill No. 907 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 337—An act relating to health and accident insurance and the conduct of the business of such insurance, and prescribing certain standard provisions for such insurance policies;

Also: Senate Bill No. 633—An act to amend section 602*a* of the Political Code, relating to liability reserves of insurance companies;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

BURNETT, Chairman.

Senate Bills Nos. 337 and 623 ordered on file for second reading.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 12, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 96—An act to amend section 850 of the Code of Civil Procedure, relating to notice in justices' courts;

Also: Senate Bill No. 1139—An act to amend section 2 of an act entitled "An act providing for the disposition of certain property," passed April 21, 1851, relating to tidelands covered by the waters of Carquinez straits;

Also: Senate Concurrent Resolution No. 21—Approving amendments to the charter of the city of San Rafael, a municipal corporation, in the county of Marin, State of

California, voted for and ratified by the qualified electors of said city at a general election held therein on the twelfth day of April, 1915;

Also: Senate Bill No. 312—An act confirming and validating the organization of school districts;

Also: Senate Bill No. 308—An act to add a new section to the Penal Code, to be numbered 628*j*, relating to the protection of salt water eels;

Also: Senate Bill No. 14—An act to carry into effect the provisions of subdivisions six and seven of section 8½ of Article XI of the Constitution of the State of California; and also to provide for the alteration of the boundaries of and for the annexation of territory located in the county of San Mateo to the city and county of San Francisco, for the incorporation of such annexed territory in and as a part thereof, and for the government of such annexed territory as an integral part of such city and county of San Francisco;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twelfth day of April, 1917, at three o'clock p.m.

STUCKENBRUCK, Acting Chairman.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Kehoe:

SENATE CHAMBER, SACRAMENTO, April 12, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2, Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act prohibiting misrepresentations as to contracts for the purchase of real property, and providing a penalty for violation of the provisions hereof.

Request referred to Committee on Rules.

ADJOURNMENT.

At six o'clock p.m., on motion of Senator Benson, the President pro tempore declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Friday, April 13, 1917.

The Senate met at ten o'clock a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—39.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, April 12, 1917, its further reading was dispensed with, on motion of Senator Sharkey.

LEAVE OF ABSENCE.

Senator Tyrrell was, on motion of Senator Kehoe, granted leave of absence for this day.

COMMUNICATION.

The following communication was received and ordered printed in the Journal:

ATASCADERO, SAN LUIS OBISPO COUNTY, CALIFORNIA, March 16, 1917.

Hon. E. S. Rigdon, Senatorial District No. 17.

DEAR SIR: We, the organization of the Woman's Christian Temperance Union of Atascadero, in San Luis Obispo County, and the undersigned citizens, earnestly request you to defend the honor and respectability of the citizens of California by vigorously opposing Amendment No. 26, which, if enacted, would prohibit the voters of the State to legislate in regard to the controlling, regulation, or prohibition of the liquor traffic; and Assembly Bill No. 54, which would license and permit prostitution. Such legislation would be an open insult to the conscience of California citizens.

MRS. H. R. EATON,
MARY E. WISE,
MRS. CARRIE BRITTAIN,
MRS. O. P. HARTRANFT,
MRS. FLAVILLA NORTHROP,
MRS. MARY R. HOWARD,
MRS. GRACE SNYDER,
MRS. S. R. DONNEL,
MARGARET B. SIMMS,
SARAH BROOKE,
JESSIE NICHOLSON,
JULIA A. WILLSON,
ELLA M. TYLER,
E. R. WOOD,
MRS. FLORENCE SLOAN,
MRS. ROSE D. SPRAGUE.

RESOLUTIONS.

The following resolution was offered:

By Committee on Contingent Expenses:

Resolved, That the Controller be, and he is hereby, authorized and directed to draw his warrant on the contingent fund of the Senate in favor of The Pussyfoot Pad Co. for the sum of $26.39 as per itemized statement herein, and the State Treasurer is hereby directed to pay the same.

Stenographers' Pussyfoot Typewriter Pads, 21 sets $26.39

NEALON, Chairman.

Resolution read.

Senator Nealon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Breed, Carr, W. J., Chamberlin, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Thompson—21.

NOES—None.

Also:

The following resolution was offered:

By Committee on Contingent Expenses:

SENATE CHAMBER, SACRAMENTO, April 11, 1917.

Resolved, That the Controller be, and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Senate in the sum of eighty-nine and ninety-seven one-hundredths dollars ($89.97) in favor of Clifton E. Brooks,

Secretary, to pay the amounts as itemized below, and the State Treasurer is hereby directed to pay the same:

L. C. Smith & Bros.:		
One No. 246 carriage end right	$1 00	$1 00
W. H. Funk & Company:		
Lettering on doors, at 5 cents per letter:		
Room 99 Constitutional Amendments	1 20	
Room 92 Senate Journal Clerk	90	
Room 94 Public Utilities, Revenue & Taxation, Commerce and Navigation	2 60	
Room 96 Civil Service	60	
Key rack, 14 letters	70	6 00
American Cash Store:		
Two cases Domino matches	8 00	8 00
W. F. Purnell:		
1 Webster's Collegiate Dictionary	3 15	
2 No. 513 Fillers	2 00	
½ dozen No. 91 transfers	2 00	
1 No. 701½ cover I-P	1 25	
2 No. 513 I-P fillers	2 00	
1 No. 513 I-P index	65	
200 X153 blank cards	40	
100 X153 R. H. cards	20	
500 Acco clips	6 75	
3 Collegiate Dictionaries	9 45	
1 No. 701 I-P binder	1 40	
1 No. 513 index	65	
1 No. 701 I-P filler	1 35	31 25
H. S. Crocker Company:		
1 Collegiate Dictionary, cloth	3 15	3 15
Sacramento Builders' Supply Company:		
1 P. § x 6-0 0 pine round ends	75	75
Sleeper Stamp Company:		
1 Hercules No. 2 pocket stamp	1 50	
1 Autograph stamp	2 00	
5 Stamps	1 35	
3 Adjustable stamp racks	4 05	
3 Adjustable stamp racks	4 05	12 95
Decorating Assembly Chamber and Lobby for Inauguration:		
E. H. Cox:		
Labor of decorators, rent of decorations, drayage, removing decorations	35 00	
John Breuner Co.:		
Rent of 25 dozen folding chairs	18 75	
	53 75	
Senate's portion, one-half		26 87
Total		$89 97

Resolution read.

Senator Nealon moved that the resolution be adopted.

The roll was called, and resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, W. J., Chamberlin, Evans, Flaherty, Gates, Ingram, Inman, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Thompson—21.

NOES—None.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 13, 1917.

MR. PRESIDENT: Your Committee on Corporations, to which was referred Senate Bill No. 228—An act to amend section 304 of the Civil Code, relating to entries to be made in the book of by-laws kept by corporations—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

SHARKEY, Chairman.

Senate Bill No. 228 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Corporations, to which was referred Senate Bill No. 1023—An act relating to corporations and to the issue of shares by them without a nominal or par value—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

SHARKEY, Chairman.

Senate Bill No. 1023 ordered on file for second reading.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, April 12, 1917.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 555—An act to provide for the formation, government, operation and dissolution of forest fire districts in any part of the State of California, to prevent and extinguish forest, brush and grass fires therein and protect persons and property from injury, loss or damage resulting from any such fire; and to provide for the assessment, levy, collection and disbursement of taxes and revenues therein, and the contribution or payment of public funds therefor—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

KING, Chairman.

Senate Bill No. 555 ordered on file for second reading.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following resolution was offered:

By Senator Sharkey: Senate Joint Resolution No. 16—Authorizing and requesting the Governor to appoint a commission to collect and disseminate facts as to the value and amount of commerce now carried upon the inland and coastal waterways of the State of California and the probable increase in their usefulness as carriers of commerce, if improved, and to present such data from time to time to the Board of United States Engineers and to the Congress of the United States.

Resolution ordered to print, and referred to Committee on Federal Relations.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 587—An act to add a new section to the Political Code, to be numbered 2983, relating to the office of attorney for the State Board of Health, and repealing all acts inconsistent therewith.

On motion of Senator Kehoe, Senate Bill No. 587 was passed on file.

Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the Constitution by adding a new section 15 to Article XIII, relating to revenue and taxation.

In the absence of the author, Senate Constitutional Amendment No. 31 was ordered passed, to retain its place on the file.

Senate Bill No. 1090—An act to amend sections 1, 2, 3, 6, 7, 12, 15 and 16 of an act entitled "An act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911, as amended.

On motion of Senator Scott, Senate Bill No. 1090 was passed on file.

SENATOR KEHOE IN THE CHAIR.

At ten o'clock and twenty minutes a.m., Senator Kehoe of the First District was called to the chair.

Senate Bill No. 971—An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 971 passed by the following vote:

AYES—Senators Ballard, Brown, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Kehoe, King, Lyon, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Slater, Stuckenbruck, and Thompson—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Benson, the following messages from the Assembly were taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 11th passed Assembly Bill No. 1291—An act to regulate the sale or dispensing of intoxicating liquors, the time when, place were, persons by whom such liquors may be sold or dispensed, limiting the number of places where intoxicating liquors may be sold or dispensed according to population, regulating the licensing and conducting of places where intoxicating liquors are sold or dispensed, fixing penalties for the violation of this act and repealing all laws or parts of laws in conflict therewith.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1291 read first time, and referred to Committee on Public Morals.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1289—An act defining "industrial loan companies," providing for their incorporation, powers and supervision;

Also: Assembly Bill No. 1448—An act to amend section 421 of the Civil Code, relating to investments by insurance companies;

Also: Assembly Bill No. 632—An act declaring gophers and ground squirrels a public nuisance; providing for the manner and means of the abatement of such nuisance; providing that the expense incurred by reason of such abatement shall be a lien on the property, and empowering the board of supervisors in each county to employ persons to carry out the provisions hereof;

Also: Assembly Bill No. 573—An act to amend section 604*a* of the Civil Code, relating to religious corporations.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1289 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1448 read first time, and referred to Committee on Insurance.

Assembly Bill No. 632 read first time, and referred to Committee on Agriculture.

Assembly Bill No. 573 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 212—An act to promote the development of the California fresh fruit industry in state and interstate markets, and to protect the State's reputation in these markets by establishing a standard for the packing of certain fresh fruits specified therein, and to prevent deception in the packing, prescribing penalties for violation of the provisions hereof, and repealing all acts inconsistent herewith;

Also: Assembly Bill No. 1114—An act to amend an act entitled "An act authorizing any incorporated town, city or municipal corporation to permit the construction and maintenance of any state or county highway or boulevard over highways or streets in its incorporated limits or any portion thereof by the supervisors or highway commissioners of the county," approved March 19, 1909;

Also: Assembly Bill No. 942—An act to provide for the equipment of steam locomotives with automatic bell-ringing devices;

Also: Assembly Bill No. 421—An act to amend section 6 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended May 30, 1913, as amended June 11, 1915.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 212 read first time, and referred to Committee on Agriculture.

Assembly Bill No. 1114 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 942 read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 421 read first time, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1230—An act appropriating money for the purchase of laundry machinery for the Napa State Hospital;

Also: Assembly Bill No. 1231—An act appropriating money for the construction of powerhouse and the purchase of machinery for same for the Napa State Hospital;

Also: Assembly Bill No. 1232—An act appropriating money for the installation of electric elevators at the Napa State Hospital;

Also: Assembly Bill No. 1233—An act appropriating money for the construction of sewer line at the Napa State Hospital;

Also: Assembly Bill No. 1251—An act to appropriate money for electrification and rewiring at San Quentin State Prison;

Also: Assembly Bill No. 398—An act appropriating money to enable the State Normal School at Los Angeles to hold Saturday sessions;

Also: Assembly Bill No. 447—An act appropriating money for the maintenance and support of the Los Angeles Exposition;

Also: Assembly Bill No. 1146—An act to amend section 4247 of the Political Code, relative to salaries and fees of officers in counties of the eighteenth class.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1230 read first time, and referred to Committee on Finance.

Assembly Bill No. 1231 read first time, and referred to Committee on Finance.

Assembly Bill No. 1232 read first time, and referred to Committee on Finance.

Assembly Bill No. 1233 read first time, and referred to Committee on Finance.

Assembly Bill No. 1251 read first time, and referred to Committee on Finance.

Assembly Bill No. 398 read first time, and referred to Committee on Finance.

Assembly Bill No. 447 read first time, and referred to Committee on Finance.

Assembly Bill No. 1146 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate Amendments to Assembly Bill No. 1388—An act to amend section 1593 of the Political Code, relating to the election of school trustees;

Also: To Assembly Bill No. 1006—An act to prevent fraud upon the traveling public by adding a new section to the Penal Code, to be numbered 483, making it a misdemeanor to sell, transfer or deliver to another for the use of any person, other than the person entitled by the terms thereof to use the same, any ticket, scrip, mileage or commutation book, coupon, or other instrument for passage upon any common carrier;

Also: To Assembly Bill No. 706—An act to amend sections 7 and 8 and to add four new sections to be known as section 8*b*, section 8*c*, sections 8*f* and 8*g* of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended;

Also: To Assembly Bill No. 575—An act to add a new section to the Political Code, to be numbered 1733*a*, relating to the exclusion of elementary school districts from union and joint union high school districts, for the purpose of organizing a new union or joint union high school district, and providing for the organization of such new union or joint union high school district;

Also: To Assembly Bill No. 309—An act to amend section 465 of the Civil Code, relating to powers of railroad corporations;

Also: To Assembly Bill No. 1162—An act to amend section 4268 of the Political Code, relating to counties of the thirty-ninth class;

Also: To Assembly Bill No. 926—An act prohibiting discrimination in favor of individuals between insurants of the same class and expectation of life in the amount or payment of premiums, or rates charged for policies of insurance, or in the dividends or other benefits payable thereon; also prohibiting the giving or the acceptance of rebates on life insurance policies and providing penalty therefor;

Also: To Assembly Bill No. 1393—An act to amend section 4283 of the Political Code, relating to compensation of officers in counties of the fifty-fourth class;

Also: To Assembly Bill No. 925—An act providing for the licensing of life insurance agents, limiting the payment of commissions or other compensation for services in procuring new insurance to licensed agents only and providing penalty for the violation of this act;

Also: To Assembly Bill No. 629—An act to amend section 1614 of the Penal Code, relating to rules and regulations for the performance of labor, credits for good behavior of prisoner confined in county jail or in city jail or in city and county jail;

Also: To Assembly Bill No. 367—An act to amend section 631*d* of the Penal Code, relating to the domestication of wild game;

Also: To Assembly Bill No. 281—An act to add a new section to the Political Code, to be numbered 633*b*, concerning insurance and surety companies, agents and brokers, requiring that policies or contracts of insurance, or surety bonds shall show the correct premium consideration and the risks insured thereunder; prohibiting the giving of rebates on insurance or surety bonds and providing penalty therefor and for the suspension of certificate of authority of any insurance or surety company and the revoking or suspension of the license of any agent or broker violating the same, and prescribing the powers and duties of the Insurance Commissioner in relation thereto;

Also: To Assembly Bill No. 283—An act to add a new section to the Political Code, to be numbered 633*a*, concerning the licensing of insurance brokers, and providing for the issuance and revoking of licenses by the Insurance Commissioner, and providing penalties for a violation thereof;

Also: To Assembly Bill No. 231—An act to amend section 19*c* of the Juvenile Court Law, approved June 5, 1915;

Also: To Assembly Bill No. 1217—An act to amend section 542*a* of the Code of Civil Procedure, relating to attachment liens.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 156—An act to amend the Political Code of the State of California by adding thereto a new section to be numbered 1618*a*, relating to the powers and duties of boards of school trustees and city boards of education; also to repeal an act entitled "An act to provide for health and development supervision in the public schools of the State of California," approved April 15, 1909.

In the absence of the author, Senate Bill No. 156 was ordered passed, to retain its place on the file.

Senate Bill No. 49—An act to repeal section 55*a* of the Penal Code, relative to soliciting, demanding, or pledging votes for or against any particular bill or measure.

In the absence of the author, Senate Bill No. 49 was ordered passed, to retain its place on the file.

Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending section 1 of Article IV thereof, relating to legislative powers, and reserving to the people of the State of California the power to propose laws, statutes and amendments to the Constitution and to enact the same at the polls, independent of the Legislature, and also reserving to the people of the State of California the power to approve or reject at the polls any act or section or part of any act of the Legislature.

In the absence of the author, Senate Constitutional Amendment No. 5 was ordered passed, to retain its place on the file.

Senate Bill No. 1110—An act to promote the development of the California fruit industry and to protect the State's reputation in the fruit markets by establishing a standard for the packing of certain fresh fruits specified herein, prescribing penalties for violations of the provisions hereof, and repealing all acts inconsistent herewith.

On motion of Senator Benson, Senate Bill No. 1110 ordered to unfinished business.

Senate Bill No. 176—An act adding a new section to the Political Code, to be numbered 3245*a*, relating to hours of labor of females employed in state hospitals.

On motion of Senator Flaherty, Senate Bill No. 176 was passed on file.

Senate Bill No. 370—An act to authorize the incurring of indebtedness by counties for the construction of roads and highways and for all necessary public improvements or for any purpose whatsoever.

In the absence of the author, Senate Bill No. 370 was ordered passed, to retain its place on the file.

Senate Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by adding a new article thereto, to be numbered 24, establishing a state athletic commission and regulating boxing and sparring in the State.

On motion of Senator Scott, Senate Constitutional Amendment No. 19 was passed on file.

Senate Constitutional Amendment No. 44—A resolution to propose to the people of the State of California to amend section 13 of Article VI of the Constitution of the State, relating to inferior courts.

On motion of Senator Ballard, Senate Constitutional Amendment No. 44 was passed on file.

Senate Bill No. 1106—An act appropriating money to pay the claim of ———— covering the funeral expenses of John M. Eshleman.

In the absence of the author, Senate Bill No. 1106 was ordered passed, to retain its place on the file.

Senate Bill No. 159—An act to create a cattle protection board, to define its powers and duties, to protect the breeders and growers of cattle from theft, to provide for the registration of cattle brands and the licensing of cattle slaughterers and sellers of the meat thereof, to provide for the inspection of cattle and cattle hides for brands and marks, to provide for the collection of license and inspection fees, to provide for the creation of a fund to be known as the cattle protection fund, and to provide penalties for violation of the provisions hereof.

On motion of Senator Rigdon, Senate Bill No. 159 was passed on file.

Senate Bill No. 811—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications.

On motion of Senator Ballard, Senate Bill No. 811 was passed on file.

Senate Bill No. 1134—An act to amend section 131 of the Civil Code, relating to judgment in an action for divorce, and repealing section 132 of said Civil Code.

On motion of Senator Scott, Senate Bill No. 1134 was passed on file.

SECOND READING OF SENATE BILLS.

Senate Bill No. 502—An act appropriating money to pay the claims of various contractors against the State of California in connection with the construction of the Fresno Normal School.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 581—An act to appropriate money for paving in front of the San Diego State Normal School.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 668—An act to appropriate money for the repair of the Naval Reserve Armory at San Diego, California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 856—An act making an appropriation for the support of the Department of Sanitary Engineering under the direction of the State Board of Health.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 871—An act appropriating money for the support of the Advisory Pardon Board during the sixty-ninth and seventieth fiscal years.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 908—An act appropriating money for the construction and equipment of a state printing office and the necessary removal thereto.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 913—An act appropriating money for the creating of a revolving fund for Engineering Department in lieu of that created by Chapter 108 of Statutes of 1913 and Chapter 355 of Statutes of 1915.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 914—An act appropriating money to create a revolving fund for the State Purchasing Department.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 915—An act appropriating money for the support of the State Purchasing Department during the sixty-ninth and seventieth fiscal years.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 916—An act appropriating money for machinery and equipment, State Printing Plant.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 933—An act appropriating money for the support of the State Board of Health, in the control of contagious diseases, during the sixty-ninth and seventieth fiscal years.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 986—An act appropriating money for the support of the Social Insurance Investigating Commission during the sixty-ninth and seventieth fiscal years.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1003—An act appropriating money for the enlargement of kitchen for hospital and additional equipment for same at the Veterans' Home.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1008—An act appropriating money for the support and payment of all salaries of the State Market Commission during the sixty-ninth and seventieth fiscal years.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1029—An act appropriating money for the support of the Historical Commission during the sixty-ninth and seventieth fiscal years.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1030—An act appropriating money for the equipment of vault, Secretary of State's office.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1122—An act to appropriate money for a water system at the California School for Girls.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 292—An act appropriating money for recreation center at the San Quentin State Prison.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title after the word "for", strike out the words "recreation center" and insert in lieu thereof the following: "construction and equipment of small buildings".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out the word "nine" and insert in lieu thereof the word "twenty".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 4, of the printed bill, after the word "for", strike out the words "recreation center", and insert in lieu thereof the following: "construction and equipment of small buildings".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 400—An act to appropriate money to pay the expense of improving certain streets in the city of Berkeley adjoining the grounds of the University of California.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, in line 2, of the printed bill, after the word "dollars" insert a comma and the words "or so much thereof as may be necessary,".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 415—An act making an appropriation to pay the claim of the city of Los Angeles against the State of California.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, in line 2, of the printed bill, after the word "dollars" insert a comma and the words "or so much thereof as may be necessary,".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 416—An act making an appropriation for the payment of certain assessments for sanitary sewers levied upon the property of the State of California known as the normal school property on Vermont avenue, in the city of Los Angeles, State of California.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, in line 4, of the printed bill, after the word "dollars" insert a comma and the words "or so much thereof as may be necessary,".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 417—An act making an appropriation for the payment of certain assessments for main outfall sewer levied upon the property of the State of California known as the normal school property, on Vermont avenue, in the city of Los Angeles, State of California.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, in line 4, of the printed bill, after the word "dollars" insert a comma and the words "or so much thereof as may be necessary,".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 460—An act to amend sections 2319, 2319*a*, 2319*b*, 2319*c*, 2319*d*, 2319*i* and 2319*j* of the Political Code of the State of California; to add sections 2319*k* and 2319*l* as new sections to the Political Code of the State of California, relating to the State Commissioner of Horticulture and prescribing the powers, duties and compensation of said State Commissioner of Horticulture and the officers and employees appointed by said commissioner and providing methods, means and penalties for the enforcement of such powers and duties, and providing for the appointment of additional officers, fixing their compensation and prescribing their duties.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 5, line 19, omit the word "office" and insert in lieu thereof the word "officer".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 8, line 32, omit the word "license" and insert in lieu thereof the word "licensee".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 10, strike out the words "two thousand four hundred" and insert in lieu thereof "two thousand seven hundred".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 773—An act appropriating money for the purpose of constructing new school and farm buildings to be used in connection with the California Polytechnic School at San Luis Obispo.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2 of the title strike out the words "new school", and the words "and farm buildings" in line 3 of the title, and insert in lieu thereof the words "a barn".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 1 of the printed bill strike out the words "hundred fifty".

Amendment adopted.

AMENDMENT NUMBER THREE.

Strike out all of line 4 of the printed bill after the comma and all of lines 5, 6, 7, 8 and 9, and insert in lieu thereof the following: "to be expended in accordance with law for the construction of a barn at the California Polytechnic School at San Luis Obispo."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 907—An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, as recommended in the special report of the California Debris Commission, dated June 30, 1907, and made jointly by Brigadier General A. Mackenzie, chief of engineers; C. H. McKinstry, corps of engineers, and Thomas H. Jackson, captain, corps of engineers of the United States Army, and printed with the annual report of the Chief of Engineers of the United States Army, for the fiscal year ending June 30, 1907, and making an appropriation for such work.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of the title and insert in lieu thereof the following:

An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, by controlling the floods, removing the debris and continuing the improvement of the Sacramento River, California, in accordance with the plans of the California debris commission contained in the report of said commission submitted August 10, 1910, and transmitted to the speaker of the house of representatives of the United States by the secretary of war on June 27, 1911, and printed in house of representatives document number eighty-one of the first session of the sixty-second United States congress, as modified by the report of said commission submitted February 8, 1913, approved by the chief of engineers of the United States army and the board of engineers for rivers and harbors and printed in rivers and harbors committee document number five, sixty-third United States congress, first session, in so far as said plan provides for the rectification and enlargement of river channels and the construction of weirs; and making an appropriation for such work; and providing for the continuance of such work as provided by section 2 of an act of the congress of the United States entitled "An act to provide for the control of the floods of the Mississippi river and of the Sacramento river, California, and for other purposes," approved March 1, 1917.

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all of the printed bill after the enacting clause, and insert in lieu thereof the following:

SECTION 1. The sum of five hundred thousand dollars is hereby appropriated out of any money in the state treasury not otherwise appropriated, which shall be available July 1, 1917, for controlling the floods, removing the debris and continuing the improvement of the Sacramento river, California, in accordance with the plans of the California debris commission contained in the report of said commission submitted August 10, 1910, and transmitted to the speaker of the house of representatives of the United States by the secretary of war on June 27, 1911, and printed in house of representatives document number eighty-one of the first session of the sixty-second United States congress, as modified by the report of said commission submitted

February 8, 1913, approved by the chief of engineers of the United States army and the board of engineers for rivers and harbors and printed in rivers and harbors committee document number five, sixty-third United States congress, first session, in so far as said plan provides for the rectification and enlargement of river channels and the construction of weirs.

SEC. 2. The appropriation made by section one of this act is made in compliance with the provisions of section two of that certain act of congress of the United States entitled "An act to provide for the control of the floods of the Mississippi river and of the Sacramento river, California, and for other purposes," approved March 1, 1917, and shall be paid to the treasurer of the United States whenever a like sum of five hundred thousand dollars shall have been appropriated or authorized to be appropriated by the congress of the United States, conditional on the payment of an equal amount by the State of California, for the prosecution of said work pursuant to section two of said act of congress.

SEC. 3. The money hereby appropriated, when paid to the treasurer of the United States, shall be expended under the direction of the California debris commission and in such manner as it may require or approve, and as provided in section two of said act of congress; and none of the money so appropriated shall be expended in the purchase of or payment for any right of way, easement or land acquired for the purposes of said improvement.

SEC. 4. The controller of the State of California is hereby authorized and directed, upon request of the governor, to draw his warrant or warrants on the state treasurer in favor of the treasurer of the United States for the amount hereby appropriated, and the state controller is hereby directed to pay the same.

SEC. 5. If the congress of the United States shall not appropriate the full sum of five hundred thousand dollars for the prosecution of said work in accordance with section two of said act of congress, as hereinbefore referred to, but shall appropriate a less sum or sums from time to time for said purpose, then the said sum hereby appropriated shall become available and be paid over to the treasurer of the United States, for said purpose as hereinbefore provided, in such sum or sums from time to time as may equal the sum or sums so appropriated or authorized to be appropriated by congress.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1006—An act to amend an act entitled "An act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain acts a felony and repealing an act entitled 'An act creating a commissioner of public works, defining his duties and powers and fixing his compensation,' approved February 9, 1900, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897; also repealing an act entitled 'An act providing for the appointment of an auditing board to the commissioner of public works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this act,' approved March 17, 1897, and all acts or parts of acts amendatory

thereof; also repealing an act entitled 'An act to provide for the appointment, duties and compensation of a debris commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such commissioner,' approved March 24, 1893, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this act,' approved April 1, 1897, and all acts or parts of acts amendatory thereof," approved March 11, 1907, and all acts or parts of acts amendatory thereof, by amending section 4 thereof.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out the words "Section four" from the second line of the title, and insert in lieu thereof the words: "sections two, six and seventeen."

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all after the enacting clause, and insert in lieu thereof the following:

SECTION 1. Section two of an act entitled "An act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain acts a felony and repealing an act entitled 'An act creating a commissioner of public works, defining his duties and powers and fixing his compensation,' approved February ninth, nineteen hundred, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April first, eighteen hundred ninety-seven; also repealing an act entitled 'An act providing for the appointment of an auditing board to the commissioner of public works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this act,' approved March seventeenth, eighteen hundred ninety-seven, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to provide for the appointment, duties and compensation of a debris commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such commissioner,' approved March twenty-fourth, eighteen hundred ninety-three, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this act,' approved April first, eighteen hundred ninety-seven, and all acts or parts of acts amendatory thereof," approved March eleventh, nineteen hundred seven, and all acts or parts of acts amendatory thereof, is hereby amended to read as follows:

SEC. 2. Upon this act becoming effective the governor shall appoint a competent civil engineer as the head of the department of engineering, and such person shall be known as the state engineer. The state engineer shall devote his entire time to the services of the state and shall not actively engage in any other pursuit while

serving as such state official. He shall have charge of all the engineering and structural work of the department.

SEC. 2. Section six of said act is hereby amended to read as follows:

SEC. 6. The department of engineering, by and through the state engineer, shall have power to appoint two assistant engineers, a secretary, one state architect, one assistant state architect, a general superintendent for the architectural division, one mechanical engineer, one architectural designer, one structural engineer, an auditor, one electrical engineer, one estimator, one specification writer, one engineer's draftsman, three architectural draftsmen, two clerks, two stenographers, a blueprint pressman, a janitor, and such additional assistance as the advisory board may, in its judgment, deem necessary, and to fix their salaries and compensation, which officers and appointees shall hold office at the pleasure of the appointive power, and who must be confirmed by the advisory board before proceeding with their duties. Such officers and employees shall devote their entire time to the service of the department.

SEC. 3. Section seventeen of said act is hereby amended to read as follows:

SEC. 17. The highway engineer shall receive not to exceed the sum of ten thousand dollars per annum; the state engineer shall receive the sum of five thousand dollars per annum; each assistant engineer shall receive the sum of three thousand dollars per annum; the secretary shall receive the sum of three thousand dollars per annum; the state architect shall receive the sum of four thousand eight hundred dollars per annum; the assistant state architect shall receive the sum of three thousand dollars per annum; the general superintendent for the architectural division shall receive the sum of three thousand dollars per annum; the mechanical engineer shall receive the sum of two thousand seven hundred dollars per annum; the architectural designer shall receive the sum of two thousand seven hundred dollars per annum; the structural engineer shall receive the sum of two thousand four hundred dollars per annum; the auditor shall receive the sum of two thousand four hundred dollars per annum; the electrical engineer shall receive the sum of two thousand one hundred dollars per annum; the estimator shall receive the sum of two thousand one hundred dollars per annum; the specification writer shall receive the sum of two thousand one hundred dollars per annum; the engineer's draftsman shall receive the sum of two thousand dollars per annum; two architectural draftsmen shall receive the sum of two thousand one hundred dollars per annum, each; one architectural draftsman shall receive the sum of one thousand eight hundred dollars per annum; two clerks shall receive the sum of one thousand eight hundred dollars each, per annum; two stenographers shall receive the sum of one thousand five hundred dollars each, per annum; the blueprint pressman shall receive the sum of one thousand five hundred dollars per annum; the janitor shall receive the sum of nine hundred dollars per annum. Such salaries shall be paid at the same time and in the same manner as are the salaries of other state officers. The highway engineer shall furnish the state with a bond in the sum of twenty thousand dollars; the two assistant engineers and the state architect shall each furnish the state with a bond in the sum of ten thousand dollars; and the secretary shall furnish the state with a bond in the sum of fifteen thousand dollars, for the faithful performance of their duties. Such bonds must be approved by the governor of the State of California, and filed in the office of the secretary of state. Each of the three appointed members of the advisory board shall receive the sum of three thousand six hundred dollars per annum. Each and every one of the above-mentioned officers shall take the oath of office as prescribed for other state officers. The members of the advisory board, the state engineer and other officers and employees of the department of engineering shall be allowed their necessary traveling expenses while engaged in the discharge of their duties within the state. Every employee of the department of engineering who is entrusted with moneys belonging to the state and who is not already required by law to furnish an official bond shall file a bond if the said department shall so require in such an amount as the department shall deem to be expedient with two sufficient sureties thereon or with a surety company of recognized standing for the faithful performance of his trust, which bond must be approved by the state board of control and filed with the state treasurer. The premium or charge for every such bond, if given by a surety company, shall be paid by said department out of the particular fund under its control, from which fund the moneys are withdrawn and placed in the custody of the bonded employee or out of that fund to which the services of such employee directly pertain.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1020—An act appropriating money to pay the claim of various counties and institutions, orphan aid.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, in line 2, of the printed bill, after the word "cents", insert a comma and the words "or so much thereof as may be necessary,".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1091—An act to amend sections 2283, 2285 and 2289 of the Political Code, relating to the support and maintenance of orphans, half orphans and abandoned children.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 3 of the title, after the word "eighty-five", insert a comma and the words "two thousand two hundred eighty-six".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, in line 2, of the printed bill, after the word "eighty-five", insert a comma and the words "two thousand two hundred eighty-six".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, between lines 17 and 18, of the printed bill, insert the following:

2286. The state board of control is authorized, in behalf of the state, at any time to inquire, either in person or by authorized agent, into the management of any such institution; and any institution refusing, upon due demand, to permit such inquiry or to comply with regulations established by said board for the proper maintenance and care of children receiving state aid must not thereafter receive any aid under this chapter until it has complied with all requirements. To carry out the provisions of this act, the state board of control may appoint a chief children's agent and three children's agents who shall, under the rules of said board, visit the homes and the institutions in which are children to whom state aid is being given or for whom aid is being asked, to obtain such information as the board may need in carrying out the provisions of this chapter. Such chief agent shall receive necessary traveling expenses and a salary of two hundred twenty-five dollars per month. Such three other agents shall receive their necessary traveling expenses and a salary of one hundred seventy-five dollars per month, which salary shall be paid in the same manner and at the same time as the salaries of other state officers. All expenses incurred in visiting said asylums and homes, when there are not other available funds, may be audited and allowed by the state board of control out of the appropriation for support of orphans, half-orphans and abandoned children. In addition an advisory committee of three persons serving without pay or expense to the state may be appointed by the board of control, to act in any county in conjunction with the children's agents.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4 of the printed bill strike out all of lines 3, 4, 5 and 6, and insert in lieu thereof the following: "That a child who has not resided in this state for a period of at least two years prior to the application for aid shall not be eligible to receive state aid unless such child is born in this state."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1126—An act providing for the establishment and maintenance of a state nursery under the jurisdiction and management of the State Forester for the growing of stock for reforestation and the planting of trees along highways and in public places, and making an appropriation therefor.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 14, strike out the word "shall" and insert in lieu thereof the word "may".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1140—An act to accept the provisions and benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled and approved February 23, 1917, to provide for the promotion of vocational education; to create a vocational education fund and making an appropriation therefor.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 2, after the word "of" insert a comma.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 3, after the word "by", first appearing in said line, insert a comma.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 31, strike out the word "this" and insert in lieu thereof "the political".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 47—An act appropriating money for the equipment and furnishing of buildings at Humboldt State Normal School.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 48—An act appropriating money for the construction of buildings, sidewalks, sewers and grading of grounds on the property of the Humboldt State Normal School.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 197—An act appropriating money for the painting of buildings at the Veterans' Home.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 263—An act appropriating money to pay the claim of the Board of Regents of the University of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 266—An act appropriating money to pay the claim of the Board of Regents of the University of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 284—An act appropriating money for the erection and repairing barns, sheds and buildings at the State Agricultural Park.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 285—An act appropriating money for the improvement of grounds and erection of stock barns at the State Agricultural Park.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 286—An act appropriating money for the construction and equipment of addition to the training school building of the Chico State Normal School.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 310—An act appropriating money for the construction and equipment of new laundry and bakery at the Mendocino State Hospital.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 489—An act appropriating money to pay the claim of the county of San Bernardino for additional reimbursement as determined by investigation of the State Tax Commission.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 881—An act to amend section 2185*b* of the Political Code, relating to temporary and voluntary patients in the state hospitals.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1138—An act to provide for the establishment of public medical centers for the care of the health of the children of the State of California; prescribing penalties for violations of the provisions hereof and repealing an act entitled "An act to provide for health and development supervision in the public schools of the State of California," approved April 15, 1909, and all acts and parts of acts inconsistent herewith.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 32, strike out the word "shall" and insert in lieu thereof the word "may".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 8, beginning with the word "of", after the word "diseases", strike out all down to and including the word "type", on line 9.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 10, after the word "examined" insert "at such public medical center".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 941—An act to amend section 1543 of the Political Code, relating to the duty of the superintendent of schools, and to add a new section to the Political Code, to be numbered section 1582, relating to his duties concerning the lapsing and suspension of school districts.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 947—An act to add new sections to the Political Code, to be numbered section 1547 and section 1671, relating to the apportionment of school moneys by the county superintendent of schools and the minimum school day, and to repeal section 1858 of the Political Code, relating to the same.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 426—An act to add a new section to the Political Code, to be numbered 1838, relating to the powers and duties of the governing boards of school districts in levying taxes for building purposes.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, beginning with the word "or", following the word "county", strike out all down to and including the word "district", in line 6.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 3, insert after the word "apparatus" the word "or".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 4, beginning with the word "for", strike out all down to and including the word "year", in line 6, and insert in lieu thereof the following: "in their several districts for the ensuing school year, or for liquidating any indebtedness incurred for said purposes or any of them during the preceding school year."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 29, insert after the word "thereof" the following: "and any tax levied under the provisions of this section shall be in addition to any tax for maintenance levied under the provisions of section one thousand eight hundred forty of the Political Code."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 692—An act to amend section 1548 of the Political Code of the State of California, relating to postage, expressage, printing and binding of documents and other incidental expenses of the county, or city and county, superintendent of schools.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3, line 4, of the printed bill, strike out the word "five", and insert in lieu thereof the word "two".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, lines 6 and 7, strike out the words "two hundred", and insert in lieu thereof the words "one hundred".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 693—An act to amend sections 1712 and 1714 of the Political Code of the State of California, relating to school libraries, what books and apparatus may be bought, how and when they may be purchased, and providing a library fund in cities, and cities and counties.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, lines 7 and 8, strike out the following words, "Should any board of school trustees, or any city, or city and county board of education", and insert in lieu thereof the following: "Should any board of education of a city and county".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 15, strike out the words "county, or".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, lines 21 and 22, strike out the words "by the county, or city and county board of education", and insert in lieu thereof the following: "by the board of education of the city and county".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 22, between the words "the" and "county" insert the following words: "city and".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 24, between the words "the" and "county" insert the following words: "city and".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 25, between the words "the" and "county" insert the following words: "city and".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 26, strike out the words "board of school trustees, or"

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, lines 28 to 33, beginning with the words "and the superintendent", in line 28, strike out all reading matter up to and including line 33

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 981—An act to add a new section to Article VII, Chapter 3, Title III of Part III of the Political Code of the State of California to be designated section 1617*b*, relating to power of trustees of elementary school districts.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, strike out the words "That the" and insert in lieu thereof the word "The".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 8, strike out the words "Contract to" and insert in lieu thereof the following words, "Such contract shall".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 9, strike out the word "to" and insert in lieu thereof the word "shall".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, lines 1 and 2, strike out the words "of the State of California".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 505—An act relating to the liability in damages of towns, cities, cities and counties, and counties, for damages for injuries to person or property resulting from defects and dangers in streets, highways, public bridges, public buildings, public work or property, and providing for the payment of judgments recovered for such damages, and repealing acts in conflict herewith.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of the title after the words "An Act" and insert in lieu thereof the following: "Relating to the liability in damages of the officers of towns, cities, cities and counties, counties and of the State of California for injuries to person or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, and repealing acts in conflict herewith."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, commencing with line 1, strike out down and to and including line 7 on page 2, and insert in lieu thereof the following: SECTION 1. No officer of any town, city, city and county, county, nor of the State of California, whose duty it is to care for or repair, or who has charge of any public street, highway, bridge, building, work or property, shall be liable for any damage or injury to any person or property hereafter resulting from the defective or dangerous condition of any such public street, highway, bridge, building, work or property, unless it shall first appear: (1) that the injury sustained was the direct and proximate result of such defective or dangerous condition, (2) that such officer had actual notice of such defective or dangerous condition, (3) that he had authority to remedy such condition at the expense of the state or of a political subdivision thereof and that funds for that purpose were immediately available to him, and (4) that, within a reasonable time after receiving such notice and being able to remedy such condition, he failed so to do, or failed to take reasonable steps to give adequate warning of such condition, if it was his duty to give such warning; and then only when it shall further appear that such damage or injury was sustained while such public street, highway, bridge, building, work or property was being carefully used, and that due care was being exercised to avoid the danger due to such condition; *provided, however*, that this act shall not be construed as enlarging the duty or liability of any public officer.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 8, strike out the figure "3" and insert in lieu thereof the figure "2".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1181—An act to amend section 1547 of the Penal Code, relating to offering rewards for the apprehension of fugitives from justice.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 716—An act relating to the regulation of real estate brokers, agents, salesmen and dealers in the State of California.

On motion of Senator Gates, Senate Bill No. 716 was passed on file.

Senate Bill No. 6—An act to regulate the preparation of plans and specifications and awarding of contracts for the erection, construction and alteration of public buildings in the State of California.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, commencing with the word "or", after the word "state", strike out down and to including the comma after the word "amount" in line 6.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 8, after the word "for", insert the following: "(a)".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 9, after the comma after the word "thereto", insert the following: "when the entire cost of such work will exceed one thousand dollars in amount,".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 9, after the word "and" at the end of the line, insert the following: "(b)".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 11, before the semicolon after the word "thereto", insert the following: "when the entire cost of such work will exceed one thousand dollars in amount".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 837—An act to amend the Code of Civil Procedure by adding a new section, to be numbered 300, relating to costs in proceedings for the removal and suspension of attorneys.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1178—An act authorizing the State Board of Control for and on behalf of the State of California to retransfer a certain tract of land back to original owners.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 132—An act to amend section 270 of the Penal Code, providing punishment for failing to support a minor child, and conferring jurisdiction upon the juvenile court.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 9, strike out the words "shall possess and", and insert in lieu thereof the word "may".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 9, strike out the word "both".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 10, strike out the words "and trial".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 589—An act to amend section 290*a* of the Civil Code, relating to corporations authorized to act as executor, administrator,

guardian, assignee, receiver, depositary, or trustee or to engage in the business of banking.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 4, strike out all of lines 19, 20, 21, 22, 23, 24, 25 and 26, and insert in lieu thereof the following: "Before any corporation specified in this section may file with the secretary of state a certified copy of its articles of incorporation, or of a certificate of extension of its term of existence, or of a certificate increasing or decreasing the number of its directors, or of a certificate increasing or decreasing its capital stock, or of its amended articles of incorporation, or of its articles of incorporation and consolidation, there must be attached thereto the certificate of approval of the superintendent of banks."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 2, strike out the words "of the State of California".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 817—An act to authorize cooperation by the Railroad Commission and the Industrial Accident Commission in the exercise of jurisdiction with respect to safety orders, rules and regulations in employments and places of employment conducted by public utilities.

COMMITTEE AMENDMENTS.

During second reading of bill, the following amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 2 to 6 of the title and insert in lieu thereof the following: "Establishing and defining the jurisdiction of the industrial accident commission of the State of California and of the railroad commission of the State of California over the safety of employees of public utilities."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 14, inclusive; also all of page 2 and insert in lieu thereof the following:

SECTION 1. The industrial accident commission of the State of California is hereby vested with jurisdiction, as provided in the workmen's compensation, insurance and safety act of 1917, and acts amendatory thereof, subject to the provisions of section three hereof, over the safety of employees of steam railroads employed in shops devoted to the construction or repair of railroad equipment; the safety of employees of electric interurban or street railroads, employed in the generation, transmission or distribution of electric energy, or in shops devoted to the repair of railroad equipment, or in any nonpublic utility operation of such railroads; and the safety of employees of all other public utilities as such utilities are defined in the public utilities act.

SEC. 2. The jurisdiction vested in the industrial accident commission of the State of California by section one hereof shall in no instance, except those affecting exclusively the safety of employees, be construed to impair, diminish or in any way affect the jurisdiction of the railroad commission of the State of California over the construction, reconstruction, replacement, maintenance or operation of the properties of public utilities as defined in the public utilities act, or over any matter affecting the relationship between such public utilities and their customers or the general public.

SEC. 3. If the industrial accident commission, in the exercise of the authority and jurisdiction conferred by this act, makes or issues any order, decision, ruling or direction, which, in the judgment of the railroad commission, unduly and prejudicially interferes with the construction or operation of any public utility affected

thereby, or with the public, or with a consumer or other patron of a public utility affected thereby, the railroad commission, of its own motion, or upon application of any utility or person so affected, may suspend, modify, alter, or annul such order, decision, ruling or direction of the industrial accident commission, and the action of the railroad commission in that regard shall supersede and control the order, decision, ruling or direction of the industrial accident commission previously made in the premises.

SEC. 4. This act shall not be construed to repeal or modify the act entitled "An act regulating the placing, erection, use and maintenance of electric poles, wires, cables and appliances, and providing the punishment for the violation thereof," approved April 22, 1911, as amended.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 829—An act to amend section 597 of the Political Code, relating to the examination by the Insurance Commissioner of insurance carriers.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 337—An act relating to health and accident insurance and the conduct of the business of such insurance, and prescribing certain standard provisions for such insurance policies.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 2 of the title, beginning with the word "relating", strike out all down to and including the word "policies" on line 4 of the title, and insert in lieu thereof "to incorporate standard provisions in policies of accident and health insurance, to prevent discriminations in connection therewith, and to prescribe penalties for violations of the provisions hereof".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 28, strike out the word "provision" and insert in lieu thereof the word "provisions".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 5, after the word "papers" insert a comma.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 11, after the word "papers" insert a comma.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 33, strike out the word "in" and insert in lieu thereof the word "is".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 4, line 20, beginning with the word "accidental" strike out all down to and including the word "and" on line 21.

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 5, line 31, after the word "notice" insert a comma.

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 7, line 29, after the word "all" insert the word "the".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 8, line 8, strike out the word "the" and insert in lieu thereof the word "of".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 9, line 8, after the word "address" insert a comma.

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 9, line 9, after the word "insurer" insert a comma.

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 10, line 6, beginning with the parenthesis strike out all down to and including the parenthesis on line 7.

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 10, line 14, beginning with the parenthesis before the word "or" strike out all down to and including the parenthesis after the quotation mark on same line.

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 11, line 30, beginning with the word "discrimination", strike out all down to and including the word "prohibited" on line 34, and insert in lieu thereof the following: "The policies of insurance against accidental bodily injury or sickness issued by an insurer not organized under the laws of this state may contain, when issued in this state, any provision which the law of the state, territory or district of the United States under which the insurer is organized, prescribes for insertion in such policies, and the policies of insurance against accidental bodily injury or sickness issued by an insurer organized under the laws of this state may contain, when issued or delivered in any other state, territory, district or country, any provision required by the laws of the state, territory, district or country in which the same are issued, anything in this section to the contrary notwithstanding".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 12, line 11, after the word "contracts" insert the words "providing additional benefits for accidental death".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 12, line 12, insert the word "nor" before the word "where".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 12, line 12, strike out the word "such".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 12, line 12, beginning with the word "no", strike out all down to and including the word "as" in line 13, and in lieu thereof insert the words "provisions which".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 13, line 3, beginning with the word "This", strike out all down to and including the word "date" on line 7, and insert in lieu thereof "The term 'indemnity', as used in this act, means benefits promised".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 13, line 8, beginning with the word "Any", strike out all down to and including the word "insurance" in line 15, and insert in lieu thereof "No insurance corporation authorized in this state to issue or deliver insurance against loss or damage from sickness, or bodily injury or death by accident, nor any agent of such corporation, shall make or permit any discrimination between individuals of the same class in the amount of premiums, policy fees, or rates charged for any policy of accident or health insurance, or in the benefits payable thereunder or in any of the terms or conditions of such insurance contract, or in any other manner whatsoever. Any person or corporation violating any provision of this section shall be guilty of a misdemeanor".

Amendment adopted.

AMENDMENT NUMBER TWENTY ONE.

On page 13, at the end of the bill, insert a new section to be known as section 15, and to read as follows:

SEC. 15. This act shall take effect on the first day of January, 1918. Any policy covered by this act the form of which has received the approval of the commissioner of insurance may be issued or delivered in this state on and after the said date.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 633—An act to amend section 602*a* of the Political Code, relating to liability reserves of insurance companies.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 13, strike out "Section 1."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 35, strike out "Sec. 2."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 21, strike out "Sec. 3."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4, line 18, strike out the word "second" and insert in lieu thereof the word "third".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 5, line 1, strike out "Sec. 4."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At eleven o'clock and ten minutes a.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

MINUTE CLERK JOSEPH A. BEEK AT THE DESK.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Duncan moved to reconsider the vote whereby Assembly Bill No. 42 was refused passage.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Assembly Bill No. 42 was refused passage carried by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Kehoe, Maddux, Nealon, Rigdon, Rush, Scott, Slater, Stuckenbruck, and Thompson—25.

NOES—Senator Canepa—1.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Senator Canepa:

SENATE CHAMBER, SACRAMENTO, April 13, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2, Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to add a new section to the Civil Code, to be numbered section 1861*a*, relating to liens of keepers of furnished apartment houses.

Request referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 13, 1917.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 261—An act to amend section 1920 of the Civil Code, relating to interest on judgments;

Also: Senate Bill No. 1158—An act to amend section 1557 of the Penal Code, relating to the accounts of persons employed to bring back fugitives from the State; Has had the same under consideration, and respectfully reports the same back and recommends that they do not pass.

KEHOE, Chairman.

Senate Bills Nos. 261 and 1158 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 476—An act to add a new section to the Penal Code of the State of California to be numbered 817*a*, relating to the duties of peace officers;

Also: Senate Bill No. 670—An act to amend an act entitled "An act to define investment companies, investment brokers, and agents; to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation thereof; to create the office of commissioner of corporations, and making an appropriation therefor," approved May 28, 1913;

Also: Senate Bill No. 893—An act to amend section 1388 of the Code of Civil Procedure, relating to bonds of administrators;

Also: Senate Bill No. 894—An act to amend section 1754 of the Code of Civil Procedure, relating to the bonds of guardians;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

KEHOE, Chairman.

Senate Bills Nos. 476, 670, 893 and 894 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 844—An act to repeal section 924 of the Political Code, relating to the duties of auditing officers;

Also: Senate Bill No. 922—An act to amend the Penal Code by repealing section 499c thereof;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Assembly Bill No. 844 and Senate Bill No. 922 ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 13, 1917.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 906—An act to prevent floods, to protect cities, towns, lands, farms and highways from damage from flood waters, and to authorize the organization of drainage and conservation districts, therefor, and to levy assessments and issue bonds for the costs—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

JONES, Chairman.

Senate Bill No. 906 ordered on file for second reading.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 800—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled 'An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities and cities and counties, and to provide penalties for the violation thereof,'" approved April 16, 1909, Statutes of California of 1909, page 948," and approved June 13, 1913, Statutes of California, page 737, approved May 29, 1915.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Burnett moved to refer Senate Bill No. 800 to Senator Thompson as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the title, after the word "entitled" insert the following: "An act to amend an act entitled"; also in same line strike out the quotation mark before the word "an" and insert in lieu thereof an apostrophe (viz " ' ").

AMENDMENT NUMBER TWO.

On page 1, line 12, of the title, strike out the comma after the word "thereof" and insert in lieu thereof on apostrophe (viz: " ' ").

AMENDMENT NUMBER THREE.

On page 1, line 15, of the title, insert a comma after the first word "cities".

AMENDMENT NUMBER FOUR.

On page 1, line 17, of the title, after the comma after the figures "948" strike out the quotation mark and insert the following: "and approved April 10, 1911, Statutes of California of 1911, page 860,".

AMENDMENT NUMBER FIVE.

On page 1, line 18, of the title, after the comma after the word "California" insert "1913,"; and, after the comma after the figures "737" insert a quotation mark; also after the figures "1915" strike out the period and insert in lieu thereof a comma then add the following: "Statutes of California, page 952."

AMENDMENT NUMBER SIX.

On page 1, strike out lines 1 to 3, inclusive; also on page 2, strike out lines 1 to 15, inclusive.

AMENDMENT NUMBER SEVEN.

On page 2, line 16, before the word "This" insert "Section 1."

AMENDMENT NUMBER EIGHT.

On page 10, line 22, of the amended bill, before the word "department", insert the following: "National board of fire underwriters or the American society for testing materials, also the".

AMENDMENT NUMBER NINE.

On page 10, line 23, strike out the word "or" and insert in lieu thereof the word "and".

AMENDMENT NUMBER TEN.

On page 10, line 24, beginning with the word "or" after the comma, strike out the remainder of that line and all of line 25, all of line 26 and the word "underwriters" in line 27.

AMENDMENT NUMBER ELEVEN.

On page 58, line 11, add a new section to be numbered "90" and to read as follows:

Sec. 90. An act to amend an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof" and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved April 16, 1909, Statutes of California of 1909, page 948, and approved April 10, 1911, Statutes of California 1911, page 860, and approved June 13, 1913, Statutes of California, 1913, page 737, approved May 29, 1915, Statutes of California, page 952, is hereby repealed.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 13, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 800, with instructions to amend, respectfully reports the same back, amended as per instructions.

THOMPSON, Special Committee.

Report read, and, on motion of Senator Burnett, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 433—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved June 16, 1913, Statutes of California of 1913, page 1429.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Burnett moved to refer Senate Bill No. 433 to Senator Thompson as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 1 to 8, inclusive; also on page 2, strike out lines 1 to 4, inclusive.

AMENDMENT NUMBER TWO.

On page 2, line 5, before the word "This" insert "Section 1."

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Inman, Lyon, and Carr, W. J.

The roll was called, and the motion to refer lost by the following vote:

AYES—Senators Burnett, McDonald, Purkitt, Scott, and Stockenbruck—5.

NOES—Senators Ballard, Benson, Brown, Caminetti, Carr, F. M., Carr, W. J., Chamberlin, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Jones, Kehoe, Kling, Luce, Lyon, Maddux, Nealon, Rominger, Rush, Sharkey, Slater, and Thompson—25.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Burnett moved to refer Senate Bill No. 433 to Senator Thompson as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 10, line 3, of the amended bill, before the word "department" insert the following: "national board of fire underwriters or the American society for testing materials, and also the".

AMENDMENT NUMBER TWO.

On page 10, line 4, strike out the word "or" and insert in lieu thereof the word "and".

AMENDMENT NUMBER THREE.

On page 10, line 5, beginning with the word "or", after the comma, strike out all the remainder of line 5, line 6 and all of line 7 and the word "underwriters" on line 8.

AMENDMENT NUMBER FOUR.

On page 56, line 25, strike out the number "88" and insert in lieu thereof the number "87"; also in same line strike out the word "Effective" and the period thereafter.

AMENDMENT NUMBER FIVE.

On page 56, line 27, add a new section to be numbered "88" and to read as follows:

SEC. 88. "An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved June 16, 1913, statutes of California of 1913, page 1429, and all acts amending said act, are hereby repealed.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Inman, Lyon, and Carr, W. J.

The roll was called, and the motion to refer lost by the following vote:

AYES—Senators Burnett, McDonald, Purkitt, Rigdon, Scott, and Sharkey—6.

NOES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Jones, Kehoe, King, Lyon, Maddux, Nealon, Rominger, Rush, and Thompson—25.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 433 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Evans, Flaherty, Gates, Hans, Inman, Irwin, Kehoe, Luce, Lyon, McDonald, Maddux, Nealon, Rominger, Sharkey, Slater, Stricklen, Tuck and Thompson—26.

NOES—Senators Purkitt, and Scott—2.

MOTION TO RECONSIDER.

Senator Lyon moved to reconsider the vote by which the Senate adopted the report of a Special Committee of One amending Senate Bill No. 800 as follows:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the title, after the word "entitled", insert the following: "An act to amend an act entitled", also in same line strike out the quotation marks before the word "an" and insert in lieu thereof an apostrophe.

AMENDMENT NUMBER TWO.

On page 1, line 12, of the title, strike out the comma after the word "thereof" and insert in lieu thereof an apostrophe.

AMENDMENT NUMBER THREE.

On page 1, line 15, of the title, insert a comma after the word "cities".

AMENDMENT NUMBER FOUR.

On page 1, line 17, of the title, after the comma after the figures "948", strike out the quotation mark and insert the following: "and approved April 10, 1911, statutes of California of 1911, page 860,".

AMENDMENT NUMBER FIVE.

On page 1, line 18, of the title, after the comma, after the word "California", insert "1913,"; and, after the comma after the figures "737", insert a quotation mark; also after the figures "1915", strike out the period and insert in lieu thereof a comma then add the following: "statutes of California, page 952."

AMENDMENT NUMBER SIX.

On page 1, strike out lines 1 to 3, inclusive; also on page 2, strike out lines 1 to 15, inclusive.

AMENDMENT NUMBER SEVEN.

On page 2, line 16, before the word "this", insert "Section 1".

AMENDMENT NUMBER EIGHT.

On page 10, line 22, of the amended bill, before the word "department" insert the following: "National board of fire underwriters or the American society for testing materials, also the".

AMENDMENT NUMBER NINE.

On page 10, line 23, strike out the word "or" and insert in lieu thereof the word "and".

AMENDMENT NUMBER TEN.

On page 10, line 24, beginning with the word "or" after the comma, strike out the remainder of that line and all of line 26, and the word "underwriters" in line 27.

AMENDMENT NUMBER ELEVEN.

On page 58, line 11, add a new section to be numbered "90" and to read as follows:

Sec. 90. An act to amend an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities and cities and counties, and to provide penalties for the violation thereof" and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved April 16, 1909, statutes of California of 1909, page 948, and approved April 10, 1911, statutes of California, 1911, page 860, and approved June 13, 1913, statutes of California 1913, page 737, approved May 29, 1915, statutes of California, page 952, is hereby repealed.

Motion carried.

The question being on the adoption of the report of the Special Committee of One.

A viva voce vote was taken and the report rejected.

WITHDRAWAL OF BILL FROM PRINT AND RE-ENGROSSMENT.

On motion of Senator Benson, Senate Bill No. 800 was ordered withdrawn from print and re-engrossment.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 800—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled 'An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," and approved June 13, 1913, Statutes of California, page 737, approved May 29, 1915.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Burnett moved to refer Senate Bill No. 800 to Senator Thompson as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the title after the word "entitled" insert the following: "An act to amend an act entitled"; also in same line strike out the quotation mark before the word "An" and insert in lieu thereof an apostrophe.

AMENDMENT NUMBER TWO.

On page 1, line 12, of the title, strike out the comma after the word "thereof" and insert in lieu thereof an apostrophe.

AMENDMENT NUMBER THREE.

On page 1, line 15, of the title insert a comma after the word, "cities".

AMENDMENT NUMBER FOUR.

On page 1, line 17, of the title after the comma after the figures "948" strike out the quotation mark and insert the following: "and approved April 10, 1911, Statutes of California of 1911, page 860,".

AMENDMENT NUMBER FIVE.

On page 1, line 18, of the title after the comma after the word "California" insert "1913,"; and, after the comma after the figures "737" insert a quotation mark; also after the figures "1915" strike out the period and insert in lieu thereof a comma, then add the following: "Statutes of California, page 952".

AMENDMENT NUMBER SIX.

On page 1, strike out lines 1 to 3, inclusive; also on page 2, strike out lines 1 to 15, inclusive.

AMENDMENT NUMBER SEVEN.

On page 2, line 16, before the word "This" insert "Section 1."

AMENDMENT NUMBER EIGHT.

On page 10, line 22, of the amended bill, before the word "department" insert the following: "national board of fire underwriters or the American society for testing materials, also the".

AMENDMENT NUMBER NINE.

On page 10, line 23, strike out the word "or" and insert in lieu thereof the word "and".

AMENDMENT NUMBER TEN.

On page 10, line 24, beginning with the word "or" after the comma, strike out the remainder of that line and all of line 25, all of line 26 and the word "underwriters" in line 27.

AMENDMENT NUMBER ELEVEN.

On page 58, line 11, add a new section to be numbered "90" and to read as follows:

SEC. 90. "An act to amend an act entitled 'An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof' and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved April 16, 1909, Statutes of California of 1909, page 948,' and approved April 10, 1911, Statutes of California 1911, page 860, and approved June 13, 1913, Statutes of California, 1913, page 737," approved May 29, 1915, Statutes of California, page 952, is hereby repealed.

Motion lost.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 800 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin,

Kehoe, Luce, Lyon, Maddux, Nealon, Sharkey, Slater, Stuckenbruck, and Thompson—25.

NOES—Senator Scott—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 126—An act to amend the title and sections 2, 4, 5, 7, 9, 12, 18, 20 and 26 of an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and to provide for the distribution and sale of water by said districts," approved June 10, 1913, and to add thereto a new section to be numbered 28.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Purkitt moved to refer Senate Bill No. 126 to Senator Irwin, as a Special Committee on One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 9, line 12, of the printed bill, strike out the period after the word "laws" and insert in lieu thereof a comma, and insert the following: "*provided, however*, that when county water districts are formed, as herein provided, the same shall thereafter become and be political subdivisions of such county, and any person elected to any office to be exercised in such political subdivision may be qualified as provided in section 1111 to and including section 1127 of the Code of Civil Procedure of the State of California."

AMENDMENT NUMBER TWO.

On page 10, line 29, of the printed bill, after the comma after the word "purchase" insert the following: "condemnation,".

AMENDMENT NUMBER THREE.

On page 11, line 12, after the word "sell", insert the word "surplus".

AMENDMENT NUMBER FOUR.

On page 11, line 13, after the word "sell", insert the word "surplus".

AMENDMENT NUMBER FIVE.

On page 12, line 30, after the word "rates", insert the following: "subject to the power of the state railroad commission to fix rates for all water and power sold to or furnished to municipal corporations and their inhabitants,".

AMENDMENT NUMBER SIX.

On page 13, line 9, after the word "be", strike out all of the balance of the line and all of line 10 and insert in lieu thereof the following: "subject to the joint approval of the board of supervisors of the county wherein such district is located, and the board of directors of such district, and for such purpose as may be designated by said board of supervisors and said board of directors of said district by joint resolution to be spread upon the records and minutes of each."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 13, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 126, with instructions to amend, respectfully reports the same back, amended as per instructions.

IRWIN, Special Committee.

Report read, and, on motion of Senator Purkitt, adopted.

Bill ordered to print and re-engrossment.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Senator Flaherty:

SENATE CHAMBER, SACRAMENTO, April 13, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2, Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend section 2024 of the Code of Civil Procedure of California, relating to taking depositions out of the State.

Request referred to Committee on Rules.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., the hour of recess was extended until twelve o'clock and forty minutes p.m.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, April 13, 1917.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 195—An act to amend section 1094 of the Political Code, relating to registration;

Also: Assembly Bill No. 196—An act to amend sections 1113, 1131, 1142, 1151, 1216 and 1258 of the Political Code relating to elections, and to add a new section to the Political Code, to be known as section 1253, relating to the same subject;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

FLAHERTY, Chairman.

Assembly Bills Nos. 195 and 196 ordered on file for second reading.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, April 13, 1917.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Assembly Bill No. 145—An act to establish standards for the packing and marketing of apples, forbidding the sale of certain infected and diseased apples, providing for its enforcement, fixing penalties for its violation, and making an appropriation to carry into effect the provisions thereof, and repealing an act entitled "An act to establish a standard for the packing and marketing of apples, fixing penalties for the violation of its provisions, and providing for its enforcement and making an appropriation to carry into effect the provisions hereof," approved June 10, 1915—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to Committee on Finance.

KING, Chairman.

Senate Bill No. 145 re-referred to Committee on Finance.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 13, 1917.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 732—An act to amend section 4300*b* of the Political Code, relating to sheriff's fees—has had the same under consideration, and respectfully reports the same back with amendments without recommendation.

INMAN, Chairman.

Senate Bill No. 732 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 562—An act to amend section 4264 of the Political Code, relating

to the salaries and fees of officers in counties of the thirty-fifth class, has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

INMAN, Chairman.

Assembly Bill No. 562 ordered on file for second reading.

RECESS.

At twelve o'clock and forty minutes p.m., on motion of Senator Benson, the President pro tempore declared the Senate at recess until the hour of two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Benson, the following messages from the Assembly were taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1334—An act to provide for and regulate municipal elections in cities of the fifth and sixth class.

Also—Assembly Bill No. 439—An act appropriating money for university extension.

Also—Assembly Bill No. 1188—An act appropriating money to pay the cost of printing, publishing and distributing state textbooks free to the school children of the State in accordance with the provisions of the Constitution.

Also—Assembly Bill No. 1131—An act appropriating money for the use of the Railroad Commission in the regulation of utilities within incorporated cities during the sixty-ninth and seventieth fiscal years.

Also—Assembly Bill No. 31—An act to amend sections 1 and 2 of an act entitled "An act to provide for the disposition of any money or other property accruing to or to be received by the State of California as its proportionate share of the returns from the holding of the Panama-Pacific International Exposition," approved January 11, 1916, and to add thereto a new section to be numbered 3.

Also—Assembly Bill No. 91—An act transferring one hundred fifty thousand dollars to "The San Francisco State Normal School-Exposition Preservation Fund" and appropriating the same for the preservation of the California Building on the site of the Panama-Pacific International Exposition.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1334 read first time, and referred to Committee on Elections.

Assembly Bill No. 439 read first time, and referred to Committee on Finance.

Assembly Bill No. 1188 read first time, and referred to Committee on Finance.

Assembly Bill No. 1131 read first time, and referred to Committee on Finance.

Assembly Bill No. 31 read first time, and referred to Committee on Finance.

Assembly Bill No. 91 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 50—An act to amend sections 1, 2, 3 and 7 of an act entitled "An act to authorize and empower the board of trustees of the San Francisco State Normal School to sell or exchange and convey the lands and buildings of said school; to acquire by purchase, gift, condemnation or otherwise a new site for said school and to erect thereon buildings suitable and appropriate therefor, or to remodel or reconstruct any building already erected on the site so purchased or acquired, and to purchase therefor necessary and appropriate furniture and equipment; to ceate a fund into which shall be paid the proceeds of the sale of the present school property and making an appropriation to carry out the purposes of this act," approved January 11, 1916, and to add thereto six new sections to be numbered 8, 9, 10, 11, 12 and 13.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 50 read first time, and referred to Committee on Finance.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Evans:

SENATE CHAMBER, SACRAMENTO, April 13, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2, Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit

To add a new section to the Civil Code, to be numbered 1215*a*, relating to the rights of parties dealing in grown, growing, or harvested crops.

Request referred to Committee on Rules.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 731—An act to amend sections 3446, 3447, 3449, 3452, 3453, 3454, 3455, 3456, 3457, 3459, 3460, 3462, 3463, 3464, 3466 and 3491, and to repeal sections 3467 and 3468, of the Political Code, and relating to swamp and overflowed, salt-marsh and tidelands.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Rush moved to refer Senate Bill No. 731 to Senator Evans, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 12 of the title, after the comma following the word "sixty-six", strike out the following: "and three thousand four hundred ninety-one."

AMENDMENT NUMBER TWO.

On page 22, line 22, strike out the word "state" and insert in lieu thereof the word "county".

AMENDMENT NUMBER THREE.

On page 2, line 13, strike out the word "or" and insert in lieu thereof the word "of".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 13, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 731, with instructions to amend, respectfully reports the same back, amended as per instructions.

EVANS, Special Committee.

Report read, and, on motion of Senator Rush, adopted.

Bill ordered to print and re-engrossment.

LEAVE OF ABSENCE.

At two o'clock and fifteen minutes p.m., Senator Rush was, on motion of Senator Slater, granted leave of absence for the balance of this legislative day.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 308—An act confirming and validating the organization of school districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1290—An act to amend section 1533 of the Political Code of the State of California, relating to annual convention of county and city school superintendents.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 477—An act to add a new section to the Political Code, to be numbered 1734*a*, providing for the annexation of elementary school districts to high school districts.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 8, after the word "supervisors" insert a comma and the following "except as hereinafter provided"; also strike out the word "shall" and insert in lieu thereof the word "may".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 11, after the word "district" insert the following: "nor any elementary school district having within its boundaries an incorporated city or town,".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 16, after the semicolon insert the following: "*provided, further*, that the board of supervisors may refuse to make such order of annexation whenever it shall be shown that such elementary school district is paying a reasonable share toward the cost of maintaining the high school of said high school district;".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 26, strike out the word "shall" and insert in lieu thereof the following: "may in their discretion".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 828—An act to amend section 1665 of the Political Code, relating to the subjects in which instruction shall be provided in the elementary schools of the State.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 19, after the word "teachers" insert the following: "any one school consisting of one or more buildings,".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 1148—An act to amend section 1489 of the Political Code, relating to the powers and duties of boards of trustees of state normal schools.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, lines 20 to 24, of the printed, amended bill, beginning with the word "of" in line 20, strike out all to and including all of line 24, and insert in lieu thereof the following: "a teacher employed in a California state normal school is engaged to instruct in normal extension work, evening work, special Saturday work, or summer school work, he may receive such additional compensation for the same as may be agreed upon by the employing board of trustees."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 4, after the word "dealings" strike out the semicolon and insert in lieu thereof a comma and the following: "or is guilty of persistent defiance of, and refusal to obey the laws regulating the duties of teachers;".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 1149—An act to add a new section to the Political Code, to be numbered 1743*b*, relating to the duty of high school principals concerning the activities and finances of student organization.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 7, insert after the word "thereof" the following: "under such regulations as may be adopted by the high school board".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 1416—An act to amend sections 1611, 1613, 1614, 1615, 1616, 1617, of the Political Code; to add thereto ten new sec-

tions, to be numbered 1603, 1603*a*, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1612, and to repeal sections 1617*a*, 1617*b*, 1617*c* and 1617*d* of the Political Code, relating to boards of school trustees and city boards of education.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 4, line 29, strike out the word "To" and insert in lieu thereof the following: "Except as otherwise provided in this code, to".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 4, line 26, strike out the word "rent" comma, and insert after the word "insure" the following: "and in their discretion, rent,".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 5, line 15, after the word "schools" insert a comma and the following: "or district superintendent".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 6, line 26, strike out the period and insert in lieu thereof a semicolon and the following: "*provided*, that whenever the first day of the month falls upon a holiday, payment of teachers' salaries shall be made on the following day".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 6, line 30, insert after the word "employ" the following: "in their discretion".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 7, line 30, after the word "to" insert the following: "cause the principal to".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 507—An act to amend section 338 of the Code of Civil Procedure, relating to the period within which certain actions may be commenced.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 16, strike out the comma after the word "corporation" and insert a period, and strike out the balance of the line and the words "any corporation" in line 17.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 19, strike out the words "or subscribed".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 1292—An act to amend an act entitled "An act to regulate fees of office and salaries of certain officers and to repeal certain other acts in relation thereto," approved March 15, 1870, as amended.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 5 of the title, after the word "amended" change the period to a comma and add the following: "March 1, 1872."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, strike out the words "the above entitled act" and insert in lieu thereof the following:

An act entitled "An act to regulate fees of office and salaries of certain officers, and to repeal certain other acts in relation thereto,".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, commencing with line 4, strike out down to and including line 8 on page 3, and insert in lieu thereof the following:

Sec. 28. Grand and trial jurors shall receive the fees as established by law. No juror who shall be excused from attendance upon his own motion, on the first day of his appearance, in obedience to the venire, shall receive per diem, but mileage only. In civil actions tried by a jury the party or parties to the action who shall announce that a trial by jury is required shall pay the trial jury their per diem fees as jurors but shall recover the fees so paid, except in actions to recover the possession of personal property where the value of the property recovered amounts to less than three hundred dollars and in actions for the recovery of money or damages where the recovery is less than three hundred dollars, as costs from the party or parties against whom the verdict is rendered. For that purpose the party or parties to the action who shall announce that a trial by jury is required shall be required during the trial to deposit daily with the clerk of the court, at or before the time the case each day is called for trial, the amount of money necessary to pay in full the trial jury fees, for such day. Out of the total sum of money so deposited the clerk shall pay daily to each trial juror the fees to which he shall be entitled as provided by law. Clerks of courts of record shall keep an account of all moneys received for trials by each juror during the term, and if the sum so received by such juror shall not amount to the jury fees provided by law per day, he shall deliver to such juror a certificate of the time for which he is entitled to receive pay, which shall be paid out of the county treasury as other county dues. If in any trial in a civil case the jury be for any cause discharged without finding a verdict, the fees of the jury shall be paid by the party who shall have announced that a trial by jury is required, but may be recovered as costs if he afterwards obtain judgment; and until they are paid no further proceedings shall be allowed in the action. On the first day of each regular meeting of the board of supervisors the clerks of courts of record shall file with the clerk of the board of supervisors of their respective counties a detailed statement, containing a list of the jurors, and the amount of fees earned by each juror and paid out of the county treasury. No allowances shall be made to any clerk for any service performed by him, until the statement required by this section shall have been filed as aforesaid.

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 756—An act to amend section 1881 of the Code of Civil Procedure of the State of California, relating to confidential communications.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 755—An act to amend section 601 of the Code of Civil Procedure of the State of California, relating to challenge of jurors.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, commencing with line 3, strike out the balance of the bill and insert in lieu thereof the following:

601. Either party may, as hereinafter provided, challenge the jurors. The challenges shall be to individual jurors and be either peremptory or for cause. Each party is entitled, as hereinafter provided, to four peremptory challenges. If no peremptory challenges are taken until the panel is full they must be taken by the parties alternately as may be directed by the court.

Where there are several parties on either side and the interests of any two or more of such parties on the same side, are, in the judgment of the court, not conflicting, all of such parties must join in a challenge before it can be made.

If there be a party or parties upon one side whose interests are, in the judgment of the court, conflicting with those of any other party or parties on the same side, each of such parties having such conflicting interests is entitled to four peremptory challenges.

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 1100—An act to amend section 17 of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, and known as the "Weights and Measures Act," and amended June 8, 1915.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1331—An act to amend the Penal Code of the State of California by adding a new section thereto, to be known as 626*r*, relating to the possession of aigrettes, aigrette plumes, or so-called osprey plumes.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 22—An act authorizing suits against the State concerning certain real property and regulating procedure therein.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 12, of the amended bill, after the word "fee" insert a comma and the following: "which claim is based upon a right existing prior to the said nineteenth day of May, A. D. 1913,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 14, of the amended bill, after the word "state" insert a comma and the following: "within one year from the date upon which this act takes effect,".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 213—An act to amend sections 540, 554, 555 and 868 of the Code of Civil Procedure, all relating to the attachment of property as security for the satisfaction of judgments.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 12, commencing with the word "he" strike out down to and including the word "that" in line 13.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 18, after the word "property" insert a comma and the following: "*provided, further*, that before said attachment shall be released, the undertaking required by this section must be approved by the judge of the court issuing same or if said writ of attachment is from another county, then by a judge of a court of similar jurisdiction in the county where the levy shall have been made."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 34, after the word "undertaking" insert a comma and the following: "*provided, however*, that whenever a levy shall be made upon personal property, other than money, belonging to a going concern, then the sheriff must, if the defendant consents, place a keeper in charge of said attached property at plaintiff's expense for at least two days or more, and said keeper's fees must be prepaid by the attaching creditor. After the expiration of said two days, the sheriff shall take said property into his immediate custody, unless other disposition is made by the court or parties."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4, line 9, commencing with the word "he" strike out down to and including the word "that" in line 10.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Assembly Bill No. 849—An act to amend section 4290 of the Political Code, relating to fees and salaries of county officers.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 907—An act to amend section 453e of the Civil Code of the State of California, relating to insurance on the assessment plan.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 6, strike out the word "can" and insert in lieu thereof the word "may".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 13, strike out the word "will" and insert in lieu thereof the word "must".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 529—An act to add a new section to the Penal Code, to be numbered 626f, relating to the protection of game.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 529 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Canepa, Carr, F. M., Chamberlain, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Scott, Sharkey, Shearer, Slater, and Stuckenbruck—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1079—An act to recognize and declare valid all proceedings in Happy Valley Irrigation District.

Bill read third time.

CALL OF THE SENATE.

The roll was called on the passage of Assembly Bill No. 1079.

Pending the announcement of the vote, Senator Shearer moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Shearer, Slater, Stuckenbruck, and Thompson—31.

The Secretary announced the absentees.

Time, four o'clock p.m.

The President pro tempore directed the Sergeant-at-Arms to close the doors.

The Sergeant at Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At four o'clock and five minutes p.m., Senators Sharkey, Chandler, and Chamberlin were brought to the bar of the Senate, and, on motion of Senator Shearer, were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At four o'clock and six minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Shearer.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Assembly Bill No. 1079 refused passage by the following vote:

AYES—Senators Burnett, Canepa, Chamberlin, Crowley, Irwin, Maddux, Purkitt, Rigdon, Stern, and Stephens—10.

NOES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chandler, Duncan, Leake, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, Lane, Lewis, McDonald, Nealon, Rominger, Scott, Shearer, Sharkey, and Thompson—26.

NOTICE OF MOTION TO RECONSIDER.

Senator Shearer gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 1079 was refused passage.

REPORTS OF STANDING COMMITTEES—"OUT OF ORDER."

The following reports of standing committees were received and read:

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 13, 1917.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 849—An act to amend section 1 of an act entitled "An act to provide for better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled 'An act to promote the science, education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof,'" approved June 12, 1913, as amended, has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

CARR, F. M., Chairman.

Senate Bill No. 869 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 377—An act to provide for the establishment, maintenance and control of institutions for the treatment of tuberculosis, and making appropriations therefor, and authorizing counties and cities and counties within the State to send patients to said institutions and to pay the running expenses and maintenance of the same, and of patients therein, and to levy taxes therefor, and providing for other sources of revenue—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to Committee on Finance.

CARR, F. M., Chairman.

Senate Bill No. 377 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 240—An act to amend section 13 of an act entitled "An

act for the preservation of the public health of the people of the State of California and empowering the State Board of Health to enforce its provisions and providing penalties for the violation thereof," approved March 23, 1907, as amended by acts approved April 1, 1911, and June 13, 1913, has had the same under consideration and respectfully reports the same back with amendments and recommends that it do pass, as amended.

CARR, F. M., Chairman.

Assembly Bill No. 240 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 440—An act requiring all buildings where are required to be equipped with fire escapes to have attached thereto counterbalanced ladders, or drop ladders, has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

CARR, F. M., Chairman.

Senate Bill No. 440 ordered on file for second reading.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 12, 1917.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 921—An act to amend the Vehicle Act, approved May 11, 1915, by repealing sections 10, 18, 23 and 33 thereof, and by amending sections 1, 3, 4, 5, 6, 7, 8, 9, 11, 13, 15, 17, 20, 22, 24, 26, 27, 28, 32, 34, 35 and 37 thereof, said amendments providing for the regulation of the use and operation of [illegible] highways by vehicles and otherwise, for the registration and identification of motor and other vehicles, for the payment of registration fees therefor, and also relating to other matters provided for in said act so amended.

Also: Senate Bill No. 491—An act declaring and establishing a state highway from the city of San Bernardino, by way of Arrowhead Springs, Waterman Canyon, the "Crest Drive" and Mill Creek to the city of Redlands.

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

JOHNSON, Chairman.

Senate Bills Nos. 921 and 491 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 923—An act to amend section 899 of the Penal Code.

Also: Senate Bill No. 1173—An act providing for the taking over by the State of California of a certain road in Boulder Creek township, county of Santa Cruz, and for the maintenance and improvement of the same as a state road under the supervision of the State Department of Engineering;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

JOHNSON, Chairman.

Senate Bills Nos. 923 and 1173 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 628—An act to define and distinguish state highways and state roads and to designate names for certain state roads;

Also: Assembly Bill No. 1432—An act to recognize and declare valid the permanent road division of Inwood, in Shasta County, and to recognize and declare valid all proceedings in relation thereto and for the organization thereof;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

JOHNSON, Chairman.

Assembly Bills Nos. 628 and 1432 ordered on file for second reading.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 13, 1917.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 590—An act to authorize irrigation districts to cooperate and contract with the United States under the provisions of the federal reclamation laws for

a water supply, or the construction, operation or maintenance of works, including drainage works, or for the assumption by the district of indebtedness to the United States on account of district lands; and to provide the manner and method of payments to the United States under such contract, and for the apportionment of assessments, and levy thereof, upon the lands of the district to secure revenue for such payments, and to provide for the judicial review and determination of the validity of the proceedings in connection with such contract—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

MADDUX, Chairman.

Assembly Bill No. 590 ordered on file for second reading.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 13, 1917.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 954—An act to provide compensation for state employees on certain legal holidays—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

LYON, Chairman.

Senate Bill No. 954 ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 927—An act providing for hours of rest for persons employed by municipal corporations during more than 120 hours per week—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

LYON, Chairman.

Assembly Bill No. 927 ordered on file for second reading.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(OUT OF ORDER).

The following resolution was offered:

By Senator Irwin: Senate Constitutional Amendment No. 50—A resolution to propose to the people of the State of California to add a new article to the Constitution to be numbered XXIV, relating to the sale of alcoholic liquors.

Resolution ordered to print, and referred to Committee on Constitutional Amendments.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 697—An act to amend section 863 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

On motion of Senator Benson, Assembly Bill No. 697 was passed on file.

Assembly Bill No. 980—An act relating to and regulating the carrying, possession, sale or other disposition of firearms capable of being concealed upon the person; prohibiting the sale to or carrying of concealed weapons by persons under the age of eighteen years; prohibiting the possession, carrying, manufacturing and sale of certain other dangerous weapons and the giving, transferring and disposition thereof to other persons within this State; providing for the registering of the sales of firearms; prohibiting the carrying or possession of concealed weapons in municipal corporations; providing for the destruction of certain

dangerous weapons as nuisances and making it a felony to use or attempt to use certain dangerous weapons against another.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 980 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Scott, and Slater—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 11—An act to amend section 626 of the Penal Code, relating to the protection of fish and game.

On motion of Senator Luce, Assembly Bill No. 11 was passed on file.

Assembly Bill No. 585—An act to amend section 765 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 12, 1883, as amended.

Bill read third time.

On motion of Senator Thompson, Assembly Bill No. 585 was passed on file.

Assembly Bill No. 64—An act to amend section 626*d* of the Penal Code, relating to the protection of fish and game.

On motion of Senator Luce, Assembly Bill No. 64 was passed on file.

Assembly Bill No. 765—An act to define commercial feeding stuffs and to establish a standard therefor, providing for the branding and labeling of same, empowering the State Board of Health to enforce the provisions of the act and providing penalties for the violation of the same.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Purkitt moved to refer Assembly Bill No. 765 to Senator Stuckenbruck as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 4, line 9, of the printed bill, strike out the period after the word "seizure" and insert in lieu thereof a semicolon, and add thereafter the following: "*provided*, that wheat bran shall not be held to be adulterated within the meaning of this act if it contains not to exceed five per cent of each kind of foreign grains or seeds."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 13, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 765, with instructions to amend, respectfully reports the same back, amended as per instructions.

STUCKENBRUCK, Special Committee.

Report read, and, on motion of Senator Purkitt, adopted.

Bill ordered to print.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 13, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 1160—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, and all amendments thereto, by amending sections 64, 102, 320, 329, 527 and 623 thereof, and authorizing the legislative body of municipal corporations of the first, second, third and fourth class to borrow money in anticipation of the collection of taxes, and to execute and deliver negotiable promissory notes or other evidences of indebtedness for such money, and limiting the amount of money which may be so borrowed, and prescribing the purposes to which the same may be applied;

Also: Senate Concurrent Resolution No. 26—Approving a certain amendment to the charter of the city of San Luis Obispo in the county of San Luis Obispo, State of California, voted for and ratified by the qualified electors of said city of San Luis Obispo at a special municipal election held therein on the second day of April, 1917;

Also: Senate Bill No. 932—An act making an appropriation to carry out the purposes of an act entitled "An act to provide for the establishment and maintenance of a bureau of tuberculosis under the direction of the State Board of Health; defining its powers and duties; providing for the granting of state aid to cities, counties, cities and counties and groups of counties for the support and care of persons afflicted with tuberculosis; making an appropriation therefor, and repealing certain acts of the Legislature of the State of California," approved June 12, 1915;

Also: Senate Bill No. 181—An act to provide for the furnishing by public utility corporations to employees thereof leaving their service, of service letters;

Also: Senate Bill No. 576—An act to amend section 11 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a state civil service commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith, in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913;

Also: Senate Bill No. 949—An act to amend section 594 of the Political Code, relating to the classification of insurance business and the capital stock of insurance companies;

Also: Senate Bill No. 397—An act to add a new section to the Penal Code to be numbered 351*a*, relating to unfair competition and substitution;

Also: Senate Bill No. 793—An act to amend section 182 of the Penal Code, relating to punishment for conspiracy;

Also: Senate Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending section 16½ of Article XI thereof, relating to the deposit of moneys belonging to the State or to any county or municipality within the State in any bank or banks;

And reports that the same have been correctly engrossed.

CANEPA, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 142—An act to amend the Code of Civil Procedure by adding thereto five new sections, to be numbered 204*a*, 204*b*, 204*c*, 204*d*, and 204*e*, relating to jury commissioners, their duties, appointment and compensation;

Also: Senate Bill No. 457—An act to regulate the construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings, and the maintenance, use and occupancy of the premises and land on which dwellings are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof;

And reports that the same have been correctly re-engrossed.

CANEPA, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 502—An act appropriating money to pay the claims of various contractors against the State of California in connection with the construction of the Fresno Normal School;

Also: Senate Bill No. 581—An act to appropriate money for paving in front of the San Diego State Normal School;

Also: Senate Bill No. 668—An act to appropriate money for the repair of the naval reserve armory at San Diego, California;

Also: Senate Bill No. 856—An act making an appropriation for the support of the Department of Sanitary Engineering under the direction of the State Board of Health;

Also: Senate Bill No. 871—An act appropriating money for the support of the Advisory Pardon Board during the sixty-ninth and seventieth fiscal years;

Also: Senate Bill No. 908—An act appropriating money for the construction and equipment of a state printing office and the necessary removal thereto;

Also: Senate Bill No. 913—An act appropriating money for the creating of a revolving fund for Engineering Department in lieu of that created by Chapter 108 of Statutes of 1913 and Chapter 355 of Statutes of 1915;

Also: Senate Bill No. 914—An act appropriating money to create a revolving fund for the State Purchasing Department;

Also: Senate Bill No. 915—An act appropriating money for the support of the State Purchasing Department during the sixty-ninth and seventieth fiscal years;

Also: Senate Bill No. 916—An act appropriating money for machinery and equipment, State Printing Plant;

Also: Senate Bill No. 933—An act appropriating money for the support of the State Board of Health, in the control of contagious diseases, during the sixty-ninth and seventieth fiscal years;

Also: Senate Bill No. 986—An act appropriating money for the support of the Social Insurance Investigating Commission during the sixty-ninth and seventieth fiscal years;

Also: Senate Bill No. 1003—An act appropriating money for the enlargement of kitchen for hospital and additional equipment for same at the Veterans' Home;

Also: Senate Bill No. 1008—An act appropriating money for the support and payment of all salaries of the State Market Commission during the sixty-ninth and seventieth fiscal years;

Also: Senate Bill No. 1029—An act appropriating money for the support of the Historical Commission during the sixty-ninth and seventieth fiscal years;

Also: Senate Bill No. 1030—An act appropriating money for the enlargement of vault, Secretary of State's office;

Also: Senate Bill No. 1122—An act to appropriate money for a water system at the California School for Girls;

Also: Senate Bill No. 47—An act appropriating money for the equipment and furnishing of buildings at Humboldt State Normal School;

Also: Senate Bill No. 48—An act appropriating money for the construction of buildings, sidewalks, sewers and grading of grounds on the property of the Humboldt State Normal School;

Also: Senate Bill No. 197—An act appropriating money for the painting of buildings at the Veterans' Home;

Also: Senate Bill No. 263—An act appropriating money to pay the claim of the Board of Regents of the University of California;

Also: Senate Bill No. 266—An act appropriating money to pay the claim of the Board of Regents of the University of California;

Also: Senate Bill No. 284—An act appropriating money for the erection and repairing barns, sheds and buildings at the State Agricultural Park;

Also: Senate Bill No. 285—An act appropriating money for the improvement of grounds and erection of stock barns at the State Agricultural Park;

Also: Senate Bill No. 286—An act appropriating money for the construction and equipment of addition to the training school building of the Chico State Normal School;

Also: Senate Bill No. 310—An act appropriating money for the construction and equipment of new laundry and bakery at the Mendocino State Hospital;

Also: Senate Bill No. 489—An act appropriating money to pay the claim of the county of San Bernardino for additional reimbursement, as determined by investigation of the State Tax Commission;

Also: Senate Bill No. 881—An act to amend section 2185*b* of the Political Code, relating to temporary and voluntary patients in the state hospitals;

And reports that the same have been correctly engrossed.

CANEPA, Chairman.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 262—An act to amend section 1 and to repeal section 2 of an act entitled "An act granting to the city of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Berkeley, and

regulating the management, use and control thereof," approved June 11, 1913, also approved May 27, 1915.

On motion of Senator Benson, Assembly Bill No. 262 was passed on file.

Assembly Bill No. 390—An act appropriating money for new wiring, old buildings and grounds at the Southern California State Hospital.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator King moved to refer Assembly Bill No. 390 to Senator Evans, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 2 of the title, strike out the comma following the word "wiring" and insert in lieu thereof the words "in the".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, in line 4, strike out the comma following the word "wiring" and insert in lieu thereof the words "in the".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 13, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 390, with instructions to amend, respectfully reports the same back, amended as per instructions.

EVANS, Special Committee.

Report read, and on motion of Senator King, adopted.

Bill ordered to print.

Assembly Bill No. 392—An act appropriating money for the installation of pump, motor and connections, new well, at the Southern California State Hospital.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator King moved to refer Assembly Bill No. 392 to Senator Evans, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 3 of the title, strike out the comma following the word "connections" and insert the following: "in connection with the".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, in line 5, strike out the comma following the word "connections" and insert the following: "in connection with the".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 13, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 392, with instructions to amend, respectfully reports the same back, amended as per instructions.

EVANS, Special Committee.

Report read, and on motion of Senator King, adopted.

Bill ordered to print.

THIRD READING OF SENATE BILLS [OUT OF ORDER].

Senate Concurrent Resolution No. 25—Relative to tidelands granted to the city of San Diego.

SENATE CONCURRENT RESOLUTION No. 25.

Relative to tidelands granted to the city of San Diego.

WHEREAS, By an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911, as amended, the state conveyed certain tidelands to the city of San Diego upon certain conditions therein specified; and

WHEREAS, The city of San Diego has fully complied with all such conditions; now, therefore, be it

Resolved by the Senate, the Assembly concurring, That the legislature of the State of California hereby finds and declares that the city of San Diego has fully and completely performed and complied with each and all of the terms and conditions set forth in said act, approved May 1, 1911, as amended, and that the title to the tidelands therein described is vested in the city of San Diego subject only to the public trusts therein enumerated.

Resolution read.

The question being on the adoption of the resolution

The roll was called, and Senate Concurrent Resolution No. 25 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Caminetti, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Evans, Flaherty, Gates, Ingram, Irwin, Jones, Kehoe, King, Luce, Maddux, Nealon, Purkitt, Rigdon, Roninger, Scott and Shurtleff—25.

NOES—None.

Title read and approved.

Resolution ordered transmitted to the Assembly.

Senate Bill No. 455—An act to amend section 4244 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fifteenth class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Kehoe moved to refer Senate Bill No. 455 to Senator Benson, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 27, strike out the words "three hundred fifty" and insert in lieu thereof "eighty".

AMENDMENT NUMBER TWO.

On page 2, line 28, strike out the words "two hundred".

AMENDMENT NUMBER THREE.

On page 2, line 29, after the word "one" insert "from August first to October first, inclusive, of each year".

AMENDMENT NUMBER FOUR.

On page 2, strike out of lines 29 and 30 the words "one thousand dollars per annum" and insert in lieu thereof "sixty dollars per month".

AMENDMENT NUMBER FIVE.

On page 2, line 32, after the word "report" insert the word "and".

AMENDMENT NUMBER SIX.

On page 3, line 23, strike out the word "every" and insert in lieu thereof the word "any".

AMENDMENT NUMBER SEVEN.

On page 5, line 9, strike out the word "fifteen" and insert in lieu thereof "ten".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 13, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 455, with instructions to amend, respectfully reports the same back, amended as per instructions.

BENSON, Special Committee.

Report read, and, on motion of Senator Kehoe, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 932—An act making an appropriation to carry out the purposes of an act entitled "An act to provide for the establishment and maintenance of a bureau of tuberculosis under the direction of the State Board of Health; defining its powers and duties; providing for the granting of state aid to cities, counties, cities and counties and groups of counties for the support and care of persons afflicted with tuberculosis; making an appropriation therefor, and repealing certain acts of the Legislature of the State of California," approved June 12, 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 932 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, and Scott—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 13, 1917.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 1150, An act to amend an act entitled "An act to promote drainage," approved March 18, 1885, by adding a new section thereto, to be numbered 20½, providing for the disincorporation of drainage districts—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

MADDUX, Chairman.

Senate Bill No. 1150 ordered on file for second reading.

THIRD READING OF SENATE BILLS, ETC.—(RESUMED).

Senate Bill No. 181—An act to provide for the furnishing by public utility corporations, to employees thereof leaving their service, of service letters.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 181 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, and Scott—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 576—An act to amend section 11 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 576 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Rigdon, Rominger, Scott, and Slater—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MINUTE CLERK JOSEPH A. BEEK AT THE DESK.

Senate Bill No. 949—An act to amend section 594 of the Political Code, relating to the classification of insurance business and the capital stock of insurance companies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 949 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Canepa, Carr, F. M., Chandler, Crowley, Evans, Flaherty, Hans, Ingram, Inman, Johnson, Jones, Kehoe, Luce, Lyon, Maddux, Nealon, Rigdon, Rominger, Scott, Sharkey, and Slater—24.

NOES—Senator Ballard—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 793—An act to amend section 182 of the Penal Code, relating to punishment for conspiracy.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 793 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Shearer, Slater, and Stuckenbruck—23.
NOES—Senators Ballard, Canepa, Duncan, Maddux, Sharkey, and Thompson—6.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1160—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, and all amendments thereto, by amending sections 64, 102, 320, 329, 527 and 623 thereof, and authorizing the legislative body of municipal corporations of the first, second, third and fourth class to borrow money in anticipation of the collection of taxes, and to execute and deliver negotiable promissory notes or other evidences of indebtedness for such money, and limiting the amount of money which may be so borrowed, and prescribing the purposes to which the same may be applied.

In the absence of the author, Senate Bill No. 1160 was ordered passed, to retain its place on the file.

Senate Bill No. 397—An act to add a new section to the Penal Code of the State of California, relating to unfair competition and substitution, to be known as and numbered 351*a* of said code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 397 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Jones, Kehoe, King, Lyon, McDonald, Maddux, Purkitt, Rigdon, Rominger, Shearer, Stuckenbruck, and Thompson—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Joint Resolution No. 13—Relative to the emancipation of Russia from autocratic rule.

SENATE JOINT RESOLUTION No. 13.

Relative to the emancipation of Russia from autocratic rule.

WHEREAS, The liberty-loving Russian people have freed themselves from the chains of despotic power, and have overthrown and ended the rule of autocratic monarchs, which for centuries has impeded their progress and development, and has prevented them from enjoying the full pursuit of happiness to which they are entitled; and

WHEREAS, The liberty-loving people of the United States, through their government, were the first to give recognition to the new sister republic across the Pacific ocean; and

WHEREAS, The change in the Russian form of government has established a new unity of sympathy and interest between the people of these two great republics, and has more closely cemented the former ties of friendship, which has so long existed between them; and

WHEREAS, The two great harbors of San Francisco and Vladivostok, opening upon the same ocean, constitute the natural doors of communication between Russia and the United States, through which their trade passes; and

WHEREAS, The State of California, because of its geographical position, is most directly and vitally concerned in the commercial and industrial life and welfare of

the new Russian republic, and is deeply concerned in the glorious future of the Russian people; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the legislature of the State of California extends its congratulations to the new Russian government, and to the Russian people upon their splendid victory over the ancient tyranny which bound them, and offers them the hand of republican fellowship; and be it further

Resolved, That a copy of these resolutions be sent to the Russian duma, and to the Russian chamber of commerce in Vladivostok and Petrograd.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 13 adopted by the following vote:

AYES—Senators Ballard, Breed, Canepa, Carr, W. J. Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Johnson, Jones, Kehoe, King, Lyon, Maddux, Nourse, Purkitt, Rigdon, Scott, Shearer, and Slater—22.

NOES—None.

Title read and approved.

Resolution ordered transmitted to the Assembly.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Chandler:

SENATE CHAMBER, SACRAMENTO, April 13, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2, Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act appropriating money for the purchase of additional dairy cows for the Folsom State Prison.

Request referred to Committee on Rules.

THIRD READING OF ASSEMBLY BILLS, ETC.—(OUT OF ORDER).

Assembly Constitutional Amendment No. 35—Proposed amendment to the Constitution, relative to a resolution to propose to the people of the State of California to amend the Constitution of said State by adding a new section to Article XIII thereof to be numbered 1*b*, relating to the exemption from taxation of Young Men's Christian Association and Young Women's Christian Association properties used for association purposes.

Resolution read.

AMENDMENT FROM THE FLOOR.

During reading of resolution, the following amendment was offered, and its adoption moved by Senator Lyon:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the title, after the word "exemption" insert the words "from taxation."

Amendment adopted.

Resolution ordered to print.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, April 13, 1917.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 47—A resolution proposing to the people of the State of California an amendment to the constitution of the State of California to be known as section 26 of Article VI thereof, relating to the adoption of rules of pleading and practice in the courts of the State of California:

Also: Assembly Constitutional Amendment No. 10—A resolution to propose to the people of the State of California to amend Article XIII of the Constitution of said state by adding thereto a new section to be numbered 1*b*, relating to the exemption of the property of cemeteries not conducted for profit from assessment and taxation; Has had the same under consideration, and respectfully reports the same back and recommends that they be adopted.

BALLARD, Chairman.

Senate Constitutional Amendment No. 47 and Assembly Constitutional Amendment No. 10 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 45—A resolution proposing to the people of the State of California an amendment to section 4 of Article VI of the Constitution of the State of California, relating to the Supreme Court and district courts of appeal, and providing for two divisions of the district courts of appeal of the first and second appellate districts;

Also: Senate Constitutional Amendment No. 46—A resolution proposing to the people of the State of California an amendment to section 11 of Article VI of the Constitution of the State of California, relating to courts, and providing for the creation of and fixing the jurisdiction of inferior courts, and regulating appeals therefrom;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they be adopted, as amended.

BALLARD, Chairman.

Senate Constitutional Amendments Nos. 45 and 46 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 48—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, to be known as section 27 of Article VI thereof, providing for the appointment of a commissioner of justice, and prescribing his duties and responsibilities—has had the same under consideration, and respectfully reports the same back and recommends that it be not adopted.

BALLARD, Chairman.

Senate Constitutional Amendment No. 48 ordered on file.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, April 13, 1917.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 853—An act to regulate and limit the amount that may be produced by tax levies in the aggregate by political subdivisions of this State, and repealing all acts and parts of acts in conflict with this act—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

BENSON, Chairman.

Senate Bill No. 853 ordered on file for second reading.

REPORTS OF STANDING COMMITTEE

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 13, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 941—An act to amend section 1543, relating to the duty of the superintendent of schools, and to add a new section to the Political Code, to be numbered 1582, relating to his duties concerning the lapsing and suspension of school districts;

Also: Senate Bill No. 947—An act to add two new sections to the Political Code, to be numbered 1547 and 1671, relating to the apportionment of school moneys by the county superintendent of schools and the minimum school day, and to repeal section 1858 of the Political Code;

Also: Senate Bill No. 1181—An act to amend section 1547 of the Penal Code, relating to offering rewards for the apprehension of fugitives from justice;

Also: Senate Bill No. 837—An act to amend the Code of Civil Procedure by adding a new section, to be numbered 300, relating to costs in proceedings for the removal and suspension of attorneys;

Also: Senate Bill No. 1178—An act authorizing the State Board of Control for and on behalf of the State of California to retransfer a certain tract of land back to original owners;

Also: Senate Bill No. 829—An act to amend section 597 of the Political Code, relating to the examination by the Insurance Commissioner of insurance companies.

And reports that the same have been correctly engrossed.

ROMINGER, Acting Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 1035—An act to make lawful certain agreements between employers and laborers, to define the cases in which injunctions may and may not issue, to prescribe the procedure in trials for contempt and to secure the right of jury trial in all such cases—and reports that the same has been correctly engrossed.

CANEPA, Chairman.

REQUESTS FOR LEAVES OF ABSENCE.

On motion of Senator Slater, Senator Rush was granted leave of absence for Saturday, April 14, and Sunday, April 15.

Senator Shearer asked for, and was granted, leave of absence for Saturday, April 14, and Monday, April 16.

Senator Maddux asked for, and was granted, leave of absence for Saturday, April 14.

Senator Irwin asked for, and was granted, leave of absence for Saturday, April 14.

Senator Nealon asked for, and was granted, leave of absence for Saturday, April 14.

Senator Hans asked for, and was granted, leave of absence for Saturday, April 14.

Senator Purkitt asked for, and was granted, leave of absence for Saturday, April 14.

Senator Kehoe asked for, and was granted, leave of absence for Saturday, April 14.

ADJOURNMENT.

At six o'clock and five minutes p.m., on motion of Senator Crowley, the President pro tempore declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Saturday, April 14, 1917.

The Senate met at ten o'clock a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Scott, Slater, Stuckenbruck, and Thompson—30.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, April 13, 1917, its further reading was dispensed with, on motion of Senator Crowley.

LEAVES OF ABSENCE.

Senator Sharkey was, on motion of Senator Slater, granted leave of absence for this day.

Senator Burnett was, on motion of Senator Scott, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Rigdon, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. Edward Simpson of Pacific Grove.

On request of Senator Rigdon, the privilege of the floor of Senate Chamber, for this day, was unanimously extended to Mr. George Sonneberg and Mr. W. E. Krumlind of San Miguel.

COMMUNICATION.

The following communication was received, and ordered printed in the Journal:

LOS ANGELES, April 7, 1917.

To the Honorable Senate of the State of California:

The undersigned respectfully protests against the passage of Senate Bill No. 744, creating the office of State Fire Marshal, and especially against the provisions contained in said proposed bill with regard to the regulation of storing, handling and transporting of crude petroleum.

The undersigned is largely engaged in the production of petroleum and considers that the making of stringent regulations with regard to the same as proposed in this bill would greatly hamper this company in the carrying on of its business. There appears to be no good reason why crude petroleum and its products should be treated in the proposed bill as gun powder, dynamite and explosives generally.

The oil industry is one of the chief elements of the wealth in California, and in it are engaged a very large number of responsible companies and individuals, and its production and storage is confined to places where the only risk of fire is to the

oil operator himself, who makes use of all reasonable regulations without the necessity of hampering by legislation his action in this matter. We submit that the proposed bill will naturally result in impossible burdens and restrictions of a growing character not common to other industries.

It will be noticed that the bill proposes to invade cities and towns where efficient organizations already exist for modern fire protection, and the result of the enactment of the bill would be the duplication of regulations in a matter which should be left entirely in the hands of the local authorities.

We respectfully submit on behalf of the oil operators and those who buy, transport, store and sell crude petroleum that this entire bill should be defeated, and that in any event, even if there is a creation of any such unlimited powers, we respectfully ask that the oil industries be exempted from any such provisions, and that the words "crude petroleum or any of its products, explosives or inflammable fluids or compounds" found in section 5, lines 3 and 4, page 5, of the bill be stricken out, and that the oil industries be omitted from all of the provisions of any such act.

It is easy to conceive that millions of dollars may be required to be spent for no appreciable benefit to satisfy the ideas of any special skilled or unskilled fire marshal. This ought not to be made probable or possible.

Respectfully,

WESTERN UNION OIL COMPANY.
C. P. BAGG, President.

MORRIS ALBEE, Secretary.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 529—An act to add a new section to the Penal Code, to be numbered 626f, relating to the protection of game and the use of firearms.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 647—An act to authorize the State Board of Control to sell certain lands;

Also: Assembly Bill No. 1442—An act granting certain tidelands and submerged lands of the State of California to the city of Oakland and regulating the management, use and control thereof.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 647 read first time, and referred to Committee on Finance.

Assembly Bill No. 1442 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day adopted as amended, Senate Joint Resolution No. 14—Relative to the universal military training bill before the United States Congress—and respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Joint Resolution No. 14 ordered to unfinished business.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1081—An act to amend section 1891 of the Political Code, relating to school districts situated in two or more counties;

Also: Senate Bill No. 1082—An act to amend section 1728 of the Political Code, relating to the formation of joint union high school districts;

Also: Senate Bill No. 1083—An act to add a new section to the Political Code to be numbered section 1543b, relating to the jurisdiction of county superintendent of schools over joint and joint union school districts;

Also: Senate Bill No. 321—An act to amend section 1662 of the Political Code, relating to elementary schools and kindergartens, school age, kindergarten age, deaf children, exclusion of children, and special classes of the elementary school;

Also: Senate Bill No. 322—An act to amend section 1619 of the Political Code, relating to the duties of boards of school trustees and city boards of education;

Also: Senate Bill No. 323—An act to amend section 1751 of the Political Code, relating to the admission of pupils to high schools;

Also: Senate Bill No. 326—An act to add a new section to the Political Code to be numbered 1750c, providing for the establishment and maintenance by high school boards of special classes and part-time vocational courses and authorizing said boards to furnish transportation for teachers of agriculture supervising project work.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 1081, 1082, 1083, 321, 322, 323 and 326 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 12th refused passage to Senate Bill No. 414—An act regulating the traffic in alcohol and alcoholic liquors, and prohibiting, except in certain places and in certain cases and under certain conditions, the keeping, selling, serving, bartering, giving away, shipment, transporting, delivery or receiving of alcohol or alcoholic liquors, or of vinous or malt liquors which contain certain percentages or more of alcohol or which contain distilled spirits; prohibiting, except under certain conditions and in certain cases and in respect of certain vinous or malt liquors, the sale, serving or bartering of alcoholic liquors for beverage purposes for consumption on the premises where sold, served, or bartered, or the keeping, maintaining or conducting of any drinking saloon, bar, barroom or other place where, except under said conditions and in said cases and in respect of said vinous or malt liquors, any alcoholic liquors are sold, served or bartered for beverage purposes for consumption on the premises where sold, served or bartered; prescribing the maximum number of licenses or permits which may be issued by any town, city or city and county for the sale of liquor in sealed packages for consumption elsewhere than on the premises where sold; making unlawful and declaring to be penal offenses various acts in respect of, and various dealings in, alcohol, alcoholic liquors or particular kinds of such liquors, and prescribing penalties for and providing for the punishment of such offenses.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 12th passed Assembly Bill No. 1193—An act to amend section 589 of the Political Code, relating to the annual salary of the Insurance Commissioner.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1193 read first time and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 421—An act to repeal Article III of Chapter 3 of Title VII of Part IV of division three of the Civil Code of the State of California, and to enact a new Article III of Chapter 3 of Title VII of Part IV of division third of the Civil Code of the State of California, relating to bills of lading;

Also: Senate Bill No. 174—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and

providing a penalty for failure, neglect, or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended;

And respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 421—An act to repeal Article III of Chapter 3 of Title VII of Part IV of division three of the Civil Code of the State of California, and to enact a new Article III of Chapter 3 of Title VII of Part IV of division three of the Civil Code of the State of California, relating to bills of lading.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED TWENTY-ONE.

AMENDMENT NUMBER ONE.

On line 3 of the title of the printed bill, after the word "four" insert the words "of division three".

On line 5 of the title, after the word "four" insert the words "of division three"

AMENDMENT NUMBER TWO.

On page 1, line 2, of the printed bill, after the word "four" insert the words "of division three".

On page 1, line 4, of the printed bill, at the end of said line insert the words "of division three" and a comma.

AMENDMENT NUMBER THREE.

Strike out all of line 20 on page 18 of the printed bill.

AMENDMENT NUMBER FOUR.

On page 19, line 21, of the printed bill, strike out "2132*d*" and insert in lieu thereof "Section 3."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 421?

The roll was called, and Assembly amendments to Senate Bill No. 421 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Gates, Ingram, Johnson, Jones, King, Luce, Lyon, Nealon, Rigdon, Rominger, Stuckenbruck, and Thompson—21.

NOES—None.

Senate Bill No. 421 ordered to enrollment.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 174—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use

such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect, or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED SEVENTY-FOUR.

AMENDMENT NUMBER ONE.

On page 1, line 5, of the title, strike out the word "establishments", and insert in lieu thereof the word "establishment".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, in line 15 of the title, after the words "foreman, or", strike out the word "any".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out all of line 10 and insert in lieu thereof the words "man, or other agent of any such employer to violate the".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 174?

The roll was called, and Assembly amendments to Senate Bill No. 174 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Gates, Ingram, Inman, Johnson, Jones, King, Luce, Lyon, Nealon, Rigdon, Rominger, Slater, Stuckenbruck, and Thompson—24.

NOES—None.

Senate Bill No. 174 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 14, 1917.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 147—An act to amend section 1 of an act entitled "An act to fix the salaries of the State Forester, deputy forester and assistant forester," approved March 22, 1909, and repealing all acts and parts of acts inconsistent herewith;

Also: Senate Bill No. 242—An act appropriating money for necessary buildings, equipment and live stock for animal husbandry department at the University of California Farm School at Davis;

Also: Senate Bill No. 259—An act appropriating money to cover the cost of grading and filling ground on farm of Stockton State Hospital;

Also: Senate Bill No. 516—An act to amend section 1521 of the Political Code, relating to the compensation and expenses of members of the State Board of Education and assistant superintendents of public instruction;

Also: Senate Bill No. 584—An act creating a state land settlement board and defining its powers and duties and appropriating the sum of two hundred sixty thousand dollars in aid of its operations;

Also: Senate Bill No. 599—An act to provide for the organization and supervision of courses in physical education in the elementary, secondary and normal schools of the State, and appropriating ten thousand dollars therefor;

Also: Senate Bill No. 682—An act appropriating money for the purpose of financing the scientific investigation and search for certain beneficial insects;

Also: Senate Bill No. 786—An act to appropriate money to cover the cost of installing a new heating distribution system in the administration and ward buildings at the Mendocino State Hospital;

Also: Senate Bill No. 788—An act to appropriate money to cover the cost of the construction of a nurses' home at the Mendocino State Hospital;

Also: Senate Bill No. 930—An act to amend sections 9 and 10 of an act entitled "An act to establish and support a bureau of labor statistics," approved March 3, 1883;

Also: Senate Bill No. 1002—An act making an appropriation for the purchase by the State Agricultural Society of a large tent and movable seats therefor;

Also: Senate Bill No. 1013—An act to appropriate money to pay the claim of Geo. F. Gray against the State of California;

Also: Senate Bill No. 1036—An act appropriating money to pay the claim of Annie Paul against the State of California;

Also: Senate Bill No. 1037—An act appropriating money to pay the claim of Frank B. Perfield against the State of California;

Also: Senate Bill No. 1038—An act appropriating money to pay the claim of William A. Anderson against the State of California;

Also: Senate Bill No. 1039—An act appropriating money to pay the claim of Patrick Sullivan against the State of California;

Also: Senate Bill No. 1040—An act appropriating money to pay the claim of C. D. Christoffersen against the State of California;

Also: Senate Bill No. 1041—An act appropriating money to pay the claim of C. Schmidt Broderson against the State of California;

Also: Senate Bill No. 1042—An act appropriating money to pay the claim of Thomas J. Stewart against the State of California;

Also: Senate Bill No. 1043—An act appropriating money to pay the claim of S. I. Cozad against the State of California;

Also: Senate Bill No. 1044—An act appropriating money to pay the claim of Bela Friedman against the State of California;

Also: Senate Bill No. 1045—An act appropriating money to pay the claim of Fred Thouhoff against the State of California;

Also: Senate Bill No. 1046—An act appropriating money to pay the claim of Harland Wehr against the State of California;

Also: Senate Bill No. 1047—An act appropriating money to pay the claim of Nicholas Brier against the State of California;

Also: Senate Bill No. 1048—An act appropriating money to pay the claim of Frank De La Piedra against the State of California;

Also: Senate Bill No. 1049—An act appropriating money to pay the claim of Michael Smith against the State of California;

Also: Senate Bill No. 1050—An act appropriating money to pay the claim of A. P. Prather against the State of California;

Also: Senate Bill No. 1051—An act appropriating money to pay the claim of J. A. Cochran against the State of California;

Also: Senate Bill No. 1052—An act appropriating money to pay the claim of Louisa Nichols against the State of California;

Also: Senate Bill No. 1053—An act appropriating money to pay the claim of I. J. Hoover against the State of California;

Also: Senate Bill No. 1054—An act appropriating money to pay the claim of Wm. H. Boswell against the State of California;

Also: Senate Bill No. 1055—An act appropriating money to pay the claim of Clarence Hall against the State of California;

Also: Senate Bill No. 1056—An act appropriating money to pay the claim of George L. Makley against the State of California;

Also: Senate Bill No. 1057—An act appropriating money to pay the claim of Joseph Fox against the State of California;

Also: Senate Bill No. 1058—An act appropriating money to pay the claim of Mathilde da Conceicao D'Abreu Chulata against the State of California;

Also: Senate Bill No. 1059—An act appropriating money to pay the claim of J. R. Summers against the State of California;

Also: Senate Bill No. 1060—An act appropriating money to pay the claim of Matilda J. Osborn against the State of California;

Also: Senate Bill No. 1061—An act appropriating money to pay the claim of W. H. Long against the State of California;

Also: Senate Bill No. 1062—An act appropriating money to pay the claim of Robert A. Thomas against the State of California;

Also: Senate Bill No. 1063—An act appropriating money to pay the claim of Louise J. Maier against the State of California;

Also: Senate Bill No. 1064—An act appropriating money to pay the claim of William Bottini against the State of California;

Also: Senate Bill No. 1065—An act appropriating money to pay the claim of Julius Keller against the State of California;

Also: Senate Bill No. 1066—An act appropriating money to pay the claim of J. W. Arbulich against the State of California;

Also: Senate Bill No. 1067—An act appropriating money to pay the claim of Melquiades Moreno against the State of California;

Also: Senate Bill No. 1068—An act appropriating money to pay the claim of Julius W. Sands against the State of California;

Also, Senate Bill No. 1069—An act appropriating money to pay the claim of H. C. Young against the State of California.

Also, Senate Bill No. 1070—An act appropriating money to pay the claim of Alling Wesley against the State of California.

Also, Senate Bill No. 1071—An act appropriating money to pay the claim of Henry Berry against the State of California.

Also, Senate Bill No. 1072—An act appropriating money to pay the claim of Simon Illetto against the State of California.

Also, Senate Bill No. 1073—An act appropriating money to pay the claim of I. Lutz against the State of California.

Also, Senate Bill No. 1074—An act appropriating money to pay the claim of Manuel De Sousa against the State of California.

Also, Senate Bill No. 1075—An act appropriating money to pay the claim of Ben Oswald against the State of California.

Also, Senate Bill No. 1080—An act to make an appropriation for repairing the buildings of the California Polytechnic School, situated at San Luis Obispo, California.

Also, Senate Bill No. 1118—An act to appropriate money for electrification and lighting at San Quentin State Prison.

Also, Senate Bill No. 1166—An act appropriating money for the construction and equipment of two cottages at the Napa State Hospital.

Also, Senate Bill No. 1183—An act to amend section 1 of an act entitled "An act making an appropriation for the use of the industry department of the California Polytechnic School and making provision for the return of said appropriation to the State treasury," approved March 14, 1911, by providing for a cash revolving fund for the use of the California Polytechnic School.

Also, Assembly Bill No. 8—An act to increase the number of judges of the superior court of the county of Fresno, and to provide for the appointment of an additional judge.

Also, Assembly Bill No. 107—An act appropriating five thousand five hundred dollars for restoring, repairing and preserving the old custom house in the city of Monterey, California.

Also, Assembly Bill No. 108—An act appropriating three thousand five hundred dollars for restoring, repairing and preserving the old theater in the city of Monterey, California.

Also, Assembly Bill No. 229—An act making an appropriation to aid in the construction of a breakwater in Monterey Bay, California.

Also, Assembly Bill No. 342—An act appropriating money for the purchase of four hundred eighty-three acres of land to be used as a farm by the Stockton State Hospital.

Also, Assembly Bill No. 343—An act appropriating money for the construction of a storage for disturbed patients at the Stockton State Hospital.

Also, Assembly Bill No. 348—An act appropriating money for the construction of workers' cottages for men at the Agnews State Hospital.

Also, Assembly Bill No. 398—An act appropriating money to enable the State Normal School at Los Angeles to hold Saturday sessions.

Also, Assembly Bill No. 414—An act appropriating money for the construction of a new storage building at the Norwalk State Hospital.

Also, Assembly Bill No. 415—An act appropriating money for the construction of three workers' cottages at the Norwalk State Hospital.

Also, Assembly Bill No. 447—An act appropriating money for the maintenance and support of the Los Angeles Exposition.

Also, Assembly Bill No. 448—An act appropriating money for the construction and equipment of a heating plant at the Lick Observatory of the University of California.

Also, Assembly Bill No. 453—An act appropriating money for the construction of trades building at the Whittier State School.

Also, Assembly Bill No. 454—An act appropriating money for equipment and grading repairs and alterations to buildings, structures and equipment at the Whittier State School.

Also, Assembly Bill No. 513—An act appropriating money for the equipment of trades building and gymnasium at the California School for Girls.

Also, Assembly Bill No. 515—An act appropriating money for the construction of trades building and gymnasium at the California School for Girls.

Also, Assembly Bill No. 516—An act appropriating money for the furnishing of three cottages at the California School for Girls.

Also, Assembly Bill No. 517—An act appropriating money for service connections to new buildings at the California School for Girls.

Also, Assembly Bill No. 520—An act appropriating money for the construction of three cottages at the California School for Girls.

Also, Assembly Bill No. 525—An act to provide for the return to the owners thereof of any funds deducted from teachers' retirement salaries in excess of the amounts directed by law to be so deducted, prescribing the procedure relative thereto; and making an appropriation therefor.

Also: Assembly Bill No. 651—An act making an appropriation for the painting of the State Capitol building;

Also: Assembly Bill No. 857—An act making an appropriation for the payment of the claim of the Amador Central Railroad Company for excess taxes paid to the State of California for the calendar years 1912, 1913 and 1914;

Also: Assembly Bill No. 1015—An act to appropriate money to pay the claim of Union Tank Line Company upon a judgment rendered against the State of California;

Also: Assembly Bill No. 1090—An act appropriating money to pay the claim of J. H. Farraher;

Also: Assembly Bill No. 1091—An act appropriating money to pay the claim of N. E. Conklin;

Also: Assembly Bill No. 1092—An act appropriating money to pay the claim of D. F. Conway;

Also: Assembly Bill No. 1116—An act to provide for the reforestation, the cutting of fire lanes and fire trails on the Angeles National Forest, and to make an appropriation therefor;

Also: Assembly Bill No. 1131—An act appropriating money for the use of the Railroad Commission in the regulation of utilities within incorporated cities during the sixty-ninth and seventieth fiscal years;

Also: Assembly Bill No. 1188—An act appropriating money to pay the cost of printing, publishing and distributing State textbooks free to the school children of the State in accordance with the provisions of the Constitution;

Also: Assembly Bill No. 1230—An act appropriating money for the purchase of laundry machinery for the Napa State Hospital;

Also: Assembly Bill No. 1231—An act appropriating money for the construction of power house and the purchase of machinery for same for the Napa State Hospital;

Also: Assembly Bill No. 1232—An act appropriating money for the installation of electric elevators at the Napa State Hospital;

Also: Assembly Bill No. 1233—An act appropriating money for the construction of sewer line at the Napa State Hospital;

Also: Assembly Bill No. 1257—An act appropriating money to pay traveling expenses incurred by county treasurers in making settlements with the State;

Also: Assembly Bill No. 1270—An act to appropriate money for repairs and additions to mechanical equipment at the Stockton State Hospital;

Also: Assembly Bill No. 1271—An act to appropriate money for alterations and additions to kitchen and bakery and equipment therefor at Stockton State Hospital;

Also: Assembly Bill No. 1283—An act to provide for the prevention of forest fires in the San Antonio Canyon in the San Gabriel Mountains, California, and to make an appropriation therefor;

Also: Assembly Bill No. 1312—An act appropriating money for a nurses' home and an industrial building at the Southern California State Hospital;

Also: Assembly Bill No. 1406—An act to appropriate money to pay the deficiency in the appropriation for printing and distributing constitutional amendments for the sixty-seventh and sixty-eighth fiscal years;

Also: Assembly Bill No. 1407—An act making an appropriation to meet the expenses of compiling, printing and distributing constitutional amendments;

Also: Assembly Bill No. 1438—An act appropriating money for completion, reclamation and irrigation of lands of the Napa State Hospital;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

CHANDLER, Chairman.

Senate Bills Nos. 147, 242, 259, 516, 584, 599, 682, 786, 788, 920, 1002, 1013, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1080, 1118, 1166 and 1183, and Assembly Bills Nos. 8, 107, 108, 229, 342, 343, 348, 398, 414, 415, 447, 448, 453, 454, 513, 515, 516, 517, 520, 525, 651, 857, 1015, 1090, 1091, 1092, 1116, 1131, 1188, 1230, 1231, 1232, 1233, 1257, 1270, 1271, 1283, 1312, 1406, 1407 and 1438 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 31—An act to establish a state hospital for the care, custody and maintenance of inebriates and drug habitues within the State of California, to be known as the California state hospital and to provide for the government and management thereof, and making an appropriation therefor;

Also: Senate Bill No. 116—An act appropriating money for the construction and equipment of buildings on the property of the Santa Barbara State Normal School at Santa Barbara, California;

Also: Senate Bill No. 645—An act to amend an act entitled "An act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain acts a felony and repealing an act entitled 'An act creating a commissioner of public works, defining his duties and powers and fixing his compensation,' approved February ninth, one thousand nine hundred, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April first, one thousand eight hundred ninety-seven; also repealing an act entitled 'An act providing for the appointment of an auditing board to the commissioner of public works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this act,' approved March seventeenth, one thousand eight hundred ninety-seven, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to provide for the appointment, duties and compensation of a debris commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such commissioner,' approved March twenty-fourth, one thousand eight hundred ninety-three, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this act,' approved April first, one thousand eight hundred ninety-seven, and all acts or parts of acts amendatory thereof," approved March eleventh, one thousand nine hundred seven, and all acts or parts of acts amendatory thereof, by amending sections 1, 9, 10, 13, 16 and 17 thereof, relating to the officers and employees of the department of engineering, their powers, duties and salaries, and by repealing section one and one-half thereof;

Also: Senate Bill No. 567—An act to appropriate money for the construction of trails, fire trails and telephone lines to and into California Redwood Park, and for the removal of dead and fallen timber in said park;

Also: Senate Bill No. 571—An act appropriating money for the construction of a convalescent cottage for men at the Agnews State Hospital and for furnishing the same;

Also: Assembly Bill No. 988—An act to amend section sixty-seven a of the Code of Civil Procedure, relating to the number of superior court judges and providing for the appointment of four additional superior court judges to counties of the first class and providing for their compensation;

Also: Assembly Bill No. 1093—An act appropriating money to pay the claim of Mrs. George Webb for the death of her husband;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended.

CHANDLER, Chairman.

Senate Bills Nos. 31, 116, 645, 567 and 571, and Assembly Bills Nos. 988, and 1093 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 556—An act to provide for experiment and research work in the drying, canning and preservation of fruits, the handling, preparation and manufacture of fruit products and by-products—has had same under consideration, and respectfully reports the same back with amendments, and recommends that it be re-referred to Committee on Universities.

CHANDLER, Chairman.

Senate Bill No. 556 re-referred to Committee on Universities.

ON COUNTY GOVERNMENT

SENATE CHAMBER, SACRAMENTO, April 13, 1917

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 847—An act to repeal section 4099 of the Political Code, relating to the duties of the auditor and treasurer—has had the same under consideration, and respectfully reports the same back without recommendation.

INMAN, Chairman.

Assembly Bill No. 847 ordered on file for second reading.

ON AGRICULTURE

SENATE CHAMBER, SACRAMENTO, April 12, 1917.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 75—An act providing for the appointment of a state weed commissioner and the maintenance of his office—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to Committee on Finance.

KING, Chairman.

Senate Bill No. 75 re-referred to Committee on Finance.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following resolution was offered:

By Senator King: Senate Constitutional Amendment No. 51—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding a new article thereto to be numbered XXIV, relating to alcoholic liquors.

Resolution ordered to print, and referred to Committee on Constitutional Amendments.

MOTION TO RECONSIDER.

Senator Duncan moved to reconsider the vote whereby Assembly Bill No. 1079 was refused passage.

On motion of Senator Duncan, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 1079 was refused passage, was continued until the next legislative day.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 1090—An act to amend sections 1, 2, 3, 6, 7, 12, 15 and 16 of an act entitled "An act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911, as amended.

On motion of Senator Scott, Senate Bill No. 1090 was passed on file.

Senate Bill No. 142—An act to amend an act entitled "The Code of Civil Procedure," by adding thereto four new sections, to be numbered 204*a*, 204*b*, 204*c*, 204*d* and 204*e*, relating to jury commissioners, their duties, appointment and compensation.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 142 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Gates, Ingram, Inman, Johnson, King, Lyon, Rigdon, Rominger, Scott, and Slater—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to Assembly.

Senate Bill No. 457—An act to regulate the construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings, and the maintenance, use and occupancy of the premises and land on which dwellings are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 457 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Gates, Ingram, Inman, Johnson, King, Lyon, Nealon, Rominger, Scott, and Slater—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1035—An act to make lawful certain agreements between employees and laborers, to define the cases in which injunctions may and may not issue, to prescribe the procedure in trials for contempt and to secure the right of jury trial in all such cases.

In the absence of the author, Senate Bill No. 1035 was ordered passed, to retain its place on the file.

Senate Bill No. 176—An act adding a new section to the Political Code to be numbered 3245*a*, relating to hours of labor of females employed in state hospitals.

In the absence of the author, Senate Bill No. 176 was ordered passed, to retain its place on the file.

Senate Bill No. 370—An act to authorize the incurring of indebtedness by counties for the construction of roads and highways and for all necessary public improvements or for any purpose whatsoever.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 370 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Gates, Inman, Johnson, King, Lyon, Nealon, Rigdon, Rominger, Scott, Slater, Stuckenbruck, and Thompson—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending section 16½ of Article XI thereof, relating to

the deposit of moneys belonging to the State or to any county or municipality within the State in any bank or banks.

In the absence of the author, Senate Constitutional Amendment No. 34 was ordered passed, to retain its place on the file.

Senate Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by adding a new article thereto, to be numbered XXIV, establishing a state athletic commission and regulating boxing and sparring in the State.

On motion of Senator Scott, Senate Constitutional Amendment No. 19 was passed on file.

Senate Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding thereto a new section to be known as section 5 of Article XIII, providing for the exemption of certain property from taxation.

In the absence of the author, Senate Constitutional Amendment No. 27 was ordered passed, to retain its place on the file.

Senate Constitutional Amendment No. 44—A resolution to propose to the people of the State of California to amend section 13 of Article VI of the Constitution of the State, relating to inferior courts.

On motion of Senator Ballard, Senate Constitutional Amendment No. 44 was passed on file.

Senate Bill No. 1106—An act appropriating money to pay the claim of ——— covering the funeral expenses of John M. Eshleman.

On motion of Senator Benson, Senate Bill No. 1106 was passed on file.

Senate Bill No. 159—An act to create a cattle protection board, to define its powers and duties, to protect the breeders and growers of cattle from theft, to provide for the registration of cattle brands and the licensing of cattle slaughterers and sellers of the meat thereof, to provide for the inspection of cattle and cattle hides for brands and marks, to provide for the collection of license and inspection fees, to provide for the creation of a fund to be known as the cattle protection fund, and to provide penalties for violation of the provisions hereof.

On motion of Senator Rigdon, Senate Bill No. 159 was passed on file.

Senate Bill No. 816—An act to amend section 3 of an act entitled "An act relating to explosives and prescribing regulations for the transportation, storage and selling of explosives, and providing penalties for the violation of this act," in effect March 21, 1911, and known as Chapter 213, Statutes of 1911, and to repeal section 11 of said act.

In the absence of the author, Senate Bill No. 816 was ordered passed, to retain its place on the file.

Senate Bill No. 811—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications.

On motion of Senator Ballard, Senate Bill No. 811 was passed on file.

Senate Bill No. 1134—An act to amend section 131 of the Civil Code, relating to judgment in an action for divorce, and repealing section 132 of said Civil Code.

On motion of Senator Scott, Senate Bill No. 1134 was passed on file.

Senate Bill No. 1160—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal

corporations," approved March 13, 1883, and all amendments thereto, by amending sections 64, 102, 320, 329, 527 and 623 thereof, and authorizing the legislative body of municipal corporations of the first, second, third and fourth class to borrow money in anticipation of the collection of taxes, and to execute and deliver negotiable promissory notes or other evidences of indebtedness for such money, and limiting the amount of money which may be so borrowed, and prescribing the purposes to which the same may be applied.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1160 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Gates, Ingram, Inman, Johnson, King, Lyon, Nealon, Rigdon, Rominger, Scott, Slater, Stuckenbruck, and Thompson—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR DUNCAN IN THE CHAIR.

At ten o'clock and forty-five minutes a.m., Senator Duncan of the Sixth District was called to the chair.

Senate Bill No. 587—An act to add a new section to the Political Code, to be numbered 2983, relating to the office of attorney for the State Board of Health, and repealing all acts inconsistent therewith.

In the absence of the author, Senate Bill No. 587 was ordered passed, to retain its place on the file.

Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the Constitution by adding a new section 15 to Article XIII, relating to revenue and taxation.

On motion of Senator Benson, Senate Constitutional Amendment No. 31 was passed on file.

Senate Bill No. 156—An act to amend the Political Code of the State of California by adding thereto a new section, to be numbered 1618*a*, relating to the powers and duties of boards of school trustees and city boards of education; also to repeal an act entitled "An act to provide for health and development supervision in the public schools of the State of California," approved April 15, 1909.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 156 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Gates, Ingram, Inman, King, Luce, Lyon, Nealon, Purkitt, Rigdon, Rominger, Scott, Slater, Stuckenbruck, and Thompson—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 49—An act to repeal section 55*a* of the Penal Code, relative to soliciting, demanding, or pledging votes for or against any particular bill or measure.

On motion of Senator Duncan, Senate Bill No. 49 was passed on file.

Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending section 1 of Article IV thereof, relating to legislative powers, and reserving to the people of the State of California the power to propose laws, statutes and amendments to the Constitution and to enact the same at the polls, independent of the Legislature, and also reserving to the people of the State of California the power to approve or reject at the polls any act or section or part of any act of the Legislature.

On motion of Senator Duncan, Senate Constitutional Amendment No. 5 was passed on file.

Senate Bill No. 502—An act appropriating money to pay the claims of various contractors against the State of California in connection with the construction of the Fresno Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 502 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Gates, Ingram, Inman, Johnson, King, Lyon, Nealon, Purkitt, Rigdon, Rominger, Scott, Slater, Stuckenbruck, and Thompson—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 581—An act to appropriate money for paving in front of the San Diego State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 581 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Ingram, Inman, Johnson, King, Luce, Lyon, Nealon, Purkitt, Scott, Slater, Stuckenbruck, and Thompson—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 668—An act to appropriate money for the repair of the Naval Reserve Armory at San Diego, California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 668 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Gates, Ingram, Inman, Johnson, King, Luce, Lyon, Nealon, Purkitt, Rigdon, Scott, Slater, Stuckenbruck, and Thompson—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 856—An act making an appropriation for the support of the Department of Sanitary Engineering under the direction of the State Board of Health.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 856 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, W. J., Chandler, Crowley, Duncan, Evans, Gates, Ingram, Inman, Johnson, King, Luce, Lyon, Nealon, Purkitt, Rigdon, Scott, Slater, Stuckenbruck, and Thompson—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 871—An act appropriating money for the support of the Advisory Pardon Board during the sixty-ninth and seventieth fiscal years.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 871 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, W. J., Chandler, Crowley, Duncan, Evans, Gates, Ingram, Inman, Johnson, King, Luce, Lyon, Nealon, Purkitt, Rigdon, Scott, Slater, Stuckenbruck, and Thompson—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 908—An act appropriating money for the construction and equipment of a state printing office and the necessary removal thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 908 passed by the following vote:

AYES—Senators Ballard, Breed, Carr, W. J., Chandler, Crowley, Duncan, Evans, Gates, Ingram, Inman, Johnson, King, Luce, Lyon, Nealon, Purkitt, Rigdon, Scott, Slater, Stuckenbruck, and Thompson—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 913—An act appropriating money for the creating of a revolving fund for Engineering Department in lieu of that created by Chapter 108 of Statutes of 1913 and Chapter 355 of Statutes of 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 913 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Gates, Inman, Johnson, King, Luce, Lyon, Nealon, Purkitt, Rigdon, Scott, Slater, Stuckenbruck, and Thompson—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 914—An act appropriating money to create a revolving fund for the State Purchasing Department.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 914 passed by the following vote:

AYES—Senators Ballard, Breed, Carr, W. J., Chandler, Crowley, Duncan, Evans, Gates, Ingram, Inman, Johnson, King, Luce, Lyon, Nealon, Purkitt, Rigdon, Scott, Slater, Stuckenbruck, and Thompson—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 915—An act appropriating money for the support of the State Purchasing Department during the sixty-ninth and seventieth fiscal years.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 915 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, W. J., Chandler, Crowley, Duncan, Evans, Gates, Ingram, Inman, Johnson, King, Lyon, Nealon, Purkitt, Rigdon, Scott, Slater, Stuckenbruck, and Thompson—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 916—An act appropriating money for machinery and equipment, State Printing Plant.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 916 passed by the following vote:

AYES—Senators Ballard, Breed, Carr, W. J., Chandler, Crowley, Duncan, Evans, Gates, Ingram, Inman, Johnson, King, Luce, Lyon, Nealon, Purkitt, Rigdon, Scott, Slater, Stuckenbruck, and Thompson—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 933—An act appropriating money for the support of the State Board of Health, in the control of contagious diseases, during the sixty-ninth and seventieth fiscal years.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 933 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, W. J., Chandler, Crowley, Duncan, Evans, Gates, Ingram, Johnson, King, Luce, Lyon, Nealon, Purkitt, Rigdon, Scott, Slater, Stuckenbruck, and Thompson—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 986—An act appropriating money for the support of the Social Insurance Investigating Commission during the sixty-ninth and seventieth fiscal years.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 986 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Inman, Johnson, Jones, King, Luce, Lyon, Nealon, Purkitt, Rigdon, Scott, Slater, Stuckenbruck, and Thompson—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1003—An act appropriating money for the enlargement of kitchen for hospital and additional equipment for same at the Veterans' Home.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1003 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Johnson, Jones, King, Luce, Lyon, Nealon, Purkitt, Rigdon, Scott, Slater, Stuckenbruck, and Thompson—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1008—An act appropriating money for the support and payment of all salaries of the State Market Commission during the sixty-ninth and seventieth fiscal years.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1008 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Inman, Johnson, Jones, King, Luce, Lyon, Nealon, Purkitt, Scott, Slater, Stuckenbruck, and Thompson—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1029—An act appropriating money for the support of the Historical Commission during the sixty-ninth and seventieth fiscal years.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1029 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Inman, Johnson, King, Luce, Lyon, Nealon, Purkitt, Rigdon, Scott, Slater, Stuckenbruck, and Thompson—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1030—An act appropriating money for the equipment of vault, Secretary of State's office.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1030 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Inman, Johnson, Jones, King, Lyon, Nealon, Purkitt, Rigdon, Scott, Slater, Stuckenbruck, and Thompson—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1122—An act to appropriate money for a water system at the California School for Girls.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1122 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Johnson, King, Luce, Lyon, Nealon, Rigdon, Scott, Slater, Stuckenbruck, and Thompson—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 47—An act appropriating money for the equipment and furnishing of buildings at Humboldt State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 47 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Johnson, Jones, King, Luce, Lyon, Nealon, Purkitt, Rigdon, Scott, Slater, Stuckenbruck, and Thompson—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 48—An act appropriating money for the construction of buildings, sidewalks, sewers and grading of grounds on the property of the Humboldt State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 48 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Johnson, Jones, King, Luce, Lyon, Purkitt, Rigdon, Scott, Slater, Stuckenbruck, and Thompson—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 197—An act appropriating money for the painting of buildings at the Veterans' Home.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 197 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Johnson, Jones, King, Luce, Lyon, Nealon, Purkitt, Rigdon, Rominger, Scott, Slater, Stuckenbruck, and Thompson—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 263—An act appropriating money to pay the claim of the Board of Regents of the University of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 263 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Johnson, Jones, King, Luce, Lyon, Nealon, Purkitt, Rigdon, Rominger, Scott, Slater, Stuckenbruck, and Thompson—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 266—An act appropriating money to pay the claim of the Board of Regents of the University of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 266 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Johnson, Jones, King, Luce, Lyon, Rigdon, Rominger, Scott, Slater, Stuckenbruck, and Thompson—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 284—An act appropriating money for the erection and repairing barns, sheds and buildings at the State Agricultural Park.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 284 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Johnson, King, Luce, Lyon, McDonald, Rigdon, Rominger, Scott, Slater, Stuckenbruck, and Thompson—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 285—An act appropriating money for the improvement of grounds and erection of stock barns at the State Agricultural Park.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 285 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Johnson, King, Luce, Lyon, McDonald, Rigdon, Rominger, Scott, Slater, Stuckenbruck, and Thompson—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 286—An act appropriating money for the construction and equipment of addition to the training school building of the Chico State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 286 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Johnson, King, Luce, Lyon, McDonald, Purkitt, Rigdon, Scott, Shearer, Stuckenbruck, and Thompson—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 310—An act appropriating money for the construction and equipment of new laundry and bakery at the Mendocino State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 310 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Chandler, Crowley, Duncan, Evans, Gates, Ingram, Johnson, Jones, King, Luce, Lyon, McDonald, Purkitt, Rigdon, Scott, Slater, Stuckenbruck, and Thompson—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 489—An act appropriating money to pay the claim of the county of San Bernardino for additional reimbursement as determined by investigation of the State Tax Commision.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 489 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Chandler, Crowley, Duncan, Evans, Gates, Ingram, Johnson, Jones, King, Luce, Lyon, McDonald, Purkitt, Rigdon, Scott, Slater, Stuckenbruck, and Thompson—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 304—An act appropriating money for plumbing repairs at the Mendocino State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 304 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Chandler, Crowley, Duncan, Evans, Gates, Ingram, Johnson, Jones, King, Luce, Lyon, McDonald, Purkitt, Rigdon, Scott, Slater, Stuckenbruck, and Thompson—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 305—An act appropriating money for the enlarging of operation room at the Mendocino State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 305 passed by the following vote:

AYES—Senators Ballard, Breed, Canepa, Chandler, Crowley, Duncan, Evans, Gates, Ingram, Johnson, Jones, King, Luce, Lyon, McDonald, Purkitt, Rigdon, Scott, Slater, Stuckenbruck, and Thompson—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 306—An act appropriating money for the reconstruction of ward five and converting laundry and bakery at the Mendocino State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 306 passed by the following vote:

AYES—Senators Ballard, Breed, Canepa, Chandler, Duncan, Evans, Gates, Ingram, Inman, Johnson, Jones, King, Luce, Lyon, McDonald, Purkitt, Rigdon, Scott, Slater, Stuckenbruck, and Thompson—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 335—An act appropriating money for the purpose of providing physicians and nurses at the Women's Relief Corps Home.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 335 passed by the following vote:

AYES—Senators Ballard, Breed, Canepa, Chamberlin, Chandler, Duncan, Evans, Gates, Ingram, Inman, Johnson, Jones, King, Luce, Lyon, McDonald, Purkitt, Rigdon, Scott, Slater, Stuckenbruck, and Thompson—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 341—An act appropriating money for the purchase of additional dairy herd for the Stockton State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 341 passed by the following vote:

AYES—Senators Ballard, Breed, Canepa, Carr, W. J., Chandler, Crowley, Duncan, Evans, Gates, Ingram, Inman, Johnson, Jones, King, Luce, McDonald, Purkitt, Rigdon, Slater, Stuckenbruck, and Thompson—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 344—An act appropriating money for the purchase of a complete X-ray apparatus for the Stockton State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 344 passed by the following vote:

AYES—Senators Ballard, Breed, Canepa, Carr, W. J., Chandler, Crowley, Duncan, Evans, Gates, Ingram, Inman, Johnson, Jones, King, Luce, McDonald, Purkitt, Rigdon, Slater, Stuckenbruck, and Thompson—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 351—An act appropriating money for repairs and improvements to buildings of the San Diego State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 351 passed by the following vote:

AYES—Senators Ballard, Breed, Canepa, Carr, W. J., Chandler, Crowley, Duncan, Evans, Gates, Ingram, Inman, Johnson, Jones, King, Luce, McDonald, Nealon, Purkitt, Rigdon, Slater, Stuckenbruck, and Thompson—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 375—An act appropriating money for repairs and improvements to the buildings and equipment of the Los Angeles State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 375 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, W. J., Chandler, Crowley, Duncan, Evans, Gates, Ingram, Inman, Johnson, Jones, King, Luce, McDonald, Nealon, Purkitt, Slater, Stuckenbruck, and Thompson—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 376—An act appropriating money for the making of additions to buildings of the Los Angeles State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 374 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, W. J., Chandler, Crowley, Duncan, Evans, Gates, Ingram, Inman, Johnson, Jones, King, Luce, Nealon, Purkitt, Rigdon, Slater, Stuckenbruck, and Thompson—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 389—An act appropriating money for the purchase and installation of a boiler at the Southern California State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 389 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Gates, Ingram, Inman, Johnson, Jones, King, Luce, Nealon, Purkitt, Rigdon, Rominger, Slater, Stuckenbruck, and Thompson—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 391—An act appropriating money for the construction and furnishing of a cottage for disturbed patients at the Southern California State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 391 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Gates, Ingram, Inman, Johnson, Jones, King, Luce, Purkitt, Rigdon, Slater, Stuckenbruck, and Thompson—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 410—An act appropriating money for the purchase of bakery equipment at the Norwalk State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 410 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Chandler, Crowley, Duncan, Evans, Gates, Ingram, Johnson, Jones, King, Luce, Purkitt, Rigdon, Rominger, Slater, and Stuckenbruck—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 411—An act appropriating money for the purchase of dairy herd and horses at the Norwalk State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 411 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Chandler, Crowley, Duncan, Evans, Gates, Ingram, Johnson, Jones, King, Luce, Purkitt, Rigdon, Rominger, Slater, Stuckenbruck, and Thompson—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 412—An act appropriating money for the construction and furnishing of superintendent's cottage at the Norwalk State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 412 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Chandler, Crowley, Duncan, Evans, Gates, Ingram, Inman, Johnson, Jones, King, Luce, Nealon, Purkitt, Rominger, Slater, Stuckenbruck, and Thompson—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 413—An act appropriating money for the construction of farm buildings at the Norwalk State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 413 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Inman, Johnson, Jones, King, Luce, Purkitt, Rigdon, Rominger, Slater, Stuckenbruck, and Thompson—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 416—An act appropriating money for the purchase of laundry equipment at the Norwalk State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 416 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Inman, Johnson, Jones, King, Luce, Nealon, Purkitt, Rigdon, Slater, Stuckenbruck, and Thompson—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 449—An act appropriating money for the construction of creamery at the Whittier State School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 449 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Inman, Johnson, King, Luce, Nealon, Purkitt, Rominger, Slater, Stuckenbruck, and Thompson—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 450—An act appropriating money for the construction and equipment of power house at the Whittier State School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 450 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Duncan, Evans, Flaherty, Gates, Inman, Johnson, King, Luce, McDonald, Nealon, Purkitt, Rominger, Scott, Slater, and Thompson—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 451—An act appropriating money for the construction of three cottages at the Whittier State School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 451 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Inman, Johnson, King, Luce, McDonald, Purkitt, Rigdon, Rominger, Scott, Slater, Stuckenbruck, and Thompson—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 452—An act appropriating money for the furnishing and equipment of trades building and three cottages at the Whittier State School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 452 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Inman, Johnson, King, Luce, McDonald, Purkitt, Rigdon, Rominger, Scott, Slater, Stuckenbruck, and Thompson—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 518—An act appropriating money for the heating of office in commissary building and manor house at the California School for Girls.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 518 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Inman, Johnson, King, Luce, McDonald, Purkitt, Rigdon, Rominger, Scott, Slater, Stuckenbruck, and Thompson—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1024—An act appropriating money for electric lighting at Sutter's Fort.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1024 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Inman, Johnson, King, Luce, McDonald, Purkitt, Scott, Slater, Stuckenbruck, and Thompson—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1205—An act providing for the leasing of certain state lands.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1205 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, King, Luce, McDonald, Purkitt, Rigdon, Rominger, Scott, Slater, Stuckenbruck, and Thompson—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1223—An act appropriating money for electric wiring at the Veterans' Home.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1223 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Chandler, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, King, McDonald, Purkitt, Rigdon, Rominger, Scott, Slater, Stuckenbruck, and Thompson—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1224—An act appropriating money for plumbing and repairs to plumbing at the Veterans' Home.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1224 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Chandler, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, King, McDonald, Purkitt, Rigdon, Rominger, Scott, Slater, Stuckenbruck, and Thompson—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1225—An act appropriating money for the purchase of dairy cows for the Veterans' Home.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1225 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Johnson, Jones, King, McDonald, Purkitt, Rigdon, Rominger, Scott, Slater, and Stuckenbruck—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1227—An act appropriating money for the construction of quarters for inebriates on the grounds of the Veterans' Home.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1227 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Inman, Jones, King, Luce, McDonald, Purkitt, Rigdon, Rominger, Scott, Slater, and Stuckenbruck—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1228—An act appropriating money for the construction of a chapel on the grounds of the Veterans' Home.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1228 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, King, Luce, McDonald, Purkitt, Rigdon, Rominger, Scott, Slater, and Stuckenbruck—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1254—An act appropriating money to cover office rent, janitor service and supplies, State's offices in the Union League Building, Los Angeles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1254 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Inman, Johnson, Jones, King, Luce, McDonald, Purkitt, Rominger, Scott, Slater, Stuckenbruck, and Thompson—24.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At twelve o'clock and fifteen minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committee were received and read:

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 14, 1917.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 470—An act to provide for the formation and establishment of boulevard districts; the construction, acquisition, maintenance, control and use of boulevards; defining the term boulevard; providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such boulevards; providing for a boulevard commission to have charge of the affairs of boulevard districts, and the construction, maintenance and repair of boulevards, within such districts; providing for the election of such commission, their terms of office, and of elections to be held in such districts; and repealing conflicting acts—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

JOHNSON, Chairman.

Senate Bill No. 470 ordered on file for second reading.
Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1114—An act to amend an act entitled "An act authorizing any incorporated town, city or municipal corporation to permit the construction and maintenance of any state or county highway or boulevard over highways or streets in its incorporated limits or any portion thereof by the supervisors or highway commissioners of the county," approved March 19, 1909—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

JOHNSON, Chairman.

Assembly Bill No. 1114 ordered on file for second reading.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:
By Senator King:

SENATE CHAMBER, SACRAMENTO, April 14, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2, Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:
An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for the payment of claims and judgments together with costs and interest upon such judgments.

Request referred to Committee on Rules.

SECOND READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 844—An act to repeal section 924 of the Political Code, relating to the duties of auditing officers.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 195—An act to amend section 1094 of the Political Code, relating to registration.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 196—An act to amend sections 1113, 1131, 1142, 1151, 1216 and 1258 of the Political Code, relating to elections, etc.

Bill read second time, and ordered on file for third reading.

Assembly Bill. No. 562—An act to amend section 4264 of the Political Code, relating to the salaries and fees of officers in counties of the thirty-fifth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 240—An act to amend section 13 of an act entitled "An act for the preservation of public health of the people of the State of California and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907, as amended by acts approved April 1, 1911, and June 13, 1913.

Bill read second time.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 1, beginning with the word "or" after the word "diseases", strike out all down to and including the word "diseases", on same line.

AMENDMENT NUMBER TWO.

On page 2, line 5, beginning with the word "each" strike out all down to and including the word "and" before the word "each", on line 6.

AMENDMENT NUMBER THREE.

On page 2, line 15, strike out the words "and carriers".

AMENDMENT NUMBER FOUR.

On page 2, line 18, strike out the words "and every carrier".

AMENDMENT NUMBER FIVE.

On page 4, line 13, beginning with the word "or" after the word "case", strike out all down to and including the word "carrier", on same line.

On motion of Senator Stuckenbruck, Assembly Bill No. 240 was passed on file and the pending amendments ordered printed in the Journal.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., the hour of recess was extended until one o'clock p.m.

SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 590—An act to authorize irrigation districts to cooperate and contract with the United States under the provisions of the federal reclamation laws for a water supply, or the construction, operation or maintenance of works authorized by said federal laws

including drainage works, or for the assumption by the district of indebtedness to the United States on account of district lands; and to provide the manner and method of payments to the United States under such contract, and for the apportionment of assessments, and levy thereof, upon the lands of the district to secure revenue for such payments, and to provide for the judicial review and determination of the validity of the proceedings in connection with such contract.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 927—An act providing for hours of rest for persons employed by municipal corporations during more than one hundred twenty hours per week.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 628—An act to define and distinguish state highways and state roads and to designate names for certain state roads.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1432—An act to recognize and declare valid the permanent road division of Inwood, in Shasta County, and to recognize and declare valid all proceedings in relation thereto and for the organization thereof.

Bill read second time, and ordered on file for third reading.

SECOND READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 716—An act relating to the regulation of real estate brokers, agents, salesmen and dealers in the State of California.

On motion of Senator Gates, Senate Bill No. 716 was passed on file.

Senate Bill No. 1023—An act relating to corporations and to the issue of shares by them without a nominal or par value.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 228—An act to amend section 304 of the Civil Code, relating to entries to be made in the book of by-laws kept by corporations.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 555—An act to provide for the formation, government, operation and dissolution of forest fire districts, in any part of the State of California, to prevent and extinguish forest, brush and grass fires therein, and protect persons and property from injury, loss or damage resulting from any such fire; and to provide for the assessment, levy, collection and disbursement of taxes and revenues therein, and the contribution or payment of public funds therefor.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 261—An act to amend section 1920 of the Civil Code of the State of California, relating to interest on judgments.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1158—An act to amend section 1557 of the Penal Code, relating to the accounts of persons employed to bring back fugitives from the State.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 476—An act to add a new section to the Penal Code of the State of California to be numbered 817*a*, relating to the duties of peace officers.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 7, add the following: "Any peace officer failing, neglecting or refusing to perform the duties herein set forth, shall be punished as provided in section seven hundred seventy-two of the Penal Code."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 2, strike out the words "of the State of California".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 2 of the title, strike out the words "of the State of California".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 670—An act to amend an act entitled "An act to define investment companies, investment brokers, and agents; to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation thereof; to create the office of commissioner of corporations, and making an appropriation therefor," approved May 28, 1913.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, after the words "An Act" of the title, strike out the balance of the title and insert in lieu thereof the following: "providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a state corporation department and the office of commissioner of corporations;".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1 after "Section 1.", strike out the balance of the line and all of lines 2 through 13, and on page 2 all of lines 1 through 21, and insert in lieu thereof the following:

SECTION 1. This act shall be known as the "Corporate Securities Act."

SEC. 2. Words use in this act in the present tense include the future as well as the present; words used in the masculine gender include the feminine and neuter, and in the neuter, the masculine and feminine; the singular number includes the plural, and the plural, the singular; "writing" includes "printing" and "typewriting"; "oath" includes "affirmation"; the word "county" includes "city and county"; and "territory" includes "district." The following words have in this act the signification attached to them in this section, unless otherwise apparent from the context:

1. The word "department" means the "state corporation department" created by this act.

2. The word "commissioner" means the "commissioner of corporations."

3. The word "company" includes all domestic and foreign, private corporations, associations, joint stock companies, and partnerships, of every kind, and also trustees, as hereinafter defined; excepting therefrom:

(a) All national banking associations and other corporations organized and existing under and by virtue of the acts of the congress of the United States;

(b) All public utilities subject to the jurisdiction, control, and regulation of the railroad commission of this state and to the public utilities act;

(c) All corporations transacting a banking or insurance business within this state;

(d) All corporations, associations, or societies transacting business under the supervision, examination, and license of the bureau of building and loan supervision; and

(e) Every corporation organized under the laws of this state exclusively for the purposes provided in any of the following titles, to wit: XIa, XII, XIIa, XIV, XXI, and XXII of Part IV, division first, of the Civil Code, and in accordance with the provisions of such titles.

4. The word "trust" as used in this act includes all voluntary trusts, as the same are defined in the Civil Code, expressly created by or declared in an instrument in writing, other than a will or a judicial writ, order, decree, or judgment, to carry on any business or to secure the payment or repayment of money.

5. The word "trustee," except as hereinafter used in subdivision 9 of this section, includes only persons or companies executing trusts as hereinbefore defined.

6. The word "security" includes:

(a) All shares or other interests or rights into which the capital, capital stock, or property, of companies or rights of stockholders or members thereof, are divided, including all treasury shares and shares of their own capital stock, purchased or otherwise acquired by companies upon delinquent assessment sales or in any other lawful manner, and all certificates and other instruments issued by them or their authority, evidencing or representing such shares, interests, or rights;

(b) All bonds, debentures, and evidences of indebtedness issued by any company; and

(c) Any instrument issued or offered to the public by any company, evidencing or representing any right to participate or share in the profits or earnings or the distribution of assets of any business carried on for profit; excepting therefrom the following:

1. Bills of exchange and promissory notes not offered to the public by the drawer, maker, or underwriter thereof, and all mortgages and deeds of trust of property situated in this state, executed to secure the payment thereof; and

2. Any security listed in any standard manual of information, as to which the commissioner shall first make and file his written finding to the effect that such security is fully and accurately described in such manual and that a sale thereof will not, in his opinion, work a fraud upon the purchaser thereof; *provided*, that if such finding shall thereafter be vacated or set aside, such security shall not thereafter be deemed to be included within this exception.

7. A "sale," within the meaning of this act, includes every contract by which, for a pecuniary consideration, called a price, one transfers to another an interest in property, and also an exchange, a pledge, a hypothecation, and any transfer in trust or otherwise as security for the performance of an obligation, and also any issue of any security by a company; and the word "sell," as used in this act, includes every act by which such sale is made.

8. The word "agent" as used in this act means and includes every person or company employed or appointed by a company or a broker who shall, within this state, either as an employee or otherwise, for a compensation, sell, offer for sale, negotiate for the sale of, or take subscriptions for any security of any company of its own issued offered for sale by it.

9. The word "broker" as used in this act includes every person or company, other than an agent, who shall, in this state, engage, either wholly or in part, in the business of selling, offering for sale, negotiating for the sale of, or otherwise dealing in any security or securities issued by others, or of underwriting any issue of securities or of purchasing such securities with the purpose of reselling them or of offering them for sale to the public for a commission or at a profit; excepting therefrom the following:

(a) Any owner of any security who is not the issuer or an underwriter thereof, who sells or exchanges the same for his own account; *provided*, that such sale or exchange is not made in the course of repeated and successive transactions of like or similar character by him;

(b) Any trustee who, in such capacity, lawfully disposes of any property;

(c) Any company transacting a banking or insurance business in this state, selling a security for an owner thereof or a broker, other, than an underwriter thereof, at a commission of not more than two per cent of the par or face value thereof; *provided*, such sale is not made in the course of repeated and successive transactions of like or similar character by such company;

(d) One, not the issuer, who disposes of securities to a broker or to a purchaser who, as a part of his regular business, purchases such securities;

(e) Any pledge holder selling, in good faith and not for the purpose of avoiding the provisions of this act, and in the ordinary course of business, a security pledged with him as security for a bona fide debt.

10. The words "actual fraud," as used in this act, are defined in section 1572 of the Civil Code.

SEC. 3. No company shall sell, offer for sale, negotiate for the sale of, or take subscriptions for any security of its own issue until it shall have first applied for and secured from the commissioner a permit, authorizing it so to do. Such application shall be in writing, shall be verified as provided in the Code of Civil Procedure for the verification of pleadings, and shall be filed in the office of the commissioner. In such application the applicant shall set forth the names and addresses of its officers, the location of its office, an itemized account of its financial condition, the amount and character of its assets and liabilities, a detailed statement of the plan upon which it proposes to transact business, a copy of any security it proposes to issue, a copy of any contract it proposes to make concerning the same, a copy of any prospectus or advertisement, or other description of such securities, then prepared by or for it for distribution or publication, and such additional information concerning the company, its condition and affairs as the commissioner may require. If the applicant is a partnership or an unincorporated association or joint stock company, it shall file with its application a copy of its articles of partnership or association, and all other papers pertaining to its organization. If the applicant is a trustee, it shall file with its application a copy of all instruments by which the trust is created and in which it is accepted, acknowledged, or declared. If the applicant is a corporation, it shall file with its application a copy of all minutes of any proceedings of its directors or stockholders or members relating to or affecting the issue of such securities, and also a copy of its articles of incorporation and of its by-laws and of any amendments thereto. If the applicant is a corporation or association organized under the laws of any other state, territory, or government, it shall also file with its application a certificate, executed by the proper officer of such state, territory, or government not more than thirty days before the filing of such application, showing that such applicant is authorized to transact business in such state, territory, or government; and also, in such form as the commissioner may prescribe, its written instrument, irrevocably appointing the commissioner and his successor in office its true and lawful attorney upon whom all process in any action or proceeding against it may be served, with the same effect as if said corporation or association were organized or created under the laws of this state and had been lawfully served with process therein.

SEC. 4. Upon the filing of such application, it shall be the duty of the commissioner to examine it and the other papers and documents filed therewith, and he may, if he deems it advisable, make or have made a detailed examination, audit, and investigation of the applicant and its affairs. If he finds that the proposed plan of business of the applicant is not unfair, unjust, or inequitable, that it intends to fairly and honestly transact its business, and that the securities that it proposes to issue and the methods to be used by it in issuing or disposing of them are not such as, in his opinion, will work a fraud upon the purchaser thereof, the commissioner shall issue to the applicant a permit authorizing it to issue and dispose of securities, as therein provided, in this state, in such amounts and for such considerations and upon such terms and conditions as the commissioner may in said permit provide. Otherwise, he shall deny the application and refuse such permit and notify the applicant in writing of his decision. Every permit shall recite in bold type that the issuance thereof is permissive only and does not constitute a recommendation or endorsement of the securities permitted to be issued. The commissioner may impose such conditions as he may deem necessary to the issue of such securities, and shall have the power to establish such rules and regulations as may be reasonable or necessary to insure the disposition of the proceeds of such securities in the manner and for the purposes provided in such permit, and may, from time to time for cause, amend, alter, or revoke any permit issued by him, or temporarily suspend the rights of the applicant under such permit.

SEC. 5. No person or company shall act as an agent or broker until such person or company shall have first applied for and secured from the commissioner a certificate, then in effect, authorizing such person or company so to do. Every such certificate shall expire on the 31st day of December next after its issuance, unless sooner revoked. To secure such certificate, the applicant shall make and file in the office of the commissioner an application therefor in writing, verified by or in behalf of the applicant. In such application, the applicant shall set forth, in addition to such other information as may be required by the commissioner:

1. The name and address of the applicant, and, if it be a corporation, association, or joint stock company, the name and address of each of its managing officers and agents, and, if it be a partnership, the name and address of each of the partners;

2. A succinct statement of facts showing that the applicant, and its managing officers and agents, if it be a corporation, or members, if it be a partnership, have a good business reputation;

3. If the applicant is a broker, the general plan and character of the business of the applicant.

For filing such application, the applicant shall pay a fee as hereinafter provided. If the applicant is a corporation or association organized under the laws of any other state, territory, or government, it shall file with its application a copy of its

articles of incorporation or association, together with a certificate executed by the proper officer of such state, territory, or government not more than thirty days before the filing of such application, showing that such applicant is authorized to transact business in such state, territory, or government, and also, in such form as the commissioner may prescribe, its written instrument, irrevocably appointing the commissioner and his successor in office its true and lawful attorney upon whom all process in any action or proceeding against it, arising out of or founded upon the actual fraud of such applicant in the sale of securities within this state, may be served, with the same effect as if said corporation or association were organized or created under the laws of this state and had been lawfully served with process therein.

SEC. 6. The commissioner shall examine such application, and shall make such further investigation of the applicant and its affairs as he shall deem advisable. If, from such examination, the commissioner shall be satisfied of the good business reputation of the applicant and of its officers or members, if any, he shall issue such certificate. Otherwise, he shall refuse the same and deny the application and notify the applicant of his decision. The commissioner may at any time revoke any broker's or agent's certificate issued by him if he shall find that the holder thereof is of bad business repute, or has violated any provision of this act, or has engaged, or is about to engage in any fraudulent transaction.

SEC. 7. No person, partnership, association, or corporation shall issue, circulate, or publish any advertisement, pamphlet, prospectus, or circular concerning any security, to be issued by any company, that such person, partnership, association, or corporation desires or proposes to sell, until the company proposing to issue such security shall have first secured from the commissioner a permit authorizing it to issue or sell such security; nor shall any company, broker, or agent, or any other person, issue, circulate, or publish any advertisement, pamphlet, prospectus, or circular concerning any security sold or offered for sale by it, unless the name of the company, broker, agent, or person issuing, circulating, or publishing the same shall be subscribed thereto, and a true copy thereof shall have been first filed in the office of the commissioner, or deposited in a United States post office, properly enclosed in a sealed envelope, addressed to the commissioner at Sacramento, California, with the postage duly prepaid thereon; nor shall any company, broker, or agent, or any other person, issue, circulate, or publish any such advertisement, pamphlet, prospectus, or circular after notice in writing given to it by the commissioner that, in his opinion, the same contains any statement that is false or misleading or otherwise likely to deceive a reader thereof.

SEC. 8. Every company authorized by the commissioner to sell securities shall thereafter, at such times as it may be required by the commissioner, make and file in the office of the commissioner a report, setting forth, in such form as the commissioner may prescribe, the securities sold by it under the authority of any permit issued by him, the proceeds derived therefrom, the disposition of such proceeds and such other information concerning its property, officers, or affairs, relating to or affecting the value of such securities, as the commissioner may require.

SEC. 9. Every broker shall, at such times as it may be required by the commissioner, make and file in the office of the commissioner a true and correct statement concerning any security sold or offered for sale by such broker, showing the name and location of the principal office of the issuer of such security; the names of its managing officers, if it is a corporation, or of its members, if it is a partnership; its assets, liabilities, and issued capital stock, at the close of its fiscal year then last ended, or at a later date; its gross income, expenses, and fixed charges for the year next preceding such date, or for such time as such issuer of such security has transacted business, if for less than one year, and the approximate price at which such broker has sold or proposes to sell such security, together with such other information, of which the broker may have knowledge, as the commissioner may require.

SEC. 10. All papers, documents, reports, and other instruments in writing filed with the commissioner under this act shall be open to public inspection; *provided*, that if, in his judgment, the public welfare or the welfare of any company, broker, or agent demands that any portion of such information be not made public, he may, in his discretion, withhold such information from public inspection for such time as in his judgment is necessary. The commissioner may at any time give, issue, or make public any information concerning any company or any contracts, stocks, bonds, or other securities sold or offered for sale within this state, if in his judgment the giving, issuing, or publishing of the same will be of public interest or advantage or will tend to prevent the fraudulent sale of such securities.

SEC. 11. Every order, decision, permit or other official act of the commissioner shall be subject to review, in accordance with the provisions of chapter one of title one of part three of the Code of Civil Procedure; and any party aggrieved by any such order, decision, or permit of the commissioner may appeal therefrom to the superior court of the county of Sacramento, by serving upon the commissioner a notice of such appeal, a demand in writing for a certified transcript of all the papers on file in his office affecting or relating to such decision, and the payment of the fee therefor, within sixty days after the making of any such order, permit, or decision.

Thereupon, the commissioner shall, within ten days, make and certify such transcript, and the appellant shall, within five days thereafter, file the same and the notice of appeal with the clerk of said court. Upon the hearing of such appeal, the burden of proof shall lie upon the appellant, and the court shall receive and consider any pertinent evidence, whether oral or documentary, concerning the action of the commissioner from which the appeal is taken, but shall be limited to a consideration and determination of the question whether there has been an abuse of discretion on the part of the commissioner in making such order, decision, or permit.

SEC. 12. Every security issued by any company, without a permit of the commissioner authorizing the same then in effect, shall be void, and every security issued by any company, with the authorization of the commissioner but not conforming in its provisions to the provisions, if any, which it is required by the permit of the commissioner to contain, shall be void.

SEC. 13. Every company which shall directly or indirectly issue or cause to be issued any security contrary to the provisions of this act, or of the constitution of this state, or in nonconformity with a permit of the commissioner authorizing the same, or which applies the proceeds from the sale thereof, or any part thereof, to any purpose other than the purpose or purposes, if any, specified in such permit, or to any purpose specified in such permit in excess of any amount limited in such permit to be used for such purpose, shall be guilty of a public offense and shall be punishable by a fine not exceeding ten thousand dollars.

SEC. 14. Every officer, agent, or employee of any company, and every other person, who knowingly authorizes, directs, or aids in the issue or sale of, or issues or executes, or sells, or causes or assists in causing to be issued, executed, or sold, any security, in nonconformity with a permit of the commissioner then in effect authorizing such issue, or contrary to the provisions of this act, or of the constitution of this state, or who, in any application to the commissioner, or in any proceeding before him, or in any examination, audit, or investigation made by him or his authority, knowingly makes any false statement or representation, or who, with knowledge of its falsity, files or causes to be filed in the office of the commissioner any false statement or representation concerning such company or the property which it then holds or proposes to acquire, or concerning its officers or its financial condition or other affairs, or concerning its proposed plan of business, or who, with knowledge of the falsity of any such statement or representation, issues, executes, or sells, or causes to be issued, executed, or sold, any security, without first informing the commissioner of the falsity of such statement in writing, or who, directly or indirectly, knowingly applies, or causes or assists in causing to be applied, the proceeds, or any part thereof, from the sale of any security to any purpose contrary to the provisions of the permit authorizing the issue of such security, or to any purpose specified in such permit in excess of any amount limited in such permit to be used for such purpose, or who, with knowledge that any security has been issued or executed in violation of any of the provisions of this act, sells or offers the same for sale, or who, with knowledge that any advertisement, pamphlet, prospectus, or circular concerning any security contains any statement that is false, or misleading or otherwise likely to deceive a reader thereof, issues, circulates, or publishes the same, or shall cause the same to be issued, circulated, or published, or who, in any other respect, wilfully violates or fails to comply with any of the provisions of this act, or who, in any other respect, wilfully violates or fails, omits, or neglects to obey, observe, or comply with any order, permit, decision, demand, or requirement, or any part or provision thereof, of the commissioner under the provisions of this act, is guilty of a public offense and shall be punished by imprisonment in the state prison not exceeding five years, or in a county jail not exceeding two years, or by a fine not exceeding five thousand dollars, or by both such fine and imprisonment.

SEC. 15. There is hereby created a state corporation department. The chief officer of such department shall be the commissioner of corporations. He shall be appointed by the governor and hold office at the pleasure of the governor. He shall receive an annual salary of five thousand dollars, to be paid monthly out of the state treasury upon a warrant of the controller. He shall within fifteen days from the time of notice of his appointment take and subscribe to the constitutional oath of office and file the same in the office of the secretary of state and execute to the people of the state a bond in the penal sum of ten thousand dollars with corporate security or two or more sureties, to be approved by the governor of the state, for the faithful discharge of the duties of his office.

SEC. 16. The commissioner shall employ such clerks and deputies as he may need to discharge in proper manner the duties imposed upon him by law. The attorney general shall render to the commissioner opinions upon all questions of law, relating to the construction or interpretation of this act or arising in the administration thereof, that may be submitted to him by the commissioner, and shall act as the attorney for the commissioner in all actions and proceedings brought by or against him under or pursuant to any of the provisions of this act. Neither the commissioner nor any of his clerks or deputies shall be interested in any company which shall have applied for or secured a permit to sell securities, or in any broker, or agent as a director, stockholder, officer, member, agent, or employee. Such clerks and deputies shall perform such duties as the commissioner shall assign to them. He shall fix the compensation of such clerks and deputies, which compensation shall be

paid monthly, on the certificate of the commissioner and on the warrant of the controller, out of the state treasury. Each deputy shall, within fifteen days after his appointment, take and subscribe to the constitutional oath of office, and file the same in the office of the secretary of state.

SEC. 17. The commissioner shall at all times have the power to administer oaths and to make an examination or investigation of the books, records, accounts, and other papers, and of the business of any company, broker, or agent permitted or authorized by him to sell securities, to make dividends, to create debts, to divide, withdraw, or pay to the stockholders, or any of them, any part of its capital stock, or to increase or reduce its capital stock. In any examination, audit, or investigation made or hearing conducted by him, he shall have the power to take the testimony of any witness and to issue subpoenas requiring the attendance upon such examination, audit, investigation, or hearing in any part of the state of witnesses and the production of books, documents, and other things under their control, and in any such case to take or cause to be taken the deposition of any witness residing within or without this state. All of the provisions of chapter two of title three of part four of the Code of Civil Procedure, relating to the means of production of evidence out of court, shall be applicable to any examination, investigation, or hearing under this act. No person shall be excused from testifying or from producing any book, document, or other thing under his control upon any such examination, audit, investigation, or hearing upon the ground that his testimony, or the book, document, or other thing required of him, may tend to incriminate him, or may have a tendency to subject him to punishment for a felony, or to a penalty or forfeiture; but no person shall be prosecuted, punished, or subjected to any penalty or forfeiture for or on account of any act, transaction, matter, or thing concerning which he shall have been so compelled to testify under oath, or to produce such documentary or other evidence; *provided*, that no person so testifying shall be exempt from prosecution or punishment for perjury if committed by him in his testimony. The authority to make or conduct any such examination, audit, investigation, or hearing, including the authority to administer oaths, and to subpoena witnesses and take their testimony, may be delegated by the commissioner to any deputy or examiner appointed by him for that purpose. Such appointment shall be made by an instrument in writing, signed by the commissioner under his official seal, and upon such examination, audit, investigation, or hearing, the same shall be produced by such deputy or examiner at any time upon demand therefor.

SEC. 18. In any action or proceeding commenced or prosecuted in this state against any corporation or association which shall have appointed the commissioner its attorney, as provided in section three of this act, and in any action or proceeding commenced or prosecuted in this state, arising out of or founded upon the actual fraud of any corporation or association which shall have appointed the commissioner its attorney, as provided in section five of this act, service of process may be made upon the commissioner. In any such case, the commissioner shall forthwith forward by mail, postage prepaid, to the person designated by such corporation or association by an instrument in writing duly executed by it and filed with the commissioner, at the address stated in such instrument, or, if no such designation has been made, to the secretary of such corporation or association at its last known post-office address, a copy of such process; whereupon, and upon the payment of the fee herein provided for, service of such process upon such company shall be deemed to be complete and to be personal service upon such corporation or association, with the same effect as if said corporation or association were organized or incorporated under the laws of this state and had been lawfully served with process therein. The certificate of the commissioner, under his official seal, of such service, shall be competent and sufficient proof thereof.

SEC. 19. The commissioner shall have his principal office in the city of Sacramento, and may establish branch offices in the city and county of San Francisco, and in the city of Los Angeles, and he shall from time to time obtain the necessary furniture, stationery, fuel, light, and other proper conveniences for the transaction of the business of the department; the expenses of which shall be paid out of the state treasury on the certificate of the commissioner and the warrant of the controller.

SEC. 20. The commissioner shall charge and collect the following fees:

1. For filing any application for a permit to issue securities; ten dollars, plus—

One twentieth of one per cent of the amount of any excess of the aggregate value of the securities sought to be issued over twenty thousand dollars and not exceeding fifty thousand dollars;

One twenty-fifth of one per cent of such amount in excess of fifty thousand dollars and not exceeding one hundred thousand dollars;

One fiftieth of one per cent of such amount in excess of one hundred thousand dollars and not exceeding five hundred thousand dollars; and

One one-hundredth of one per cent of such amount in excess of five hundred thousand dollars.

The value of such securities shall be deemed to be their par or face value, if they have a par or face value; otherwise, the price at which the company proposes to

sell or issue the same, or the value, as alleged in the application, of the consideration (if other than money) to be received in exchange therefor.

2. For filing any application for a permit or other authority to make dividends, create debts, or to divide, withdraw, increase, reduce, or pay to the stockholders, or any of them, the capital stock, or any part thereof; the same amount that would otherwise be chargeable or collectible if such application were for a permit to issue securities: *provided*, that in any such case the value shall be determined by the amount of dividends made, debts created, or capital stock divided, withdrawn, increased, reduced, or paid.

3. For filing any application for a broker's certificate: five dollars.

4. For filing any application for an agent's certificate: one dollar.

5. For any examination, audit, or investigation: ten dollars per day or fraction thereof, if made by the commissioner, or the actual amount of the salary or other compensation, not exceeding ten dollars per day, paid to any deputy or other employee of the commissioner, if made by a deputy or other employee, for each day or fraction thereof that such commissioner, deputy, or other employee shall necessarily be absent from his office for the purpose of making such examination, audit, or investigation, plus the actual amount of traveling expenses reasonably incurred in the performance of such work.

6. For copies of papers and records not required to be certified or otherwise authenticated by the commissioner: ten cents for each folio.

7. For certified copies of official documents, orders, and other papers filed in his office; for making and mailing copies of process served upon him under the provisions of section eighteen of this act, and for transcripts on appeal: fifteen cents for each folio and one dollar for each certificate under seal affixed thereto.

8. For certificate of service and mailing of process served upon the commissioner under the provisions of section eighteen of this act: two dollars.

No fees shall be charged or collected for copies of papers, records, or official documents furnished to public officers for use in their official capacity or for the reports of the commissioner in the ordinary course of distribution; but the commissioner may fix a reasonable charge for publications issued under his authority.

All fees charged and collected under this section shall be paid at least once each week, accompanied by a detailed statement thereof, into the treasury of the state to the credit of a fund to be known as the "corporation commission fund," which fund is hereby created.

SEC. 21. All moneys which shall be paid into the state treasury and credited to the "corporation commission fund" are hereby appropriated to be used by the commissioner in carrying out the provisions of this act; and the controller shall draw his warrant on said fund from time to time in favor of the commissioner for the amounts expended under his direction, and the treasurer shall pay the same. The commissioner may, with the consent of the board of control, withdraw from said fund a sum not exceeding one thousand dollars, to be used as a revolving fund where cash advances are necessary. The commissioner must account for the sum withdrawn for said revolving fund at any time upon demand of the board of control.

SEC. 22. The commissioner shall adopt a seal bearing the following inscription: "Commissioner of Corporations, State of California." The seal shall be affixed to all writs, orders, permits, and certificates issued by him, and to such other instruments as he shall direct. All courts shall take judicial notice of said seal.

SEC. 23. The commissioner may execute in duplicate any order, finding, or permit issued by him, and each of such parts shall be deemed to be an original. An original of every such order, finding, or permit shall be retained and preserved by him in his office. Copies of all documents, orders, and permits made, executed, or issued by the commissioner, and of all papers filed in his office, when certified by the commissioner under his official seal, shall be received in evidence in all cases in like manner and with the same effect as the originals. Any order or permit issued by the commissioner, or a copy thereof certified by the commissioner under his official seal, to be a true copy of the original order or permit, may be recorded in the office of the county recorder of the county in which is located the principal place of business of the company affected thereby or in which is situated any property of such company, and such record shall impart notice of such order or permit, and of all its provisions, to all persons. A certificate under the seal of the commissioner that any such order or permit has not been amended, altered, revoked, or suspended may also be recorded in the same offices and with like effect.

SEC. 24. Every official report made by the commissioner, and every report, duly verified, made to him by any deputy, clerk, or other person employed by him, of any examination, audit, or investigation made by him or under his direction, and copies of such reports, certified by the commissioner, shall be prima facie evidence of the facts therein stated for all purposes in any action or proceedings wherein any company, broker, agent, or the commissioner is a party.

SEC. 25. Neither this act nor any provision hereof shall be deemed to prohibit subscriptions for shares of a corporation made prior to the incorporation thereof and set forth in its articles of incorporation; but such subscriptions shall be deemed to have been made and accepted upon the condition that such corporation, when incorporated, shall with reasonable diligence apply for and secure from the commissioner

a permit authorizing the issue of the shares so subscribed for, in accordance with such subscriptions. The directors or trustees named in the articles of incorporation may, prior to the issue of any shares, organize by the election of a president, who must be one of their number, a secretary and a treasurer; and such directors, or a majority of them, or such president and secretary may, in the name of and in behalf of the corporation, present an application to the commissioner as herein provided.

SEC. 26. This act, in so far as it does not add to, take from, or alter an act entitled "An act to define investment companies, investment brokers, and agents; to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation thereof; to create the office of commissioner of corporations, and making an appropriation therefor," approved May 28, 1913, as amended by an act entitled "An act to amend section three of an act entitled 'An act to define investment companies, investment brokers, and agents, to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation thereof; to create the office of commissioner of corporations, and making an appropriation therefor,' approved May 28, 1913," approved June 3, 1915, shall be construed as a continuation thereof.

All decisions, orders, rules, findings, certificates, or permits heretofore made or issued, and acts done by the commissioner, shall continue in force and have the same effect as if they had been lawfully made, issued, or done under the provisions of this act.

This act shall not affect any appeal pending from any decision of the commissioner, or any proceeding to which he, in his official capacity, is a party, but the same may be prosecuted or defended with the same effect as if this act had not been passed. Any examination, audit, or investigation undertaken, commenced, or prosecuted prior to the taking effect of this act may be conducted to a final determination in the same manner and with the same effect as if it had been undertaken, commenced, or prosecuted under the provisions of this act, and in the manner herein provided. No action or proceeding, either civil or criminal, or cause of action arising under any law of this state shall abate by reason of the passage of this act, but actions or proceedings may be commenced and prosecuted upon such causes in the same manner and with the same effect as if this act had not been passed.

SEC. 27. Neither this act nor any provision hereof shall apply to or be construed as a regulation of commerce with foreign nations or among the several states, except in so far as the same may be permitted under the provisions of the constitution and the acts of the Congress of the United States.

SEC. 28. If any section, subsection, sentence, clause, or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause, and phrase thereof irrespective of the fact that any one or more other sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

SEC. 29. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Amendment adopted.

Bill read second time, ordered engrossed, and on file for third reading.

RUSH ORDER TO PRINTER.

On motion of Senator Benson, the Secretary was directed to issue a rush order for printing Senate Bill No. 670.

Senate Bill No. 893—An act to amend section 1388 of the Code of Civil Procedure of the State of California, relating to bonds of administrators.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, strike out all of the bill after the enacting clause and insert in lieu thereof the following:

SECTION 1. Section one thousand three hundred eighty-eight of the Code of Civil Procedure is hereby amended to read as follows:

1388. Every person to whom letters testamentary or of administration are directed to issue, must, before receiving them, execute a bond to the State of California, with two or more sufficient sureties, to be approved by the superior court, or a judge thereof. The bond must be joint and several, and the penalty must not

be less than twice the value of the personal property, and twice the probable value of the annual rents, profits, and issues of real property belonging to the estate, which values must be ascertained by the superior court, or a judge thereof, by examining on oath the party applying, and any other persons.

If the surety is a corporation the bond shall be in the following form:

SUPERIOR COURT OF THE STATE OF CALIFORNIA,
IN AND FOR THE COUNTY OF _____.

BOND OF ADMINISTRATOR OR EXECUTOR.

In the matter of the estate of _____, Deceased. } Proceeding number _____.

We, (name of principal), who, by an order of the superior court of the State of California in and for the county of _____, made ____ ____, _____, was duly appointed _____ of the estate of _____, deceased, and to whom letters _____ were directed to be issued upon _____ executing a bond according to law in the sum of _____ dollars, as principal and (name of surety), a corporation, organized and existing under and by virtue of the laws of the state of _____ and duly authorized to transact a fidelity and surety insurance business in the State of California, as surety, are held and firmly bound to the State of California in the sum of _____ ____ dollars ($_____), lawful money of the United States of America, for the payment of which said sum of money to the State of California we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

The condition of this bond is that if the said principal shall faithfully execute the duties of the trust according to law then this obligation shall be void, otherwise it shall remain in full force and effect.

In witness whereof the seal and signature of the said principal is hereto affixed at _____, _____ this _____ day of _____ _____ and the corporate seal and name of the said surety is hereto affixed by a duly authorized officer or agent at _____, _____ this _____ day of _____ _____.

_____ [SEAL]
(Signature of principal.)

[SEAL] _____
(Name of surety company.)
By _____
(Signature of executing officer.)

If the sureties are natural persons the bond shall be in the following form:

SUPERIOR COURT OF THE STATE OF CALIFORNIA,
IN AND FOR THE COUNTY OF_____.

BOND OF ADMINISTRATOR OR EXECUTOR.

In the matter of the estate of _____, Deceased. } Proceeding number _____.

We, (name of principal), who, by an order of the superior court of the State of California in and for the county of _____, made _____, _____, was duly appointed _____ of the estate of _____, deceased, and to whom letters _____ were directed to be issued upon _____ executing a bond according to law in the sum of _____ dollars, as principal, and (name of surety), and (name of surety), as sureties, are held and firmly bound to the State of California in the sum of _____ dollars ($_____), lawful money of the United States of America, for the payment of which said sum of money to the State of California we bind ourselves, our heirs, executors, administrators and assigns, jointly and severally, firmly by these presents.

The condition of this bond is that if the said principal shall faithfully execute the duties of the trust according to law then this obligation shall be void, otherwise it shall remain in full force and effect.

In witness whereof the seal and signature of the said principals is hereto affixed at _____, _____ this _____ day of _____, _____ and the seals and signatures of the said sureties are hereto affixed at _____, _____ this _____ day of _____ _____.

_____ [SEAL]
(Signature of principal.)

_____ [SEAL]
(Signature of surety.)

_____ [SEAL]
(Signature of surety.)

If the sureties are natural persons and two in number and make affidavit together, the affidavit required by section one thousand three hundred ninety-three of this code shall be in the following form:

State of _____, } ss.
County of _____, }

_____ and _____, the sureties named in the accompanying bond, being duly sworn, each for himself says that he is a resident and _____ holder within the State of California and is worth the sum of _____ dollars, over and above all his just debts and liabilities, exclusive of property exempt from execution.

_____
(Signature of surety.)

_____
(Signature of surety.)

Subscribed and sworn to before me this _____ day of _____

_____
_____

If the sureties are natural persons and two in number and make separate affidavits the affidavit required by section one thousand three hundred ninety-three of this code shall be in the following form:

State of _____, } ss
County of _____, }

_____, one of the sureties named in the accompanying bond, being duly sworn, says that he is a resident and _____ holder within the State of California and is worth the sum of _____ dollars, over and above all his just debts and liabilities, exclusive of property exempt from execution.

_____
(Signature of surety.)

Subscribed and sworn to before me this _____ day of _____ _____.
[SEAL]

_____
_____

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 894—An act to amend section 1754 of the Code of Civil Procedure of the State of California, relating to the bonds of guardians.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, commencing with line 4, strike out all of the balance of the bill and insert in lieu thereof the following:

1754. Before the order appointing any person guardian under this chapter takes effect, and before letters issue, the court must require of such person a bond to the minor with sufficient sureties, to be approved by the judge, and in such sum as he shall order, conditioned that the guardian will faithfully execute the duties of his trust according to law, and the following conditions shall form a part of such bond without being expressed therein:

(1) To make an inventory of all the estate, real and personal, of his ward, that comes to his possession or knowledge, and to return the same within such time as the court may order.

(2) To dispose of and manage the estate according to law and for the best interest of the ward, and faithfully to discharge his trust in relation thereto, and also in relation to the care, custody, and education of the ward.

(3) To render an account on oath of the property, estate, and moneys of the ward in his hands, and all proceeds or interests derived therefrom, and of the management and disposition of the same, within three months after his appointment, and at such other times as the court directs, and at the expiration of his trust to settle his accounts with the court, or with the ward, if he be of full age, or his legal representatives, and to pay over and deliver all the estate, moneys, and effects remaining in his hands, or due from him on such settlement, to the person who is lawfully entitled thereto. Upon filing the bond, duly approved, letters of guardianship must issue to the person appointed. In form the letters of guardianship must

be substantially the same as letters of administration, and the oath of the guardian must be endorsed thereon that he will perform the duties of his office as such guardian according to law.

If the surety is a corporation the bond shall be in the following form:

SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN AND FOR THE COUNTY OF _____

BOND OF GUARDIAN.

In the matter of the guardianship of _____, } Proceeding number _____

We, (Name of principal), who, by an order of the superior court of the State of California in and for the county of _____, made _____, _____, _____, was duly appointed guardian of the_____ of _____, _____, and to whom letters of guardianship were directed to be issued upon _____ executing a bond according to law in the sum of _____ dollars, as principal, and (Name of surety), a corporation, organized and existing under and by virtue of the laws of the state of _____ and duly authorized to transact a fidelity and surety insurance business in the State of California, as surety, are held and firmly bound to the said _____, _____, in the sum of _____ dollars ($_____), lawful money of the United States of America, for the payment of which said sum of money to the said _____, _____, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

The condition of this bond is that if the said principal shall faithfully execute the duties of the trust according to law then this obligation shall be void, otherwise it shall remain in full force and effect.

In witness whereof the seal and signature of the said principal is hereto affixed at _____, _____ this _____ day of _____, _____, and the corporate seal and name of the said surety is hereto affixed by a duly authorized officer or agent at_____ _____ this _____ day of _____.

(Signature of principal) [SEAL]
[SEAL] (Name of surety company)
By (Signature of executing officer)

If the sureties are natural persons the bond shall be in the following form:

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF _____

BOND OF GUARDIAN.

In the matter of the guardianship of _____, } Proceeding number _____

We, (name of principal), who, by an order of the superior court of the State of California in and for the county of _____, made _____, _____, was duly appointed guardian of the _____ of _____, _____, and to whom letters of guardianship were directed to be issued upon _____ executing a bond according to law in the sum of _____ dollars, as principal, and (name of surety) and (name of surety), as sureties, are held and firmly bound to the said _____, _____, in the sum of _____ dollars ($_____), lawful money of the United States of America, for the payment of which said sum of money to the said _____, _____, we bind ourselves, our heirs, executors, administrators and assigns, jointly and severally, firmly by these presents.

The condition of this bond is that if the said principal shall faithfully execute the duties of the trust according to law then this obligation shall be void, otherwise it shall remain in full force and effect.

In witness whereof the seal and signature of the said principal is hereto affixed at _____, _____ this _____ day of _____ _____and the seals and signatures of the said sureties are hereto affixed at _____, _____ this _____day of _____.

(Signature of principal.) [SEAL]
(Signature of surety.) [SEAL]
(Signature of surety.) [SEAL]

If the sureties are natural persons and two in number and make affidavit together, the affidavit required by section eighteen hundred nine of this code shall be in the following form:

State of _____, } ss.
County of _____

_____ and _____, the sureties named in the accompanying bond, being duly sworn, each for himself says that he is a resident and _____ holder within the State of California and is worth the sum of _____ dollars, over and above all his just debts and liabilities, exclusive of property exempt from execution.

(Signature of surety.)
(Signature of surety.)

Subscribed and sworn to before me this _____ day of _____ _____.
[SEAL]

_____

If the sureties are natural persons and two in number and make separate affidavits the affidavit required by section eighteen hundred nine of this code shall be in the following form:

State of _____, } ss.
County of _____,

_____, one of the sureties named in the accompanying bond, being duly sworn, says that he is a resident and _____ holder within the State of California and is worth the sum of _____ dollars, over and above all his just debts and liabilities, exclusive of property exempt from execution.

(Signature of surety.)

Subscribed and sworn to before me this _____ day of _____ _____.
[SEAL]

_____

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 906—An act to prevent floods, to protect cities, towns, lands, farms and highways from damage from flood waters, and to authorize the organization of drainage and conservation districts therefor, and to levy assessments and issue bonds for the costs.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of the title, and insert in lieu thereof the following:

An act to authorize the organization of conservancy districts for the following purposes, namely: to construct improvements for the purpose of preventing floods and facilitating drainage of flooded areas; to protect cities, towns, lands, improvements and highways against damage from flood waters; to store and to dispose of flood waters; to provide for the issuance, sale and hypothecation of district bonds to pay the costs and expenses incurred in relation thereto, and to provide for the retirement of such bonds; to provide for the levying and collection of taxes to pay the annual installment of principal and interest on said bonds; to provide for levying and collecting special assessments for special benefits and to issue improvement warrants to represent such special assessments for special benefits; to provide for the effect and enforcement of such improvement warrants and the application of moneys derived from the enforcement thereof; and to provide a method of dissolving such districts.

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all of the bill after the enacting clause, and insert in lieu thereof the following:

SECTION 1. Terms defined. This act may be known and cited as the "Conservancy Act of California"; the bonds which may be issued hereunder may be briefly cited "conservancy bonds" and shall be so endorsed or printed on their face; the districts created hereunder may be briefly termed "conservancy districts" or "conservation districts"; the tax bonds and coupons provided for hereunder shall be termed "conservancy bonds" or "conservancy records", and such titles shall be printed, stamped or written thereon.

Wherever the term "publication" is used in this act and no manner specified therefor, it shall be taken to mean one a week for three consecutive weeks in a newspaper of general circulation in the county wherein any part of the district is situated.

Wherever the term "assessment roll" is used herein it shall be held to mean the "last" tax assessment roll of the county.

Where the term "railroad commission" is used herein it shall be held to mean that certain state commission referred to in the public utilities act of the State of California.

Wherever the term "water commission" is used herein it shall be held to mean that certain commission of the State of California referred to in an "act to create the use of waters, etc., approved June 16, 1913, and when the "water commission act" is referred to it shall be held to mean said "act to create the use of waters, etc., approved June 16, 1913.

Wherever the term "state engineer" is used it shall be held to mean the department of engineering of the State of California. The chief engineer of said department shall be an officer or employee of any district formed under this act, and it shall be the duty of said department to supervise, examine and pass upon the plans and specifications of the district in the manner provided for herein.

Wherever the term "person" is used in this act, and not otherwise specified, it shall be taken to mean any person, firm, copartnership, association or corporation, other than county, city or other political subdivision. Similarly, the words "public corporation" shall be taken to mean counties, cities, school districts, road districts, protection districts, flood control districts, drain districts, park districts, irrigation districts and all other governmental agencies and political corporations clothed with the power of levying taxes or special taxes or federal or special assessments which may be levied for local improvement purposes.

Wherever the term "board of supervisors" is used, and not otherwise specified, it shall be taken to mean the board of supervisors of the county wherein the petition for the organization of the district was filed and granted, and where a district lies in more than one county, the words "board of supervisors" shall mean the board of supervisors of all the counties sitting conjointly.

Wherever the word "board" is used and not otherwise specified, it shall mean the board of directors of the district.

Wherever the word "treasurer" or "treasurer of the district" is used, it shall mean or refer the treasurer of the county with which the petition is filed, unless otherwise specified.

Wherever the term "secretary" is used it shall be held to mean the "secretary" of the district.

The word "clerk" unless otherwise specified shall mean the clerk of the district, who shall also be clerk of the board of directors.

Wherever the terms "land" or "property" are used in this act they shall, unless otherwise specified, be held to mean real property, as the words "real property" are used in and defined by the laws of the State of California, and shall embrace all railroads, tramways, docks, electric railroads, street and interurban railroads, streets and street improvements, telephone, telegraph and transmission lines, gas, sewerage and water systems, pipe lines and mains of any of public service corporations, and all other real property whether public or private.

Wherever the term "county" is used herein, it shall be held to mean the county wherein the district for formation of its district has been filed.

SEC. 2. The board of supervisors of any county in this state is hereby vested with jurisdiction, power and authority, when the conditions stated in this act are found to exist, to establish conservancy districts, when such districts are entirely within, entirely incorporated territory or partly within unincorporated and partly within incorporated territory, and within any such district, or parts within and partly without the county in which said board is vested, for all or any of these objects and purposes:

(*a*) Of preventing floods;

(*b*) Of regulating drainage and water channels by changing, widening and deepening the same;

(*c*) Of preventing or of filling up or of draining wet, swamp and overflowed lands;

(*d*) Of preventing or aiding the deposit of detritus and silt;

(*e*) Of regulating the flow of streams;

(*f*) Of constructing canals;

(*g*) Of forestation or reforestation;

(*h*) Of spreading and sinking flood water;

(*i*) Of diverting in whole or in part eliminating water courses; and incident to such purposes and to enable their accomplishment, to straighten, widen, deepen, divert, or change the course or terminus of, any natural or artificial water course;

(*j*) To build reservoirs, canals, levees, walls, embankments, bridges, dams, by-passes or spreading basins; or sinking wells or sinking basins; to maintain, operate and repair any of the constructions herein named;

(*k*) To conserve flood waters and to dispose of waters which have been conserved, for purposes of irrigation;

(*l*) To construct and maintain levees and embankments for the prevention of damage by floods to real or personal property or real and personal property and to do all things for the fulfillment of the purposes of this act.

SEC. 3. Petition. Before any board of supervisors shall call an election to determine whether a district shall be established, and before a district shall be established as outlined in section two hereof, a petition shall be filed in the office of the clerk of said board of supervisors signed either by fifty freeholders, or by a majority of the freeholders, or by the owners of more than half of the property, in either acreage or assessed value, according to the last assessment roll, within the limits of the territory proposed to be organized into a conservancy district under this act.

The petition shall set forth:

First—The proposed name of said district.

Second—The necessity for the proposed work and that it will be conducive to the public health, safety, convenience or welfare.

Third—A general description of the purpose of the contemplated improvement, and of the territory to be included in the proposed district. Said description of the territory to be included need not be given by metes and bounds, or by legal subdivisions, but it shall be sufficient if a generally accurate description is given of the territory to be organized as a district. Said territory need not be contiguous, provided it be so situated that the public health, safety, convenience or welfare will be promoted by the organization as a single district of the territory described.

Fourth—Said petition shall pray for the organization of the district by the name proposed.

No petition with the requisite signature shall be declared null and void on account of alleged defects, but the board of supervisors may at any time prior to the hearing thereof permit the petition to be amended in form and substance to conform to the facts, by correcting any errors in the description of the territory to be included, or in any other particular. Several similar petitions or duplicate copies of the same petition for the organization of the same district may be filed and shall together be regarded as one petition. All such petitions filed prior to the hearing on said petition shall be considered by the board of supervisors the same as though filed with the petition first placed on file.

In determining when a majority of landowners have signed the petition the board of supervisors shall be governed by the names as they appear upon the last tax assessment roll prior to one day before the filing of said petition, which shall be prima facie evidence of such ownership.

SEC. 4. At the time of filing the petition, or at any time subsequent thereto and prior to the time of the hearing on said petition, a bond shall be filed running to the board of supervisors of the county in which the petition is filed, with security approved by the board of supervisors, sufficient to pay all the expenses connected with the proceeding in case the said board of supervisors refuses to organize the district. If at any time during the proceeding the said board of supervisors shall be satisfied that the bond first executed is insufficient in amount, it may require the execution of an additional bond within a time to be fixed to be not less than ten days distant, and upon failure of the petitioners to execute the same the petition shall be dismissed.

SEC. 5. Immediately after the filing of such petition, the clerk of the board of supervisors with whom such petition is filed shall cause notice by publication to be made of the pendency of the petition and of the time and place of the hearing thereon and of the hearing of objections to the formation of such district. The board of supervisors of the county in which the petition was filed, shall thereafter, for all purposes of this act, except as hereinafter otherwise provided, maintain and have original and exclusive jurisdiction coextensive with the boundaries and limits of said district and of lands and other property proposed to be affected by said district; *provided*, that where said district lies in more than one county the board of supervisors of the county where the petition is filed shall forthwith notify the board or boards of supervisors of other counties in which said district is situated by directing a letter and transmitting the same by mail to the clerk or clerks of said board or boards notifying said board or boards of that fact and setting a day for a joint meeting with said board or boards, whereupon said boards shall meet jointly for the purpose of hearing said petition and objections thereto, if any, and for the transaction of business, in the chambers of the board with whom said petition was filed; *provided*, that said meetings from time to time may be continued, by mutual agreement, whereupon said boards shall sit cojointly thereafter for all purposes of this

act, except as hereinafter otherwise provided, and maintain and have original and exclusive jurisdiction coextensive with the boundaries and limits of the district and of lands and other property proposed to be included in said district or affected by said district without regard to the usual limits of their jurisdiction. A majority of the members of the joint board shall constitute a quorum; *provided*, that in the event that the board of supervisors of any county in which a portion of the district lies, after having been given due notice, as herein provided, of the hearing for the formation of such district, who shall after having been given said notice fail to appear and participate as a member, or members, of said joint board, shall be considered to have waived all right to participate in the deliberations of said board, and a majority of the supervisors representing the other county or counties in which said district lies, shall thereby automatically constitute the joint board of supervisors and shall have all jurisdiction and powers provided for said joint board of supervisors under this act. The clerk of the board of supervisors with whom the petition is filed, and all officers of the board with whom the petition is filed, shall be clerk and officers of the boards sitting conjointly as herein specified. The act of the clerk of said board of supervisors transmitting said letter of notification shall be deemed the act of said board of supervisors so notifying. At the day set for said hearing all objections to said petition shall be heard by said board or joint board. Said board or joint board shall have and it is hereby given full discretion to approve or deny said petition by a majority vote of its members present. Its decision in the matter shall be final and conclusive except as to the matters hereinafter stated. Objections to said petition need not be in writing, but the determination of said board shall be in writing and entered upon the minutes of said board.

Said board shall at said hearing, if it approve said petition, determine what land or lands within said proposed district will be benefited by said proposed improvements, and said board may in its discretion change or alter the boundaries of said proposed district to conform to the needs of the district; *provided*, that they shall include therein only such land as will in their judgment be benefited by the proposed work or improvement; *and provided*, that they shall not include therein land not included within the proposed boundaries of the district set forth in the petition; *and provided* that said board shall at said hearing or adjourned hearing define the boundaries of the proposed district. The findings of such board shall be conclusive upon the genuineness and sufficiency of the signatures to the petition and of the notice of the hearing.

SEC. 6. Said board or joint board of supervisors, unless said petition be denied, must, if said lands of said district lie wholly within the county, within ten days after the termination of a hearing upon said petition, otherwise within thirty days after the termination of a hearing upon said petition, call an election within the proposed district for the determination of the question, whether such proposed district shall or shall not be organized and also to elect five persons who shall act as directors of the district for the ensuing term in case such district be organized, shall divide said district into convenient precincts and fix a polling place in each, and shall appoint three qualified electors in each precinct of said district to conduct said election; which election must be held within forty days from the date of said order.

Said election shall be called by posting notice thereof in three of the most public places in such county in said proposed conservancy district, and by publication in a daily or weekly paper in each of said counties, if there be one, at least once a week for not less than fifteen days. Said notices must specify the time, place or places and purposes of said election, give the boundaries of the said proposed conservancy district as determined at the hearing of the petition, designate the respective election precincts and the polling place in each and the election officers and the hours during which the polls will be kept open; *provided*, that the polls must be opened not later than eight o'clock a.m., and kept open until seven o'clock p.m.

It shall be the duty of the board of supervisors to order placed upon the ballot the names of candidates for the position of director of the district who shall have been endorsed by a petition to said board of supervisors containing the names of ten or more electors of the district, petitioning that the names of candidates designated in the petition be placed upon the ballot to be voted on at such election; *provided*, however, that such petitions be filed with the board of supervisors calling said election within fifteen days after the first publication of the notice calling said election.

Said election shall be conducted in accordance with the general election laws of this state, except as herein otherwise provided, without reference to form of ballot or manner of voting, except that the ballots shall contain the words "for the formation of a conservancy district," and "against the formation of a conservancy district," and the voter shall write or print or stamp a cross after the words that indicate his choice, and that said ballot shall also contain the names of all candidates for the position of director of the district with instruction to the voter to vote for five of the candidates for said position whose names appear upon such ballot.

Every qualified elector, resident within the proposed district for the period requisite to entitle him to vote at a general election, shall be entitled to vote at the election above provided for.

It shall be the duty of the election officers to publicly canvass the votes immediately after the close of the election, and to make a report of the result of said election to the board of supervisors within five days subsequent to the holding thereof, who shall as soon as practicable proceed to canvass said returns.

If a majority of the votes cast at said election shall be in favor of a conservancy district, the said board of supervisors shall, by resolution, establish said conservancy district and proceed as herein otherwise stated.

If a majority of the votes cast shall be against the conservancy district, the board of supervisors shall by order so declare, and shall thereafter dismiss said proceedings by order and proceed to adjudge the cost against the signers of the petition or their bondsmen; no other proceedings shall be taken for the formation of a similar district until the expiration of one year from said election.

If the majority of votes cast at such election shall be in favor of a conservancy district, the board of supervisors shall canvass the returns of said election for the position of directors for the district and having determined upon the five candidates duly elected as directors shall by resolution declare them to be so duly elected and declare them to be the directors of the district for the ensuing term and certificates of election shall be issued to them.

The fact of the presentation of the petition and the order establishing the conservancy district and the order declaring the five directors elected, shall be entered in the minutes of the board of supervisors of the main county, and shall be conclusive evidence of the due presentation of a proper petition, and that each of the petitioners was at the time of the signing the same and presentation of the petition an assessed freeholder in the proposed district, and of the fact and regularity of all prior proceedings of every kind and nature provided for by this act, and of the existence and validity of the district. Should the office of any of said directors elected become vacant before his term of office expires, the same shall be filled by the board of directors for the unexpired term. On the expiration of the terms of said directors elected as herein specified, the supervisors shall again call an election in accordance with the provisions of this section to fill the offices so becoming vacant.

In said resolution establishing the district the board shall give said district a corporate name, which may or may not be the name designated in said petition, by which in all proceedings it shall thereafter be known, and thereupon the district shall be a political subdivision of the State of California, a body corporate with all the powers of a corporation, and shall have power

1. To have perpetual succession and existence.

2. To sue and to be sued in the name of said district in all actions and proceedings in all courts and tribunals of competent jurisdiction.

3. To adopt a seal and alter it at pleasure.

4. To take by grant, purchase, gift, devise or lease, to hold, use, enjoy, and to lease or dispose of real or personal property of every kind within or without such district necessary to the full exercise of its powers.

After an order is entered by the board of supervisors establishing the district, such order shall be deemed final and binding upon the property within the district and shall finally and conclusively establish the regular organization of the said district against all persons except the State of California upon suit commenced by the attorney general. Any such suit must be commenced within three months after said decree declaring such district organized as herein provided and not otherwise.

Upon the election and qualification of a board of directors as herein provided said board of directors shall designate the place where the office or principal place of business of the district shall be located, which shall be within the corporate limits of the district if practicable, and which may be changed by order of said board of directors from time to time. The regular meetings of the board of directors shall be held at such office or place of business, but for cause entered of record may be adjourned to any other convenient place. The official records and files of the district shall be kept at the office so established.

SEC. 7. Within thirty days after the said district has been duly established the clerk of the main county shall transmit to the secretary of state, and to the county recorder and the county clerk in each of the counties having lands in said district, copies of the resolution establishing said district. The same shall be filed and recorded in the office of the secretary of state in the same manner as articles of incorporation are now required to be filed and recorded under the general law concerning corporations, and shall also be filed in the office of the county clerk of each county in which a part of the district may be, where they shall become permanent records; and the recorder in each county shall receive a fee of one dollar for filing and recording the same, and the secretary of state shall receive for filing and for recording said copies such fees as are now or hereafter may be provided by law for like services in similar cases. The expenses required for filing papers and all other incidental expenses to the organization of the district shall be paid from the general fund of the main county and shall be refunded by the district on demand.

SEC. 8. Each director before entering upon his official duties shall take and subscribe to an oath before a qualified officer that he will honestly, faithfully and impartially perform the duties of his office, and that he will not be interested directly or indirectly in any contract let by said district, which said oath shall be filed in

the office of the clerk of the board of supervisors of the main county. Upon taking the oath, the board of directors shall choose one of their number president of the board, and shall elect some suitable person secretary, who may or may not be a member of the board. Such board shall adopt a seal, and shall keep a record of all its proceedings, minutes of all meetings, certificates, contracts, bonds given by employees or contractors and all corporate acts, which record book shall be open to the inspection of all owners of property in the district, as well as to all other interested parties.

SEC. 9. A majority of the directors shall constitute a quorum, and a concurrence of at least three directors in any matter within their duties herein prescribed shall be valid as the act of the board.

SEC. 10. The secretary shall be the custodian of the records of the district and of its corporate seal and shall assist the board of directors in such particulars as said board may direct in the performance of its duties. It shall be the duty of the secretary to attest, under the corporate seal of the district, all certified copies of the official records and files of the district that may be required of him by the provisions of this act, or by any person ordering the same and paying the reasonable cost of transcription. And any portion of the record so certified and attested shall prima facie import verity. The board of directors shall also employ a chief engineer who may be an individual, copartnership, or corporation; an attorney, attorneys, and such other agents and assistants as may be needful; and may provide for their compensation, which, with all other necessary expenditures, shall be taken as a part of the cost of the improvement. The employment of the secretary, engineer and attorney for the district shall be evidenced by agreements in writing, which, so far as possible, shall specify the amounts to be paid for their services.

SEC. 11. Upon their qualification, and after their organization, the board of directors shall cause to be prepared a plan by the engineer of the district employed for this purpose, for the improvements for which the district was created. Such plan shall include such surveys, maps, profiles, plans and other data and descriptions as may be necessary to set forth properly the location and character of the work, and the location and extent of the property benefited or taken or damaged, with estimates of cost and with specifications for doing the work. In case the board of directors finds that any former survey made by any other district, or in any other manner, is useful for the purposes of the district, the board of directors shall have the power to acquire such data and records of surveys as may be useful to it, and shall pay therefor an amount not to exceed the value of such data and records to said district. The plan herein referred to may include any improvement work already done for conservancy or flood control purposes or any of the purposes contemplated by this act, by any person, firm, corporation, private or public, or any district or municipality, and if so the board of directors shall have power to acquire the same and pay therefor an amount not to exceed the appraised value thereof as appraised by the board of appraisers hereafter referred to.

Upon the completion and filing of such plan, the board shall cause notice by publication to be given as provided in section one herein in each county of said district, of such completion of said plan, and shall permit the inspection thereof at their office by all persons interested. Said notice shall fix the time and place for the hearing of all objections to said plan not less than twenty days nor more than thirty days after the last publication of said notice; any person interested in property within the district may object to such plan. All objections to said plan shall be in writing and filed with the secretary of said board at his office not more than one day before the time of such hearing. Said objection shall specify the features of the plan objected to. At the time specified in said notice, the board of directors shall meet at the office of said district, and hear said objections and adopt, reject or refer back said plan for modification to the engineer of said district. If said plan be referred back to said engineer said meeting shall be continued from time to time until such modified plan shall be reported by said engineers. The state engineer shall be invited to be present in person or by representative at said hearing or any continuation thereof and may approve, reject or modify said plan, his actual expenses to be borne by the district. Before final approval of the official plan the same shall have had the written approval of the state engineer whose duty it shall be to pass upon the feasibility of the plan, its proper adaptation to a general flood control plan of the stream system or systems of which it may be a part as well as the safety of the works to be constructed and until such approval shall have been received such official plan may not be adopted. After said hearing before the board of directors and their approval, and after said plans have been approved or modified and approved by the state engineer, the said board shall adopt said plan as approved, or as modified and approved, as the official plan of the said district. If said board of directors shall reject said plan, then said board shall proceed as in the first instance under this section to prepare another plan. Upon final adoption of said official plan, a record of such adoption shall be entered upon the minutes of the board and shall be filed with the secretary together with the approval of the state engineer.

SEC. 12. The board of directors shall have full power and authority to devise, prepare for, execute, maintain and operate any or all works or improvements

necessary or desirable to complete, maintain, operate and protect the improvement outlined by the official plan. They may secure and use men, materials and equipment under the supervision of the chief engineer or other agents, or they may in their discretion let contracts for such works, either as a whole or in part, to the lowest responsible bidder after publication calling for bids as hereinafter provided.

SEC. 13. The board of directors of any district organized under this act, or their employees or agents, including contractors, and their employees, and the members of the board of appraisers and their assistants may upon first obtaining an order of court enter upon lands within or without the district in order to make surveys and examinations to accomplish the necessary preliminary purposes of the district, or to have access to the work, being liable, however, for actual damage done, but no unnecessary damage shall be done. Any person or corporation preventing such entrance shall be guilty of misdemeanor, punishable by fine not exceeding fifty dollars.

SEC. 14. In order to effect the protection from damage by flood waters or the drainage, reclamation or irrigation of the land and other property in the district, and to accomplish all other purposes of the district, the board of directors is authorized and empowered, subject to the laws of this state, to clean out, straighten, widen, alter or deepen the course or terminus of any conduit, pipe line or ditch, drain, sewer, river, water course, wash, pond, lake, creek or natural stream, to plant trees for the protection of the same or to forest or reforest lands for the conservation of flood water, to establish settling basins, shafts or tunnels for sinking water and to construct dams in or out of said district; to fill, abandon or alter any ditch, drain, sewer, river, water course, wash, pond, lake, creek or natural stream, and to concentrate, divert or divide the flow of water in or out of said district; to construct and maintain main and lateral conduit pipe lines or ditches, sewers, canals, levees, dikes, dams, sluices, revetments, reservoirs, holding basins, floodways, pumping stations and siphons, and any other works and improvements deemed necessary to construct, preserve, operate or maintain the works herein provided for, and subject to approval of general plan therefor by the officer or officers in charge of such highways to construct or enlarge or cause to be constructed or enlarged any and all public bridges that may be needed in or out of said district; to construct or elevate roadways and streets in the manner herein provided; to construct any and all of said works and improvements across, through or over any public highway, canal, railroad right of way, track, grade, fill or cut, in or out of said district, as herein provided; to remove or change the location of any fence, building, railroad, canal, or other improvements in or out of said district as herein provided; and shall have the right to hold, encumber, control, to acquire by donation, purchase or condemnation, to construct, own, lease, use and sell real and personal property, and any easement, riparian right, railroad right of way, canal, sluice, reservoir, settling basin, holding basin, mill dam, water power, wharf, or franchise in or out of said district for right of way, holding basin or for any necessary purpose, or for material to be used in constructing and maintaining said works and improvements, open new roads, streets and alleys, or change the course of an existing one, as herein provided, and may dispose of waters conserved for irrigation as herein provided; *provided, however*, that the powers in this act vested in said board of directors are vested subject to the conditions, restrictions and limitations imposed by the public utilities act of the State of California and the act of the State of California creating the water commission, and subject to the powers therein vested in the said railroad commission and the said water commission of this state; *and provided, further*, that the approval of the officer or officers in charge of public highways be first had before any public highway, alley, lane, or bridge or appurtenance thereto be in any manner interfered with.

SEC. 15. When it is determined to let the work by contract, contracts in amounts to exceed one thousand dollars shall be let after notice calling for bids shall have been published, once a week for three consecutive weeks completed on date of last publication, in at least one newspaper of general circulation within said district, or in case there is no such newspaper within the district, then within the county where the work is to be done, and the board may let said contract to the lowest or best bidder who shall give a good and approved bond, with ample security, conditioned on the carrying out of the contract, or the board may reject all bids and readvertise for the same. But said contract shall not be let to another than the lowest responsible bidder unless upon a hearing before the board of directors, and with notice to all parties interested, an order be obtained therefor. Such contract shall be in writing, and shall be accompanied by or shall refer to official plans and specifications for the work to be done, prepared by the engineer of said district in accordance with said final plan. Said contract shall be approved by the board of directors and signed by the president of the board and by the contractor, and shall be executed in duplicate; *provided*, that in case of sudden emergency when it is necessary in order to protect the district, the advertising of contracts may be waived upon the unanimous consent of the board of directors in writing.

SEC. 16. Said board, where necessary for the purposes of this act, shall have a right of eminent domain subject to the rights and powers vested in the railroad commission of this state.

SEC. 17. Said board shall also have the right, subject to the powers and rights vested by law in the state railroad commission, to condemn for the use of the district any land or property within or without said district.

SEC. 18. Where necessary, in order to secure the best results from the execution and operation of the plans of the district, or to prevent damage to the district by deterioration or misuse, or by the pollution of the waters, of any water course therein, the board of directors may make regulations for and may prescribe the manner in which existing ditches or other works shall be adjusted to or connected with the works of the district or any water course therein; and when not in conflict with local or state health regulations may prescribe the manner in which the water courses of the district may be used for sewer outlets or for diposal of waste; *provided, however*, that the consent of the properly constituted local or state health officer or officers be first obtained.

SEC. 19. The board of directors, subject to such regulations as may be imposed by law, shall have power and authority to improve in alignment, section, grade or in any other manner any water course, and they may require the removal, widening, lengthening, deepening, raising or other change of any public or private road bridge or railroad bridge or any aqueduct or telephone, telegraph, gas, oil, sewer, water or other pipe lines or any other construction over, along, across, under or through such water course; *provided, however*, that no change shall be made in any public bridge, highway, ditch or other public structure without the consent of the public officer or officers in charge of the same be first had and obtained. In case such change is made necessary in any such structure by the failure of such bridge or other structure to permit the free flow of the water in such stream in time of flood, then the owner of any such construction shall make such change without cost to the district, or without any claim for damages against the district, except that the district shall pay the cost of excavating the earth for the enlargement of any channel or for placing earth for the filling of any channel where such excavation or filling is required as a part of plans of the district in making the changes outlined in this section, but the district shall not be required to make such fill or excavation unless it would be necessary to the plans of the district if the bridge or other construction did not exist; *provided, however*, that nothing herein contained shall deprive any owner of property of due process of law in determining the amount of damages due him for property damaged or taken for the uses herein stated; *and provided, further*, that in all things where the railroad commission of this state is empowered to act by the laws of this state their sanction to any act must first be had.

SEC. 20. In case it is necessary to pass any dredge boat or other equipment through a bridge or grade of any railroad company or other corporation, county or municipality, the board of directors shall give twenty days' notice to the owner of said bridge or grade that the same shall be removed temporarily to allow the passage of such equipment or that an agreement be immediately entered into in regard thereto. The owner of said bridge or grade shall keep an itemized account of the cost of the removal, and, if necessary, of the replacing of said bridge or grade, and said actual cost shall be paid by the district. In case the owner of said bridge or grade shall refuse to provide for the passage of said equipment, the board of directors may remove such bridge or grade at the expense of the district after proceeding according to law so to do, interrupting traffic in the least degree consistent with good work and without delay or unnecessary damage; *provided*, that, where required by law, the consent of the railroad commission of the state is first obtained. In case they shall be impeded from doing so, the owner of said bridge or grade shall be liable for damage for the resulting delay. Nothing in this act specified to be done affecting any public bridge or highway shall be undertaken without first obtaining the consent in writing of the officer or officers of the county or city or state having supervision of such bridge or highway in which such improvement is contemplated.

SEC. 21. The board of directors shall also have the right to establish and maintain stream gages, rain gages, a flood warning service with telephone or telegraph lines or telephone or telegraph service, and may make such surveys and examinations of rainfall and flood conditions, stream flow and other scientific and engineering subjects as are necessary and proper for the purposes of the district, and they may issue reports of their findings.

SEC. 22. The board of directors shall also have the right and authority to enter into contracts or other arrangements with the United States government or any department thereof, with persons, railroads or other corporations, with public corporations, and the state government of this or other states, with protection, flood control, drainage, conservation, conservancy, levee or other improvement districts, in this or other states, for cooperation or assistance in constructing, maintaining, using and operating the works of the district or the waters thereof, or for making surveys and investigations or reports thereon; and may purchase, lease or acquire land or other property in adjoining states in order to secure outlets or for other purposes of this act, and may let contracts or spend money for securing such outlets or other works in adjoining states.

SEC. 23. Wherever the organization of or the improvements made by the district increase the supply of water in the stream or stream system such increase may be

subject to appropriation by the district, and the rights to such increase where lawfully appropriated may be leased, sold, or assigned by the district in return for reasonable compensation, subject, however, to such regulation and control as may be reposed by law in water commission or other office, agency or department of the State of California.

Persons, corporations, municipalities, or other parties desiring to secure use of the waters lawfully appropriated by the district for protection against flood damage, or water courses of the district, or of the district rights therein, which may have been acquired by appropriation under the laws of this state, may, subject to the regulations and conditions authorized by law to be imposed by the state water commission, make application to the board of directors for lease, purchase, or permission for such use. Such application shall conform to the rules and regulations of the state water commission and state the purpose and character of such use, the period and degree of continuity of such use, the amount of water desired and the place of use and the means of conveyance. Where it is not possible nor reasonable to grant all applications, preference shall be given to domestic and municipal water supply. All other applications shall be granted in the order of their filing and shall be granted subject to the applicable provisions of the said water commission act and to said public utility act and other acts of the State of California now in force.

Nothing in this act contained shall be deemed or construed to limit the rights of municipalities in the exercise of the right of eminent domain under the laws of the State of California.

The board of directors shall not permanently sell, lease, assign, permit or otherwise part with the control by the district of the use of the waters thereof, and rates for light, power or other services charged by vendees, assignees, lessees or licensees of such board of directors shall be subject at all times to revision and control by state law. Assignments, leases, sales or permissions may be made for periods of not greater than twenty-five years. At the termination of the period of such assignments, sales, leases or permissions, they shall be renewed for a reasonable period not to exceed fifteen years, on the condition that a new determination is made of a reasonable charge therefor, as herein provided; unless there are other applications on file, the granting of which would result in filling a greater need or in a more reasonable use. In case such applications are on file, they shall have preference.

The board of directors may make regulations, subject always to the applicable provisions of the said water commission act and the said public utilities act of the State of California, and other act or acts of said state, for the determination and measurement of the increased, or better, or more convenient use of, or benefit from the water supply of the district, for the purpose of determining rates of compensation, and for the purpose of securing to all parties interested the greatest and best use of the water thereof. A copy of such regulations shall be transmitted to the state water commission for its approval and to the railroad commission of the State of California, accompanied by a request for the fixing of rates by said commission for said district. Said commission shall thereupon proceed to fix said rates in the manner provided by law and report the same to said board of directors. In case of failure of any user to pay for use in the manner specified by order of the court, the board may compel payment, and may enjoin further use until such payment is made. The rights under any lease or sale shall not extend to a change of use, or of place, time or manner of use, except in so far as is specifically stated in the lease or other agreement.

All money received as compensation under the provisions of this section shall be added to the maintenance fund of the district and used for defraying the expenses thereof.

As a basis for assessment of benefits due to a greater, better, or more convenient use of, or benefit from, the waters of the district the directors of the district may themselves cause a determination to be made or may avail themselves of data in the hands of the said state water commission of the conditions of the water supply and of the water-courses of the district as they were before the improvements were made, or as they existed at any subsequent time, and they may petition the state water commission to make a determination of all rights, property, easements, or other interests in the waters, or the water-courses of the district, such determination being based upon records of greatest and least flow, upon the evidence of use, or evidence of legal rights, and upon any other evidence and records which may be available, and upon receipt of such petition it shall become the duty of the state water commission to immediately proceed to ascertain the same and to report to said board of directors their findings. Upon the completion of such determination and the receipt of a report thereof by them, the directors of the district shall make their report thereon and file the same with the secretary of said district. Thereupon notice shall be given of the pendency of said report and a hearing thereon, which notice and hearing shall conform as nearly as possible to the notice and hearing on appraisals of benefits and of land to be taken. Upon the determination of the matter by the board of directors, its findings shall be conclusive, and shall be the basis of any future assessment: *provided*, that in case any party shall thereafter establish in court or through the action of the state water commission any right or

property in the waters of the district, or the use thereof, which has not been adjudicated, the existence of such right, or the failure to adjudicate it, shall not affect the operation of this provision nor the findings of the board of directors thereon in any other particular.

The appraisal of benefits made by the appraisers of the district shall not include benefits for such greater, better or more convenient use of, or benefit from the waters of the district, but the compensation for such use or benefits shall be made according to the provisions of this section.

SEC. 24. At any suitable time after having taken their oath of office, the board of directors shall appoint three appraisers whose duty it shall be to appraise the lands or other property within and without the district to be acquired for rights of way, reservoirs and other works of the district, and to appraise all benefits and damages accruing to all lands within or without the district by reason of the execution of the official plan. Said appraisers shall be freeholders residing within the State of California, who may or may not own lands within said district. Each of the appraisers shall, before taking up his duties, take and subscribe to an oath that he will faithfully and impartially discharge his duties as such appraiser, and that he will make a true report of such work done by him. The said appraisers shall at their first meeting elect one of their own number chairman, and the secretary of the board of directors or his deputy shall be ex officio secretary of said board of appraisers during their continuance in office. A majority of the appraisers shall constitute a quorum, and a concurrence of the majority in any matter within their duties shall be sufficient for its determination. Said appraisers shall continue to hold their office until dismissed by the board of directors, and the board of directors shall fill all vacancies in the board of appraisers, or may appoint a new board for subsequent appraisals, as occasion may require. Such new board, if appointed, shall fill all the requirements of the board of appraisers of the district, and perform its duties.

SEC. 25. When the official plan is adopted and filed with the secretary of the district and said appraisers have been appointed he shall at once notify the board of appraisers, and they shall thereupon proceed to appraise the benefits of every kind to all real property within or without the district, which will result from the organization of said district and the execution of the official plan; and also to appraise the damages sustained and the value of the land and other property necessary to be taken by the district for which settlement has not been made by the board of directors. In the progress of their work, they shall have the assistance of the attorney, engineers, secretary and other agents and employees of the board of directors.

The board of appraisers shall also appraise the benefits and damages, if any, accruing to property or interests in properties of cities, counties and other public corporations, and to the State of California.

Before appraisals of compensation and damages are made, the directors of the district may report to the appraisers the parcels of land or other property, or any other works to be done, included within the powers granted under the act they may wish to purchase and for which they may wish appraisals to be made, both for easement and for purchase in fee simple. The board may, if it deems best, specify in case of any property the particular purpose for which and the extent to which an easement in the same is desired, describing definitely such purpose and extent. The appraisers shall appraise all damages which may, because of the execution of the official plan, accrue to real or other property either within or without the district, which damages shall also represent easements acquired by the district for all the purposes of the district, unless otherwise specifically stated. Upon such appraisals being confirmed by the board of directors, the board of directors of the district shall have the option of paying the entire appraised value of the property and acquiring full title to it (in fee simple), or of paying only the cost of such easement for the purposes of the district. The appraisers in appraising benefits and damages shall consider only the effect of the execution of the official plan. The appraisers in making appraisals shall give due consideration and credit to any other works or other systems of reclamation already constructed, or under construction, which form a useful part of the work of the district according to the official plan. Where the appraisers return no appraisal of damages to any property, it shall be deemed a finding by them that no damage will be sustained.

SEC. 26. If the appraisers find the lands or other property not embraced within the boundaries of the district will be affected by the proposed improvement, or should be included in the district, they shall appraise the benefits and damages to such land, and shall file notice with the board of directors of the appraisal which they have made upon the lands beyond the boundaries of the district.

SEC. 27. The board of appraisers shall prepare a report of its findings which shall be arranged in tabular form and bound in book form, and which shall be known as the conservancy appraisal record. Such record shall contain the name of the owners of property appraised as it may appear on the last assessment roll of the county, a description of the property appraised, the amount of benefits appraised, the amount of damages appraised, and the appraised value of land or other property which may be taken for the purposes of the district. They shall also report any other benefits or damages or any other matter which in their opinion should be

brought to the attention of the board of directors. No error in the names of the owners of real property or in the descriptions thereof shall invalidate said appraisal or the levy of assessments or taxes based thereon, if sufficient description is given so identify such real property.

When their report is completed, it shall be signed by at least a majority of the appraisers and filed with the secretary.

SEC. 28. Upon the filing of the report of the appraisers, the secretary of the district shall give notice thereof by publication. Said notice shall be substantially as in form six of the schedules hereto attached. It shall not be necessary for said secretary to name the parties interested.

It shall not be necessary to describe the separate lots or tracts of land in giving said notice, but it shall be sufficient to give such descriptions as will enable him, the owner, to determine whether or not his land is covered by such description. For instance, it will be sufficient to state "all land lying in block _____ of the town of _____" or, "all land abutting on _____ street in the town of _____," or "all land lying west of _____ river and east of _____ railroad in _____ township," or any other general description pointing out the lands involved and identifying the same.

Where lands in different counties are mentioned in said report it shall not be necessary to publish a description of all the lands in the district in each county, but only of that part of the said lands situate in the county in which publication is made.

SEC. 29. Any property owner may accept the appraisals of benefits and of damages and of lands to be taken made by the appraisers, or may acquiesce in their failure to appraise damages, and shall be construed to have done so unless he shall within ten days after the last publication provided for in the preceding section, file objections to said report. All objections shall be heard by the board of directors beginning not less than twenty nor more than thirty days after the last publication provided for herein, and determined in advance of other business so as to carry out liberally, the purposes and needs of the district. The board of directors, if it deem necessary, may alter or amend said report in accordance with such objection or any of them, or may return the report to the board of appraisers for their further consideration and amendments, and enter its order to that effect. If, however, the appraisal roll as a whole is referred back to the appraisers, the board of directors shall not resume the hearing thereof without due notice, as for an original hearing thereon.

SEC. 30. If it appears to the satisfaction of the board of directors after having heard and determined all said objections that the estimated cost of constructing the improvement contemplated in the official plan is less than the benefits appraised, then the said board shall approve and confirm said appraisers' report as filed or as so modified and amended. In case the board of directors shall find that the benefits appraised are less than the estimated total costs, it shall report the fact to the board of supervisors who shall disorganize the district after having provided for the payment of all expenditures by an order of said board abandoning all proceedings.

SEC. 31. If after the approval of the appraiser's report the said board of directors deems it necessary to proceed by condemnation to acquire for the district property to carry out the official plan of the district, it may proceed so to do, under and by virtue of the laws of the State of California, and the passage of a resolution by said board that the lands to be acquired are for a public use shall be conclusive of that fact.

SEC. 32. The board of directors may at any time before the conclusion of the hearing thereon and the approval by the state engineer, when necessary to fulfill the objects for which the district was created, alter or add to the official plan as in section 11 provided, and when such alterations or additions are formally approved by the said board and by the state engineer and are filed with the secretary, they shall become parts of the official plan for all purposes of this act. Where such alterations or additions in the judgment of the said board neither materially modify the general character of the work, nor materially increase resulting damages for which the board is not able to make amicable settlement, nor increase the cost more than ten per cent, no reappraisement shall be necessary. In case the proposed alterations or additions in the opinion of the board materially modify the resulting damages or materially reduce the benefits, for which the board of directors is not able to make amicable settlement, or materially increase the benefits in such a manner as to require a new appraisal, or increase the cost more than ten per cent, the board of directors shall direct the board of appraisers (which may be the original board or a new board appointed by the board of directors) to appraise the property to be taken, benefited or damaged, by the proposed alterations or additions. Upon the completion of the report thereon by the board of appraisers notice shall be given and a hearing had on their report in the same manner as in the case of the original report of the board of appraisers; *provided*, that where only a few landowners are affected, the secretary of the district may, on order of the board of directors, if found by them to be more economical and convenient, give personal notice to such

landowners of the hearing of the report of said appraisers, instead of notice by publication; *and provided*, that when the only question at issue is additional damages or reduction of benefits to property, due to modifications or additions to the plans, the board of directors may, if they find it practicable, make settlements with the owners of the property damaged or benefited, instead of having appraisals made by the board of appraisers. In case such settlements are made, notice and hearing need not be had. After bonds have been sold, in order that their security may not be impaired, no reduction shall be made in the aggregate amount of benefits appraised against property in the district.

SEC. 33. No fault in any notice or other proceedings shall affect the validity of any proceeding under this act except to the extent to which it can be shown that such fault resulted in a material denial of justice to the property owner complaining of such fault if any appraisal of benefits shall be declared ineffectual by any court.

The board of directors may render a finding as to the amount of benefits to said property, and appraise the proper benefits accordingly, and thereupon said land shall be assessed according to such benefits.

SEC. 34. The moneys of every conservancy district organized hereunder shall consist of four separate funds: (1) Preliminary fund, by which is meant the proceeds of the ad valorem tax authorized by this act and such advancements as may be made from the general county funds as provided in this act; (2) bond fund, by which is meant a fund raised by the issuance and sale of bonds of the district; (3) improvement warrant fund, by which is meant the proceeds of levies made against the special assessment of benefits equalized and confirmed under the provisions of this act; and (4) maintenance fund, which is a special assessment to be levied annually for the purpose of upkeep, administration and current expenses as hereinafter provided. It is intended that the cost of preparing the official plan, the appraisal (except as paid out of the preliminary fund) and the entire cost of construction and superintendence, including all charges incidental thereto, and the cost of administration during the period of construction, shall be paid out of the bond fund.

No vouchers shall be drawn against the preliminary fund (except for advances from the general county funds) or against the maintenance fund until a tax-levying resolution shall have been properly recommended by the board of directors and passed by the board of supervisors and duly entered upon its records; no bonds shall be issued against the bond fund until a tax-levying resolution shall have been properly recommended by the board of directors and passed by the board of supervisors and duly entered upon its records; no moneys shall be transferred from the improvement warrant fund except by order of the board of supervisors, upon recommendation of the board of directors.

SEC. 35. If the district is not organized, then the costs of publication and other official costs of the proceedings shall be collected by the county from the petitioners or their bondsmen, paid into the county treasury and there held in a separate fund against which warrants may be audited and drawn on the order of the board of supervisors, as other warrants of the county are audited and drawn. Upon the organization of the district, the board of supervisors shall make an order indicating a preliminary division of the preliminary expenses between the counties included in the district in approximately the proportions of interest of the various counties as may be estimated by said board of supervisors. And the board of supervisors of each respective county shall issue an order to the auditor of its respective county to issue his warrant for the pro rata amount to be paid that county, upon the treasurer of his county to reimburse the county having paid the total cost: *provided, however*, that the joint board of supervisors shall first determine at a previous meeting the pro rata amount to be borne by each county and shall determine the same upon a basis of the assessed value of property benefited in the district in each county.

Expenses incurred thereafter prior to the receipt of money by the district from taxes or assessments, bond sales, or otherwise, shall be paid from the general funds of the respective counties proportionately upon the order of the board of supervisors, and shall be paid upon certification of the clerk of the board of supervisors of such order, specifying the amount and purpose of the claims to the auditor of each county, who shall thereupon at once issue his warrant to the treasurer of his county. Upon receipt of funds by the district from the sale of bonds or by taxation or assessment the funds so advanced by the counties shall be repaid.

As soon as any district shall have been organized under this act, and a board of directors shall have been elected and qualified, such board of directors shall recommend to the board of supervisors and the board of supervisors shall have the power and authority to levy upon the property within the district an assessment not to exceed three-tenths of a mill on the assessed valuation thereof as a level rate to be used for the purpose of paying expenses of organization, for surveys and plans, and for other incidental expenses which may be necessary up to the time money is received from the sale of bonds or otherwise. This assessment shall be certified to the auditors of the various counties having property within the district and by them to the respective treasurers of their counties. If such items of expense have already been paid in whole or in part from other sources, they may be repaid from the

receipts of such levy, and such levy may be made although the work proposed may have been found impracticable or for other reasons is abandoned. The tax collector shall at once proceed to collect said assessment and the collection of such assessment levy shall conform in all matters to the collection of taxes and assessments for the district outlined in this act, and the same provisions concerning the nonpayment of taxes shall apply. In case a district is disbanded for any cause whatever before the work is contracted, the data, plans and estimates which have been secured shall be filed with the clerk of the board of supervisors with which the petition thereupon was filed, and shall be matters of public record available to any person interested.

SEC. 36. If any warrant issued by the board of directors is presented for payment and is not paid for want of funds in the treasury, that fact with the date of refusal shall be endorsed on the back of such warrant, and said warrant shall thereafter draw interest at the rate of six per cent, until such time as there is money in the treasury of said district sufficient to pay the amount of said warrant with interest.

SEC. 37. At any time after the adoption of the original official plan, the board of directors may adopt and enter on their minutes a resolution estimating the amount of money needed to perform said plan, and specifying the aggregate face amount of bonds to be issued therefor, and the rate of interest to be paid thereon, not exceeding six per cent per annum from their date until paid, payable semiannually, and the amount of principal to be paid yearly, and requesting the board of supervisors to issue and sell such bonds on behalf of the district; and thereupon it shall be the duty of the board of supervisors to issue and sell such bonds accordingly. All bonds issued under this act shall mature serially in equal annual amounts of not less than one-fortieth part of the aggregate principal in each year, and their principal and interest shall be made payable at the county treasurer's office of the main county; in United States gold coin. The board of supervisors by an order entered upon its minutes shall prescribe the form of said bonds, and of the interest coupons attached thereto; the denominations of the bonds, which shall be not less than one hundred dollars nor more than one thousand dollars; the dates of payment of principal and interest, and the serial numbering of the bonds and coupons. Said bonds shall be signed on behalf of the district by the chairman of the board of supervisors of the main county and by the auditor of said county, and the coupons shall be signed by the engraved or lithographed facsimile signature of such auditor; and when so signed said bonds and coupons shall be delivered for safe keeping to the county treasurer of said main county, who shall deliver them to the purchaser or purchasers thereof on receipt of the purchase price. If any officer signing shall cease to be such officer before the delivery of the bonds to the purchaser, such signature shall nevertheless be valid and effectual. Said bonds shall be sold in the manner prescribed by the board of supervisors, but for not less than par, and the proceeds of sale thereof, including any premium received at such sale, shall be deposited in the county treasury to the credit of the construction fund of the district. Payments from said fund shall be made by the county treasurer upon demands signed by the president and secretary of the district and approved by resolution of the board of directors, each of which demands shall recite that it is drawn in payment of work to be done under said official plan, or for expense incidental thereto. Bonds issued under this act shall constitute a continuing lien upon all property within the district. The board of supervisors shall levy a tax each year upon the taxable property in such district, sufficient (when added to the district bond fund in the county treasury available therefor) to pay the annual interest on said bonds, and also such part of the principal thereof necessary to be collected as will become due before the collection of the next general tax levy. Such tax shall be levied and collected on such property in each county containing any part of the district at the time and in the same manner as the general tax levy for county purposes, and when collected shall be paid by the treasurer of each county into the county treasury of the main county to the credit of the district bond fund, to be used for the payment of the principal and interest of said bonds and for no other purpose. The treasurer shall pay therefrom the principal and interest of said district bonds in the manner provided by law for payment of county bonds.

The provisions of the Political Code prescribing the manner and effect of levying, equalizing and collecting taxes, the sale of property for delinquency, and the redemption from such sale, and the duties of the several county officers in respect thereto, so far as they do not conflict with the specific provisions of this act, are hereby adopted and made applicable to the levy and collection of said taxes for the payment of bonds. Such officers shall be liable on their official bonds for the faithful discharge of the duties imposed on them by this act.

If at the time the bonds are ready to be issued, the board shall be of the opinion that such bonds can not advantageously be issued and sold in whole, the board may sell parts only of the entire issue or may pledge all or part of said issue as collateral to a loan, but no partial sale or pledge shall be made without the order of the board made and entered of record, and no pledge shall be made at a greater margin than at the rate of one hundred dollars of bond principal for ninety dollars of loan.

The district may secure the payment of loans from the United States government in the same manner as it may secure the payment of bonds, and the board of directors may make any necessary regulations to provide for such payments.

This act shall, without reference to any other act of the legislature of California, be full authority for the issuance and sale of the bonds in this act authorized, which bonds shall have all the qualities of negotiable paper under the law merchant, and when executed and sealed and certified to by the state treasurer in conformity with the provisions of this act, and when sold in the manner prescribed herein and the consideration therefor received by the district, shall not be invalid for any irregularity or defect in the proceedings for the issue and sale thereof, and shall be incontestible in the hands of bona fide purchasers or holders thereof for value. No proceedings in respect to the issuance of any such bonds shall be necessary except such as are required by this act. Whenever the owner of any coupon bond issued pursuant to the provisions of this act shall present such bond to the treasurer of the district with a request for the conversion of such bond into a registered bond, the said treasurer shall cut off and cancel the coupons of any such coupon bond so presented and shall stamp, print or write upon such coupon bond so presented, either upon the back or the face thereof, as may be convenient, a statement to the effect that the said bond is registered in the name of the owner and that thereafter the interest and principal of said bond are payable to the registered owner. Thereafter and from time to time, such bond may be transferred by such registered owner in person or by attorney duly authorized on presentation of such bond to the treasurer of the district and the bond again registered as before, a similar statement being stamped, printed or written thereon. Such statement stamped, printed or written upon any such bond may be substantially in the following form:

(Date, giving month, year and day.)

This bond is registered pursuant to the statutes in such case made and provided, in the name of (here insert name of owner), and the interest and principal thereof are hereafter payable to such owner.

Treasurer _____ conservancy district.

If any bond shall be registered as aforesaid, the principal and interest of such bond shall be payable to the registered owner. The treasurer of the district shall enter in a register of said bonds to be kept by him or in a separate book, the fact of the registration of such bond and the name of the registered owner thereof, so that said registry or book shall at all times show what bonds are registered and the name of the registered owner thereof.

SEC. 38. All bonds issued hereunder shall be legal investments for all trust funds, and for the funds of all insurance companies, banks, both commercial and savings, and trust companies, and for the state school funds, and whenever any money or funds may, by law now or hereafter enacted, be invested in bonds of cities, cities and counties, counties, school districts, or municipalities in the State of California, such money or funds may be invested in the said bonds of conservation districts, and whenever bonds of cities, cities and counties, counties, school districts or municipalities may by any law now or hereafter enacted be used as security for the performance of any act, bonds of conservation districts under the limitations in this act provided may be so used.

SEC. 39. Upon the adoption of the report of appraisers hereinbefore referred to, the board of directors shall certify said report to the board of supervisors. The board of supervisors shall levy against the respective parcels of property within the district the sums set forth in said report of appraisers assessed to the respective parcels of property as therein set forth for special benefits. The board of supervisors shall thereupon issue what shall be known as improvement warrants, under the provisions of this act, to represent such special assessments against each parcel of land in the form and manner and with the effect in this act provided. Said improvement warrants shall be numbered consecutively, their said numbers corresponding with the numbers given to the respective parcels of land as shown upon the map accompanying the general plan, and shall be deemed to refer to said map. The respective special assessments so levied, as evidenced by said improvement warrants, shall bear the same rate of interest per annum from the date of the issuance of the said warrants until paid as is borne by the district bonds hereinbefore authorized to be issued, and said interest, together with a sum equal to the first installment of principal, plus one per cent of said principal, shall be paid semiannually at the treasury of said district. Said assessments shall be apportioned by said board of supervisors over a period of twenty-six years, both principal and interest payable at the office of the treasury of said district. The said improvement warrants issued to evidence said assessments shall be attested by the seal of said district, and shall be signed by the secretary of the board of directors, and shall be a lien for the amount indicated on the face of such warrants, viz., the amount of said special assessment, together with accrued interest, if any, against the specific parcels of land to which the said improvement warrants respectively refer. Payment of the annual installment of the principal of said assessment, as evidenced by said improvement warrants, together with accrued interest, shall be due on the first day of July and January of each year, and the first payment shall be due on the first day of July next following the date of the issuance of such improvement warrant. In case of default in the payment of any

installment of the principal provided for in said improvement warrant, or interest accrued on deferred payments, then and in that event the entire remaining unpaid installments shall become immediately due and payable, and the same and all liens which are security therefor, may be collected and enforced as in this act provided. Said improvement warrants shall be in the following, or substantially the following form, and of effect as therein stated:

IMPROVEMENT WARRANT No. ____ OF _____
CONSERVANCY DISTRICT

$ _____ (Date)

This improvement warrant, known as and numbered Improvement Warrant No. ____ of the _____ Conservancy District, is issued to represent an assessment for benefits to the amount of $_____, levied in the _____ Conservancy District, State of California. The amount herein stated is the amount assessed in said assessment against the lot or parcel of land numbered _____ in the report of improvements on file herein, and in the diagram attached thereto, and which said amount has been divided into fifty-two equal installments of principal, one installment of which, together with accrued interest, is to be paid semiannually, and which said amount, except as indicated on the back hereof, remains unpaid, and until entirely paid, with accrued interest, is a first lien upon the property affected thereby, and as the same is described herein and in said recorded assessment with its diagram, to wit, the lot or parcel of land in the _____ Conservancy District, County of _____, State of California, described as follows: _____

The term of this improvement warrant is twenty-six years from July 1, 19____, and at the expiration of said time the whole sum then unpaid together with accrued interest, shall be due and payable, but on the first days of July and January of each year after the date hereof, an even semiannual proportion of its principal is due and payable until the whole is paid, with accrued interest, at the rate of ____ per cent per annum. The interest on deferred payments is payable semiannually, on the first days of July and January in each year hereafter until paid, the first of which is due for the interest from date to the first day of July, 19____, and thereafter the interest payments are for the interest due on all deferred payments. Should default be made in the first or any succeeding payments of principal, or in any payment of interest by the owner of said lot or parcel, or any one in his behalf, the district is entitled to declare the whole unpaid amount to be due and payable, and the trustee has a right to collect the same and to enforce all liens which are security therefor, as by law provided, and as in the case of unpaid state and county taxes.

Issued by order of the Board of Supervisors this ____ day of _____, 19____.

Secretary of the Board of Directors of the _____ Conservancy District.

Amounts due on said improvement warrants shall be payable to the district treasurer, and no mistake or error in the description in said warrant or in the description of the lot or parcel of land assessed shall affect the validity of the lien of any improvement warrant, unless the mistake or error is such that the said lot or parcel of land can not be identified, and in such event, the same, by order of the board of directors, may be corrected upon application to the treasurer and to the officers or board who or which made the assessment to represent which such warrant is issued.

SEC. 40. The treasurer of the district shall enter in a book kept for that purpose in his office a record of each improvement warrant issued hereunder, specifying the date of its issue, the amount for which issued, its duration, and a description of the lot or parcel against which issued. Payments of principal and interest on account of any warrant issued hereunder shall be made to the treasurer of the district, who shall keep a separate account of all such payments, entering the same in the record herein required to be kept, and credit the same on the back of the warrant, and place the same in appropriate funds for the payment of principal and interest of the improvement warrants on account of which paid.

SEC. 41. Such warrants issued hereunder shall by their issuance be conclusive evidence of the regularity and validity of all proceedings thereto. The amount due upon any such improvement warrant shall be a lien upon the lot or parcel described in such improvement warrant, superior to all other liens, charges and encumbrances until paid, except the liens of prior assessments and of municipal, state and county taxes and taxes levied to pay off the principal and interest of the bonds hereinbefore referred to.

SEC. 42. The proceeds derived from the payments of such improvement warrants shall be paid into what shall be known as the improvement warrant fund of the district, to represent, and shall represent, assessments for which said improvement warrants were issued. Upon recommendation of the board of directors, and

upon order of the board of supervisors, proceeds received from the payment of the principal and interest of such improvement warrants shall be employed for the purpose of retiring the bonds of the district hereinbefore first authorized to be issued, and for no other purpose.

SEC. 43. Whenever, through the default of the owner of any lot or parcel of land against which any such improvement warrant or warrants is or are issued to represent the assessment and interest against such lot or parcel of land, payment of the principal or of the interest is not made when the same has become due, the treasurer of the district, upon order of the board of supervisors, shall proceed to advertise and sell said lot or parcel of land as herein provided, and provided there is money in any available fund so to do, the board of directors, in the name of the district, may buy in said lot or parcel of land. Thereupon the whole improvement warrant or its unpaid remainder, together with accrued interest, shall become due and payable immediately, and on the day following shall become delinquent.

SEC. 44. If the payment of principal or interest of any improvement warrant issued shall become delinquent, as hereinbefore provided, the said treasurer shall publish twice in a newspaper of general circulation to be designated by him, published in the city where his office is situated, a notice which must contain the date and number of the delinquent improvement warrant, a description of the property mentioned in said warrant, and the name of the owner of such property, if known, and if unknown, the fact shall be so stated, the amount due thereon, and a statement that unless the amount of said improvement warrant and the interest due thereon, together with the cost of publication of such notice are paid, the real property described in said improvement warrant will be sold at public auction on a day to be therein fixed, which shall not be less than fifteen nor more than thirty days from the day of the first publication of said notice, and the place of such sale, which must be the office of the said treasurer. A like notice shall be served upon any such owner, if known, either personally or by depositing the same in the post office at such city, addressed to such owner at his address if known, with the postage thereon prepaid. At any time prior to the sale, the owner or person in possession of any real estate offered for sale under the provisions of this act, may pay the whole amount of said improvement warrant then due, with costs, and said improvement warrant and the assessment evidenced thereby shall thereupon be canceled; but in case such payment is not made by such owner or person in possession, or by someone in behalf of such owner, or of the person in possession, the property subject thereto shall be sold at public auction, first, preferably to the district; secondly, if the district does not bid therefor, to the bidder offering to pay the amount due on the warrant with costs for the least portion of such lot or parcel of land offered for sale.

SEC. 45. The district treasurer, before the day of sale hereinafter provided for, must file with the secretary of the board of directors a copy of the publication, with an affidavit of the publisher of such newspaper or someone in his behalf attached thereto, that it is a true copy of the same, and that the publication was made in a newspaper, stating its name and place of publication, and the date of each appearance in which such publication was made, which affidavit is prima facie evidence of all the facts stated therein.

SEC. 46. The treasurer of the district must collect, in addition to the amount due on such improvement warrant, the cost of the publication of such notice, and fifty cents for the certificate of sale delivered to the purchaser as hereinafter provided.

SEC. 47. The treasurer of the district, before delivering any certificate of sale, must, in a book kept in his office for that purpose, enter the date, number and series of the improvement warrant, a description of the land sold corresponding with the description in the certificate, the date of sale, purchaser's name, the amount paid, regularly number the descriptions on the margins of the book, and put a corresponding number on each certificate. Such book must be open to public inspection during office hours when not in actual use, and he shall enter on the records and on the improvement warrant the words, "Canceled by sale of the property," giving the date of such sale.

SEC. 48. Immediately on the sale, the purchaser shall become vested with the lien on the property so sold to him to the extent of his bid, and is only divested of such lien by the payment to the treasurer of the district of the purchase money, including costs herein provided for, with interest thereon at the rate of one per cent per month from date of sale.

SEC. 49. A redemption of the property sold may be made by the owner of the property or any party in interest within twelve months from the date of purchase, or at any time prior to the application for a deed, as hereinafter provided. Redemption must be made in lawful money of the United States, and when made to the treasurer of the district he must credit the amount paid to the person named in his certificate and pay it on demand to him or his assignees.

SEC. 50. On receiving the certificate of sale, the secretary must file it and make an entry in a book similar to that required of the treasurer of the district, the fee for which shall be fifty cents, and on presentation of the receipt of the treasurer of the district for the total amount of the redemption money, the secretary must, without charge, mark the word "Redeemed," the date, and by whom redeemed, on the margin of the book where the entry of the certificate is made.

SEC. 51. If the property is not redeemed within the time allowed by the provisions of this act for its redemption, the treasurer of the district or his successor in office, upon application of the purchaser, or his assignee, must make to said purchaser or his assignee a deed to the property, reciting in the deed substantially the matter contained in the certificate, and that no person has redeemed the property during the time allowed for its redemption. The treasurer shall be entitled to receive from the purchaser two dollars for making said deed, which shall be deposited in the treasury of the district for the use of the district after payment has been made therefrom for the acknowledgment of said deed. *provided, however*, that the purchaser of the property, or his assignee or agent, must thirty days prior to the expiration of the time of the redemption, or thirty days before his application for a deed, serve upon the owner or agent of the property purchased, if named in such certificate of sale, and upon the party occupying the property if the property is occupied, a written notice, stating that said property, or a portion thereof, has been sold to satisfy the improvement warrant lien, and stating the date of sale, the number, the amount then due, and the time when the right of redemption will expire, or when the purchaser will apply for a deed, and the owner of the property shall have the right of redemption indefinitely until such notice shall have been given and such deed applied for upon the payment of the fees, penalties and costs in this act required. In case of unoccupied property, a similar notice must be posted in a conspicuous place upon the property at least thirty days before the purchaser applies for a deed, and no deed to the property sold in accordance with the provisions of this act shall be issued by the treasurer of the district to the purchaser of such property until such purchaser shall have filed with such treasurer an affidavit showing that the notice hereinbefore required to be given has been given as herein required, which said affidavit shall be filed and preserved by the said treasurer as other records kept by him in his office. Such purchaser shall be entitled to receive the sum of fifty cents for his services of such notice and the making of such affidavit, which sum of fifty cents shall be paid by the redemptioner at the time and in the same manner as the other sums, costs and fees are paid.

SEC. 52. The deed, when duly acknowledged or proven, shall be conclusive evidence of all things which the improvement warrant upon which it is based is conclusive evidence and prima facie evidence of the regularity of all proceedings subsequent to the issue of the warrant, and conveys to the grantee the absolute right to the lands described therein, free of all encumbrances except the lien for state, county and municipal taxes and taxes levied for the purpose of paying the principal and interest of the bonds of the district hereinbefore referred to.

SEC. 53. Nothing in this act contained shall be construed to deprive any person or persons whose land has been assessed, as evidenced by said improvement warrants, of the privilege of paying off and having said warrant canceled by the payment of the principal and accrued interest of said warrant at any time when payment may be made during the life of said warrant.

SEC. 54. To maintain, operate and preserve the reservoirs, ditches, drains, dams, levees, settling basins or settling wells, canals or other improvements made pursuant to this act and to strengthen, repair and restore the same, when needed, and for the purpose of defraying the current expenses of the district, the board of directors may recommend, and the board of supervisors upon such recommendation may upon the substantial completion of said improvements and on or before the first day of September in each year thereafter, levy an assessment upon each tract or parcel of land and upon property within the district, subject to assessments under this act, to be known as a "conservancy maintenance assessment." Said maintenance assessment shall be apportioned upon the basis of the total appraisal of benefits accruing for original and subsequent construction, and shall be levied, collected, audited and deposited in each county in which lands of said district are situate, in the same manner as county taxes are levied, collected, audited and deposited; *provided, however*, that said funds shall be deposited to the credit of the "conservancy maintenance assessment fund," hereby established.

The amount of the maintenance tax paid by any parcel of land shall not be credited against the benefits assessed against such parcel of land; but the maintenance tax shall be in addition to any tax that has been or can be levied against the benefit assessment.

SEC. 55. Whenever the owners or representatives of twenty-five per cent or more of the acreage or value of the lands in the district shall file a petition with the clerk of the district, stating that there has been a material change in the values of the property in the district since the last previous appraisal of benefits, and praying for readjustment of the appraisal of benefits for the purpose of making a more equitable basis for the levy of the maintenance assessment, the said clerk shall give notice of the filing and hearing of said petition in the manner hereinbefore provided.

Upon hearing of said petition if said board of directors shall find there has been a material change in the value of property in said district since the last previous appraisal of benefits, the board of directors shall order that there be a readjustment of the appraisal of benefits for the purpose of providing a basis upon which to levy the maintenance assessment of said district. Thereupon the board of directors shall

compel performance of the duties required by this act of any of the officers or persons mentioned in this act.

SEC. 58. If any county tax collector or other person entrusted with the collection of these assessments refuses, fails or neglects to make prompt payment of the tax or any part thereof collected under this act to the treasurer of said district upon his presentation of a proper demand, then he shall pay a penalty of ten per cent on the amount of his delinquency; such penalty shall at once become due and payable and both he and his securities shall be liable therefor on his official bond.

SEC. 59. Any surplus funds in the treasury of the district may be used, upon resolution of the board of directors, for retiring bonds, reducing the rate of assessment to purchase lands sold for taxes or assessments, as heretofore provided, or for accomplishing any other of the legitimate objects of the district.

At least once a year, or oftener if the board of supervisors shall so order, the board of directors shall make a report to the board of supervisors of its proceedings and an accounting of receipts and disbursements to that date which shall be filed with the clerk of the board of supervisors. Thereupon the board of supervisors shall order the auditing of said accounts by public accountants of recognized standing who shall file their report thereon with the clerk of the board of supervisors.

SEC. 60. Each member of the board of directors shall receive not to exceed ten dollars a day and his necessary traveling expenses, when away from home, for the time actually employed in performing his duties. Each appraiser shall receive not to exceed ten dollars a day and his expenses for the time actually employed in his duties.

SEC. 61. The same land, if conducive to public health, safety, convenience or welfare, may be included in more than one district and be subject to the provisions of this act for each and every district in which it may be included, *provided*, that no district shall be organized under this act in whole or in part within the territory of a district already organized under this act until the board or joint boards of supervisors determine whether the public health, safety, convenience or welfare demand the organization of an additional district, or whether it demand that the territory proposed to be organized into an additional district shall be added to the existing district; and in case the proceedings concerning two or more such districts are before the board of supervisors of two or more counties, such determination shall be as provided in the next section.

SEC. 62. In case any district or districts are being organized within, or partly within and partly without, the same territory in which some other district or districts have been or are being organized, the board of supervisors of every such county in which such districts have been or are being organized shall confer at the earliest convenient moment after they ascertain the possibility of a conflict in jurisdiction, the sitting to be had in the county having the largest assessed valuation in the proposed district or districts, anything to the contrary herein stated notwithstanding.

At such conference, the several supervisors shall determine to what extent the several districts should be consolidated, or to what extent the boundaries should be adjusted in order to most fully carry out the purposes of this act, and they shall by suitable orders make such determination effective. At such conferences, the decision of the majority of the supervisors shall be necessary for the determination of any matter.

The provisions of this, and of the preceding section shall not operate to delay or to interrupt any proceeding under this act until the question of jurisdiction has been finally determined by the court or courts.

SEC. 63. Whenever it is desired to construct improvements wholly within any district organized under this act, which improvements will affect only a part of said district, for the purpose of accomplishing such work, subdistricts may be organized upon petition of the owners of real property, within the district, which petition shall fulfill the same requirements concerning the subdistricts as the petition outlined in this act is required to fulfill concerning the organization of the main district, and shall be filed with the clerk of the same board of supervisors, and shall be accompanied by a bond as provided for in this act in the first instance. All proceedings relating to the organization of such subdistricts shall conform in all things to the provisions of this act relating to the organization of districts, including also the provision in regard to holding an election excepting as to an election of directors. Whenever the board of supervisors shall by its order duly entered of record declare and decree such subdistricts to be organized, the clerk of said board shall thereupon give notice of such order to the directors of the district, who shall thereupon act also as directors of the subdistrict. Thereafter, the proceedings in reference to the subdistrict shall in all matters conform to the provisions of this act, with the same officers, directors and appraisers; except that in appraisal of benefits and damages for the purposes of such subdistricts, in the issuance of bonds, in the levying of assessments or taxes, and in all other matters affecting only the subdistrict, the provisions of this act shall apply to this subdistrict as though it were an independent district, and it shall not, in these things, be amalgamated with the main district.

The board of directors, board of appraisers, chief engineer, attorney, secretary and other officers, agents and employees of the district shall, so far as it may be

necessary, serve in the same capacities for such subdistrict, and contracts and agreements between the main district and the subdistrict may be made in the same manner as contracts and agreements between two districts. The distribution of administrative expense between the main district and subdistrict shall be in proportion to the interests involved and the amount of service rendered, such division to be made by the board of directors with an appeal to the board of supervisors establishing the district. This section shall not be held to prevent the organization of independent districts for local improvements under other laws within the limits of a district organized under this act.

SEC. 64. The board of directors shall have the right to police the works of the district, and in times of great emergency may compel assistance in the protection of such works, and shall, also, have the right to prevent persons, vehicles or live stock from passing over the works of the district in any manner which would result in damage thereto.

SEC. 65. The wilful destruction, injury or removal of any bench marks, witness marks, stakes or other reference marks, placed by the surveyors or engineers of the district or by contractors in constructing the works of the district, shall be a misdemeanor, punishable by fine not exceeding one hundred dollars.

SEC. 66. All persons and corporations shall be liable for damages done to works of the district by themselves, their agents, their employees, or by their live stock, in the same manner, and punishable in the same manner as persons and corporations are liable for damage committed to property or works belonging to private persons.

SEC. 67. Districts may be formed under the provisions of this act for forestation and reforestation of the lands leased or owned by said district or upon federal or state lands upon receiving proper permits therefor, when deemed necessary for and incidental to the conservation or control of flood waters against damage by floods, by a substantial compliance with the terms of this act. But no such district in its construction or operation shall in any manner interfere with works for the prevention of floods, or the drainage of lands, or materially diminish their protective value. And the board of supervisors organizing such district for the conservation of water by forestation or reforestation solely, shall require a statement in the petition and proof of the effect that the organization and operation of the same will not materially interfere with any works or plans for flood prevention or the drainage or protection of lands, but will assist in preventing such damage. Nor shall any improvement under this act deprive the owners of lands lying upon any streams of water, of the ordinary flow in said stream without compensation therefor.

Subject to the above, the board of directors shall have the same powers as are herein conferred generally by its provisions so far as applicable.

SEC. 68. In any and every case where a notice is provided for in this act, if the board of directors finds for any reason that due notice was not given, the board of directors shall not thereby lose jurisdiction, and the proceeding in question shall not thereby be void; but the board of directors shall in that case order due notice to be given, and shall continue the hearing until such time as such notice shall be properly given, and thereupon shall proceed as though notice had been properly given in the first instance.

In case any individual appraisal or appraisals, assessment or assessments, or levy or levies, shall be held void for want of legal notice, or in case the board may determine that any notice with reference to any land or lands may be faulty, then a petition may be filed with the board of directors asking that the board of directors order notice to the owner of such land or lands given and set a time for hearing as provided in this act. And in case the original notice as a whole was sufficient, and was faulty only with reference to publication as to certain tracts, only the owners of and persons interested in those particular tracts need be notified by such subsequent notice. And if the publication of any notice in any county was defective or not made in time, publication of the defective notice need be had only in the county in which the defect occurred.

SEC. 69. All cases in which there arises a question of the validity of the organization of conservancy districts shall be advanced as a matter of immediate public interest and concern, and heard in all courts at the earliest practicable moment.

SEC. 70. This act being necessary for securing the public health, safety, convenience or welfare, and being necessary for the prevention of great loss of life and for the security of public and private property from floods and other uncontrolled waters, it shall be liberally construed to effect the control and conservation and drainage of the waters of this state.

SEC. 71. In case any section or sections or part of any section of this act shall be found to be unconstitutional, the remainder of the act shall not thereby be invalidated, but shall remain in full force and effect.

SEC. 72. All existing laws of the state and parts of laws relating to drainage, flood control, protection from storm waters, irrigation and subjects of which this act treats, shall not be in any other way affected by this act, but this act shall be treated and shall be in effect an alternative act thereto.

SEC. 73. For the sake of convenience:

(a) In any orders of the board of supervisors, the words, "the board of supervisors now here finds that it hath jurisdiction of the parties to and of the subject

matter of this proceeding," shall be equivalent to a finding that each jurisdictional fact necessary to confer plenary jurisdiction upon the board of supervisors beginning with the proper signing and filing of the initial petition to the date of the order to meet every legal requirement imposed by this act, has been conferred.

(b) No other or further evidence of the legal disposition of the special assessment to the payment of the bonds shall be required than the passage of a bonding resolution by the board of directors recommending to the board of supervisors the issuance of bonds in accordance therewith.

(c) In the preparation of any assessment or appraisal roll the usual abbreviations employed by engineers, surveyors and abstractors may be used.

(d) Where properly to describe any parcel of land it would be necessary to use a long description, the appraisers after locating the land generally, may refer to the book and page of the public record of any instrument to which the land is described, which reference shall suffice to identify for all the purposes of this act the land described in the public record so referred to.

(e) It shall not be necessary in any notice required by this act to be published to specify the names of the owners of the lands or of the persons interested therein, but any such notice may be addressed, "to all persons interested," with like effect as though such notice named by name every owner of any lands within the territory specified in the notice and every person interested therein, and every lessee, actual or inchoate.

(f) Every district declared to be a conservancy district in accordance with this act shall thereupon become a political subdivision and a public corporation of the State of California, invested with all the powers and privileges conferred upon such districts by this act.

Nothing in this act stated shall be construed to limit or abridge the rights and powers now vested in the railroad commission of the State of California, the water commission of the State of California, any other commission, officer or agency created by law, and all things herein enumerated to be done shall be performed subject to and in compliance with the authority now vested or hereafter to be vested by law in such commission, officer or agency, anything appearing herein notwithstanding.

SEC. 74. The following forms may serve to illustrate the character of the procedure contemplated by this act, and if substantially complied with, those things being changed which (to meet the requirements of the particular case) should be changed, such procedure shall be held to meet the requirements of this act.

1. Form of Notice of Hearing on the Petition.

To all persons interested:

Public notice is hereby given:

1. That on the _____ day of _____ 19___, pursuant to the provisions of the conservancy act of California, there was filed in the office of the clerk of the board of supervisors of _____ county, California, the petition of _____ and others for the establishment of a conservancy district to be known as _____ conservancy district. (Here insert the purposes.)

2. That the lands sought to be included in said district comprise lands in _____ and _____ counties, California, described substantially as follows: Beginning on the north line of _____ county at its point of intersection with the west bank of the _____ river; thence west along the north line of _____ county to the high bluffs facing said _____ river on the west; thence following the base of the line of said bluffs to the north line of the right of way of the _____ railroad; thence west along the north right of way line of said railroad to the center line of _____ avenue in the city of _____; thence south along the center line of _____ avenue to the _____ road; thence southeasterly along the _____ road to the southeasterly line of the right of way of the _____ railroad; thence southeasterly along said right of way line to the corporate limits of the city of _____; thence with said corporation line southerly, easterly and northerly to the southerly right of way line of the main tract of the _____ railroad; thence easterly along said last named right of way line to the boundary line between _____ counties; thence north along said county line to the southerly line of _____ county; thence easterly along the dividing line between _____ counties to the easterly line of the right of way of the _____ railroad; thence northerly along said right of way line to its intersection with the _____ road; thence westerly along said road to the center line of the bridge over _____ wash; thence up said wash and along the center line thereof to the north line of _____ county; thence west to the place of beginning.

Or, if found more convenient, the lands sought to be included in the district may be described as follows:

All of township _____ in range _____ between the _____ railroad and the _____ river; the following lands in _____ township and _____ range; section _____ and the _____ half of section _____; also all lands within the corporate limits of the city of _____, etc., etc., etc.

3. That a public hearing on said petition will be had in the chambers of said board of supervisors on _____, the _____ day of _____, at the hour of _____ o'clock __m., by the board of supervisors of _____ county, at the _____ in the city of _____, county, California.

All persons and public corporations owning or interested in real estate within the territory hereinbefore described will be given the opportunity to be heard at the time and place above specified.

_____
County Clerk.

By _____

Clerk of the board of supervisors _____ county, California.

Dated _____, California, _____, 19___.

2. Form of Finding on Hearing.

State of California,
County of _____ } ss.

In chambers of the board of supervisors of _____ county.

In matter of _____ conservancy district;

FINDINGS AND DECREE ON HEARING.

On this _____ day of _____, 19___, this cause coming on for hearing upon the petition of _____ and others, for the organization of a conservancy district under the conservancy act of California, the board of supervisors, after a full hearing now here find:

1. That it hath jurisdiction of the parties to, and the subject matter of this proceeding.

2. That the purposes for which said district is established are:

(Insert the purposes.)

And that it is a public necessity.

3. That the public safety, health, convenience and welfare will be promoted by the organization of a conservancy district substantially as prayed in said petition (if additional lands are added by petition), except, that the following additional lands at the petition of the owners thereof should be, and hereby are included in said district:

(Here insert additional lands.)

4. That the boundaries of said district as modified by the last finding herein are as follows: (Here insert corrected boundaries of district.)

5. That the said territory last above described should be erected into and created a conservancy district under the conservancy act of California, under the corporate name of _____ conservancy district.

Wherefore, it is by the board ordered, adjudged and decreed:

That the territory as above described be, and the same hereby is erected into and created a conservancy district under the conservancy act of California, under the corporate name of _____ conservancy district, in _____ county, California. And the following persons are hereby (found to be) (elected) directors of said conservancy district:

_____ for the term of five years,
_____ for the term of five years,
_____ for the term of five years,

who are hereby directed to qualify and proceed according to law.

6. Form of Notice to Property Owners to Pay Assessment: _____ conservancy district:

To all persons interested:

Public notice is hereby given:

That on the _____ day of _____, 19__, assessments upon the respective parcels of property in the district aggregating the sum of $_____ were levied in accordance with this act, and pursuant thereto improvement warrants were issued representing such respective assessments; that said entire assessment may be paid in fifty two semiannual installments, together with accrued interest, payable on the first days of July and January of each year, or the entire amount due and unpaid of such assessment as evidenced by said improvement warrants may be paid at any time on or prior to the _____ day of _____, 19___.

_____
President.

_____
Secretary.

4. Form of Bond and of Coupon

(Form of Bond.)

No. _____ $ _____

UNITED STATES OF AMERICA.

STATE OF CALIFORNIA.

_____ Conservancy district.

Conservancy Bond.

Know all men by these presents that _____ conservancy district, a legally organized conservancy district of the State of California, acknowledges itself to owe and for value received hereby promises to pay to bearer _____ dollars ($_____) on the first day of _____, 19____, with interest thereon from the date hereof until paid at the rate of _____ per cent per annum, payable _____, 19__, and semiannually thereafter on the first day of _____ and of _____ in each year on presentation and surrender of the annexed interest coupons as they severally become due. Both principal and interest of this bond are hereby made payable in lawful money of the United States of America, at the county treasurer's office of the main county of said district, State of California.

This bond is one of a series of bonds issued by _____ conservancy district for the purpose of paying the cost of constructing a system of flood prevention (or for other works) for said district and in anticipation of the collection of the taxes duly levied upon lands within said district and benefited by said improvement in strict compliance with the conservancy act of California, and pursuant to an order of the board of supervisors upon recommendation of the board of directors of said district duly made and entered of record.

And it is hereby certified and recited that all acts, conditions and things required to be done in locating and establishing said district and in equalizing appraisals of benefits and in levying taxes and assessments against lands benefited thereby, and in authorizing, executing and issuing this bond, have been legally had, done and performed in due form of law.

And for the performance of all the covenants and stipulations of this bond and of the duties imposed by law upon said district for the collection of the taxes and the application thereof to the payment of this bond and the interest thereon, and for the levying of such other and further taxes and assessments as are authorized by law and as may be required for the prompt payment of this bond and the interest thereon, the full faith, credit and resources of said _____ conservancy district are hereby irrevocably pledged.

In testimony whereof the board of supervisors of the _____ conservancy district has caused this bond to be signed on behalf of said district by the chairman of the board of supervisors of the main county, and by the auditor of said main county, and sealed with the corporate seal of said district, and the coupons hereto annexed to be signed by the engraved or lithographed facsimile of such auditor.

_____, Chairman.

_____, Auditor.

(Form of Coupon.)

$_____

On the first day of _____, 19____, _____ conservancy district promises to pay to bearer _____ dollars ($_____) lawful money of the United States of America, at the office of the treasurer of the county of _____, California, being semiannual interest due on that date on its conservancy bond dated _____, 19__.

_____, Auditor.

5. Form of Notice of Enlargement of District.

State of California,
County of _____ ss.

In the office of board of directors _____ County, California.
In the matter of _____ conservancy district.

NOTICE OF ENLARGEMENT OF DISTRICT.

To all persons (and public corporations, if any) interested:

Public notice is hereby given:

1. That heretofore, on the _____ day of _____, 19____, the board of supervisors of _____ county, California, duly entered a final order erecting and creating _____ conservancy district and designating a board of directors therefor.

2. That thereafter this board duly designated _____, _____ and _____ to be the board of appraisers for said district. That said board of appraisers on the _____ day of _____, 19__, filed their report recommending that the following described lands, not originally included in the district, be added thereto:

(Here describe generally the lands which the report of the board of appraisers recommends should be added to the district.)

3. That on _____ the _____ day of _____, 19__ (or as soon thereafter as the convenience of the board will permit), at the courthouse in _____, of _____, California, the board of supervisors of _____ county, California, will hear all persons and public corporations, who are owners of or interested in the property described in this notice upon the question whether said lands should be added to and included in said _____ conservancy district.

_____
Clerk of the board of supervisors of _____ county, California.

6. Form of Notice of Hearing on Appraisals.

State of California, } ss.
County of _____

In office of the board of directors, _____ County, California.
In the matter of _____ conservancy district.

NOTICE OF HEARING ON APPRAISALS.

To all persons and public corporations interested:

Public notice is hereby given:

1. That heretofore on the _____ day of _____, 19__, the board of supervisors of _____ county, California, duly entered an order, erecting and creating _____ conservancy district and designating a board of directors therefor.

2. That thereafter this board duly appointed _____ the board of appraisers for said district. That said board of appraisers _____ day of _____, 19__, filed their appraisal of benefits and damages and of land to be taken as follows: (Here insert general description of land appraised.)

The said appraisal of benefits and damages and of land to be taken is now on file in the office of the clerk of this board.

3. All public and private corporations and all persons, owners of or interested in the property described in said report, whether as benefited property or as property taken and damaged (whether said taken or damaged property lies within or without said district), desiring to contest the appraisals as made and returned by the board of appraisers must file their objections with the board of directors of the district on or before the _____ day of _____, 19__, (here insert a date ten days after the last publication of the notice) and a hearing on said appraisal will be had on the _____ day of _____, 19__, (here insert a date not less than twenty days nor more than thirty days after the date of the last publication of this notice) as fixed by the board of directors in the city of _____, California, at which time an opportunity will be afforded all objectors to be heard upon their several objections.

_____
County clerk.

By _____
Clerk of the board of supervisors of _____ county, California.

Dated at the city of _____, California, this _____ day of _____, 19__.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 922—An act to amend the Penal Code by repealing section 499c thereof.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 732—An act to amend section 4300b of the Political Code, relating to sheriff's fees.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, strike out the words "twelve hours" and insert in lieu thereof the word "day".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 869—An act to amend section 4 of an act entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled 'An act to promote the better education and practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the board of regents of the University of California, and to provide penalties for violation thereof,'" approved June 12, 1913, as amended.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, in line 17, strike out the words "thirty months" and insert in lieu thereof the words "three years".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 440—An act requiring all buildings which are required to be equipped with fire escapes to have attached thereto counterbalanced stairways, counterbalanced ladders, or drop ladders.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 2, of the printed bill, after the comma after the word "California", strike out the remainder of the line.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 3, of the printed bill, strike out the following: "which may be hereafter enacted,".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 4, of the printed bill, after the comma after the word "escapes", insert the word "and".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 6, of the printed bill, strike out "counterbalanced stairway, counterbalanced".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 7, of the printed bill, strike out "of wrought iron or steel construction" and insert in lieu thereof the following: "or other reasonable means of descent".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 1, line 8, of the printed bill, after the period after the word "balcony", strike out the remainder of the line. Also commencing with line 9, strike out lines 9 to 15, inclusive, on page 1, and strike out lines 1 to 16, inclusive, on page 2.

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 23, of the printed bill, after the period after the word "notice", strike out the remainder of the line. Also, strike out on page 2, lines 24 to 27, inclusive, and insert in lieu thereof, the following: "Any owner who shall fail or refuse to comply with the provisions of this act, after service upon him of said notice, shall be guilty of a misdemeanor."

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, strike out lines 28 and 29.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 921—An act to amend the vehicle act, approved May 11, 1915, by repealing sections 10, 18, 23 and 33 thereof and by amending sections 1, 3, 4, 5, 6, 7, 8, 9, 11, 13, 15, 17, 20, 22, 24, 26, 27, 28, 32, 34, 35 and 37 thereof, said amendments providing for the regulation of the use and occupation of the public highways by vehicles and otherwise, for the registration and identification of motor and other vehicles, for the payment of registration fees therefor, and also relating to other matters provided for in said act so amended.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out the lines 2 to 13, inclusive, of title and insert in lieu thereof the following:

An act to amend the vehicle act, approved May 10, 1915, by repealing sections ten, eighteen, twenty-three, thirty-three and forty-two thereof, and by amending sections one, three, four, five, six, seven, eight, nine, eleven, thirteen, fifteen, seventeen, twenty, twenty-two, twenty-four, twenty-six, twenty-seven, twenty-eight, thirty-two, thirty-four, thirty-five and thirty-seven thereof, said amendments to provide for the regulation of the use and occupation of the public highways by vehicles and otherwise, for the registration and identification of motor and other vehicles, and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles, and for the payment of license fees therefor; to prohibit the operation of any motor vehicle without the consent of the owner thereof; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the organization and conduct of the motor vehicle department created by said act, and to provide for the disposition of registration and license fees, fines and forfeitures collected under the provisions of said act; to provide for carrying out the objects of said act and of said amendments thereto, and to make appropriation therefor; to provide for the printing and distribution of said act as amended, and to provide for the time that said amendments shall go into effect.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 8, inclusive, also all of pages 2 to 45, inclusive, and insert in lieu thereof the following:

SECTION 1. Section one of the vehicle act, approved May 10, 1915, is hereby amended as follows:

SECTION 1. The words and phrases used in this act shall for the purposes of this act, unless the same be contrary to or inconsistent with the context, be construed as follows: (1) "motor vehicle" shall include all vehicles propelled otherwise than by muscular power, except trailers and such vehicles as run upon stationary rails or tracks; (2) "automobile" shall include all motor vehicles excepting motorcycles; (3) "motorcycle" shall include all motor vehicles designed to travel on not more than three wheels in contact with the ground, and of not exceeding ten horsepower and of not exceeding the weight of five hundred pounds; *provided, however*, that any motor vehicle which shall be operated on the public highways drawing a trailer shall be deemed to be an automobile for all the purposes of this act; *and provided, further*, that for the purposes of this act a tractor shall be deemed to be any vehicle which is at any time drawn upon the public highways by a motor vehicle, excepting any implements of husbandry temporarily drawn, propelled or moved upon such highway; (4) "highway" shall include any public highway, county road, state highway or state road, public street, avenue, alley, park, parkway, driveway, square or place, bridge, viaduct, trestle, or any other territory or structure, whether public or private, designed, intended or used by or for the general public for the passage of vehicles, in any county, or incorporated city and county, city or town within the State of California; (5) "business district" shall mean the territory of any county or incorporated city and county, city or town, contiguous to a public highway, which is on the line of said highway mainly built up with structures devoted to business; *provided*, that the local authorities having charge of such highway shall have placed conspicuously thereon at the boundary lines of such business district, signs of sufficient size to be easily readable by a person using the highway, bearing the words "business district—slow down to fifteen miles an hour," and also an arrow pointing in the direction of said business district; (6) "closely built up" shall mean the territory of any county or incorporated city and county, city or town, contiguous to a public highway, which is on the line of said highway and mainly devoted to business, where for not less than a quarter of a mile the dwelling houses and business structures on such highway average less than one hundred feet apart; *provided*, that the local authorities having charge of such highway shall have placed conspicuously thereon at the boundary lines of such district signs of sufficient size to be easily readable by a person using the highway, bearing the words "speed limit twenty miles an hour," and also an arrow pointing in the direction of said closely built up district; (7) "local authorities" shall include all boards of supervisors, trustees or councils, commissions, committees, and other public officials of counties, incorporated cities and counties, cities or towns, or municipal or quasi-municipal corporations when such officials possess or exercise legislative or police powers; (8) "chauffeur" shall mean any person who operates an automobile in the transportation of persons and who receives any compensation for such service in wages, commission or otherwise, paid directly or indirectly, or who as owner or employee operates an automobile carrying passengers for hire; *provided, however*, that this definition shall not include manufacturers' agents, proprietors of garages and dealers, salesmen, mechanics, or demonstrators of automobiles in the ordinary course of their business; (9) the term "state" as used in this act, except where otherwise expressly provided, shall also include the territories, federal districts and insular possessions of the United States; (10) "nonresidents" shall mean residents of states or countries other than the State of California whose sojourn in this state, or whose occupation of their regular place of abode or business in this state, if any, covers a total period of less than three months in the calendar year; (11) "owner" shall include any person, firm, association, or corporation, having the lawful use or control, or the right to the use or control, of a vehicle, under a lease or otherwise, for a period of ten or more successive days; (12) "manufacturer" or "dealer" shall signify a person, firm, association, or corporation regularly in the business of having in his, its or their possession vehicles for sale or trade and for use and operation pursuant thereto, and shall be considered owners of vehicles manufactured or dealt in by them for the purposes of this act, prior to sale and delivery thereof, and of all vehicles in their possession and operated or driven by them or by their employees; *provided, however*, that anything to the contrary herein notwithstanding, the determination of the motor vehicle department shall be final and conclusive upon the question whether or not an applicant for registration shall be a manufacturer or dealer within the meaning and intent of this act; (13) "garage" shall mean every place of business where motor vehicles are received for housing, storage or repair, for compensation; (14) "intersecting highway" shall mean any highway which joins another at an angle, whether or not it crosses the other; (15) "operator" shall mean any person other than a chauffeur who operates a motor vehicle and any person who operates, rides, drives or propels any vehicle other than a motor vehicle; (16) "person" shall include any corporation, association, copartnership, company, firm, or other aggregation of individuals; and whenever the

term "person" is used in connection with the registration of a vehicle, it shall include any corporation, association, copartnership, company, firm, or other aggregation of individuals which owns or controls such vehicle as actual owner, or for the purpose of sale or for renting, whether as agent, salesman, or otherwise; (17) "department" as used in this act shall mean the motor vehicle department of California, acting directly or through its duly authorized agent; (18) "vehicle" shall include every wagon, hack, coach, carriage, omnibus, bicycle, tricycle, automobile, cyclecar, motorcycle, truck, trailer, traction engine, tractor, or other conveyance or contrivance for moving persons, animals or things, in whatever manner and by whatever force or power the same may be ridden, driven, propelled, drawn or moved, which is ridden, driven, propelled, drawn or moved on the public highway, including implements of husbandry temporarily drawn, propelled or moved on the public highway, and excepting only conveyances drawn or propelled by pedestrians, and railroad, street or interurban cars, engines and motors moving upon stationary rails or tracks; (19) the city and county of San Francisco shall be considered a county; (20) "net receipts" shall signify the balance remaining of the money paid to the department in conformity with the provisions of this act after the payment of all salaries, expenses and refunds incident to the administration and enforcement of this act; (21) "specially constructed" motor vehicle shall mean a motor vehicle which shall not have been originally constructed under a distinctive name, make, model or type by a generally recognized manufacturer of motor vehicles; *provided*, that in case of dispute the determination of said department as to the character of construction of any such motor vehicle shall be conclusive; (22) "reconstructed motor vehicle" shall mean a motor vehicle which shall have been assembled or constructed largely by means of essential parts, new or used, derived from other motor vehicles or makes of motor vehicles of various names, models or types, or which, if originally otherwise constructed, shall have been materially altered by the removal of essential parts or by the addition or substitution of essential parts, new or used, derived from other motor vehicles or makes of motor vehicles; *provided*, that for the purpose of this act the term "essential parts" shall include not only integral parts but also body parts, such as fenders, hood, cowl, and other parts the removal, alteration or substitution of which will tend to conceal the identity or substantially alter the appearance of the motor vehicle; *and provided, further*, that in case of dispute the determination of said department as to the character of such assembly, reconstruction or alteration shall be conclusive; (23) "imported motor vehicle" shall mean any motor vehicle which shall be brought into this state from another country or state otherwise than in the ordinary course of business by or through a manufacturer or dealer, and which has not been registered in this state except such motor vehicles, owned by nonresidents, as are provided for by section twenty-seven of this act; (24) "highway commission" shall mean the appointed members of the advisory board of the department of engineering of the State of California.

SEC. 2. Section three of said act is hereby amended to read as follows:

SEC. 3. Every owner of a motor vehicle which shall be operated or driven upon the public highways shall, for each motor vehicle owned, except as herein otherwise expressly provided, cause to be filed, by mail, or otherwise, with the department an application for registration on a blank to be furnished by said department for that purpose, containing, in addition to such other particulars as may be required by said department, a statement of the name and post-office address of the applicant, a description of such motor vehicle, including the name of the maker, the number, if any, affixed to the motor or engine by the maker, the character of the motive power, and the diameter of the cylinder bore and the number of cylinders; and with such application the applicant shall deposit the proper registration fee as provided in section seven of this act; *provided*, that for all the purposes of this act the horsepower of any motor vehicle, except electric or steam-driven vehicles, shall be determined by the formula commonly known as that of the Association of Licensed Automobile Manufacturers (A. L. A. M.), being as follows: square the diameter of the cylinder in inches, multiply by the numbers of cylinders, and divide by two and five-tenths; *provided, further*, that for the purposes of this act the horsepower of any steam-driven motor vehicle shall be the horsepower rating fixed and advertised by the manufacturer thereof; *provided, further*, that in case the motor vehicle sought to be registered shall be a specially constructed or a reconstructed motor vehicle, that fact must be stated by the applicant in his application for registration and he shall furnish the department on demand such additional information relating to said motor vehicle as shall be satisfactory to the department before it may register such vehicle; *and provided, further*, that in case the motor vehicle sought to be registered shall be an imported motor vehicle, within the meaning of this act, that fact must be stated by the applicant in his application for registration, and he shall furnish the department on demand such additional information relating to said motor vehicle as shall be satisfactory to the department before it may register such vehicle, and in case such vehicle shall have been theretofore registered in any other state or country, the applicant shall with his original application for registration supply the department with full information relating to such former registration and shall surrender to the department any number plates, seals, certificates of registration or other evidences of such former registration as may be in the applicant's possession or control.

Every owner of a trailer or trailers which shall be drawn upon a public highway when any such trailer shall exceed one ton in weight shall cause to be filed by mail or otherwise, with the department, an application for a registration on a blank to be furnished by said department for that purpose, containing in addition to such other particulars as may be required by said department, a statement of the name and post-office address of the applicant, and with such application the applicant shall deposit the proper registration fee, as provided in section seven of this act.

SEC. 3. Section four of said act is hereby amended to read as follows:

SEC. 4. Upon the receipt by the department of an application for registration of a motor vehicle or trailer or trailers accompanied by the fee required by section seven of this act, the department shall file such application and if satisfied that the applicant is entitled to registration of said vehicle or vehicles as the owner thereof within the meaning of this act, and if all fees theretofore payable to the department in connection with the registration, or any renewal thereof, of said vehicle or vehicles shall have been duly paid, shall alphabetically, and also numerically, register each motor vehicle or trailer or trailers with the name and post-office of the owner, together with the facts stated in such application, in a book or on index cards to be kept for the purpose, under a distinctive number assigned to such motor vehicle or trailer or trailers by the department, which book or index cards shall be open to inspection by the public during reasonable business hours. A full record of all motor vehicle registration shall be posted daily by the department upon a bulletin board so located so as to be easily accessible to the public, and no information relative to any such registrations shall be made public by any employee of the department in advance of such posting.

SEC. 4. Section five of said act is hereby amended to read as follows:

SEC. 5. Upon the filing of such application and the payment of the fee provided in this act, the department shall upon registration assign to such motor vehicle or trailer or trailers a distinctive registration number. Such number so assigned shall be the number assigned to such motor vehicle in each succeeding registration thereof so long as such motor vehicle shall be owned by the owner to whom the original assignment was made, and upon sale or transfer of such motor vehicle, said number may be canceled or may be reassigned as an original assignment to the same or another motor vehicle, at the option of said department, subject to the provisions hereinafter contained.

SEC. 5. Section six of said act is hereby amended to read as follows:

SEC. 6. Such registration shall be renewed annually in the same manner and upon payment of the same fee as provided for original registration, such renewal to take effect on the first day of January of each year. The seals and certificates of registration furnished by the said department as provided hereinafter shall be valid during the calendar year only in which they are furnished or issued.

SEC. 6. Section seven of said act is hereby amended to read as follows:

SEC. 7. The following fees shall be paid to the department upon the registration of a vehicle in accordance with the provisions of this act and shall accompany the application hereinabove provided for: For the registration of every motorcycle, two dollars; for the registration of every automobile, except electric automobiles, the sum of forty cents for each horsepower, or major fraction thereof, according to the formula specified in section three of this act; for the registration of every motor vehicle equipped with other than pneumatic tires, and used for commercial purposes, weighing under four thousand pounds unladen, five dollars in addition to the fees provided herein for horsepower rating or for electric motor vehicles; for every such vehicle weighing four thousand pounds and over and less than six thousand pounds unladen, ten dollars in addition to the fees provided herein for horsepower rating or for electric motor vehicles; for every such vehicle, weighing six thousand pounds and over and less than ten thousand pounds unladen, fifteen dollars in addition to the fees provided herein for horsepower rating or for electric motor vehicles; for every such vehicle weighing ten thousand pounds and over unladen, twenty dollars in addition to the fees provided herein for horsepower rating or for electric motor vehicles; for the registration of every electric motor vehicle, five dollars; for the registration of motor vehicles owned by or under the control of a manufacturer of, or dealer in, motor vehicles, if such person operates upon the public highways not more than five automobiles, twenty five dollars, and two dollars for every automobile in excess of five so operated, including the necessary number plates; for the registration of the motorcycles owned by or under the control of a manufacturer of, or dealer in motorcycles, and who does not operate upon the public highway more than five motorcycles, five dollars, and one dollar for every motorcycle in excess of five so operated, including the necessary number plates; for every registration number-plate for trailers, two dollars; for the original license of every operator, fifty cents; for the original license of every chauffeur, two dollars, and for each annual renewal thereof one dollar; for every additional number plate furnished to replace such plates as have been lost or mutilated or which are illegible, one dollar, which shall include seal; for every seal or registration certificate furnished to replace such as have been lost or mutilated or which are illegible, fifty cents.

Anything herein to the contrary notwithstanding, if application for the registration of a motor vehicle or for an original chauffeur's license is made during the period

beginning on the first day of April and ending on the thirtieth day of June, in any year, three-fourths of the annual fee shall be paid; if application is made during the period beginning on the first day of July and ending on the thirtieth day of September, one-half of such annual fee; if application is made during the period beginning on the first day of October and ending on the thirty-first day of December, one-fourth of such annual fee.

SEC. 7. Section eight of said act is hereby amended to read as follows:

SEC. 8. The department shall furnish to every person whose motor vehicle or trailer or trailers shall be registered as aforesaid, on original registration, one number plate for motorcycles and trailers, and two number plates for automobiles, the same to have displayed upon them the registration number assigned to such vehicle, together with the abbreviation "Cal.", and to have space provided thereon to which may be attached each year the registration seal to be furnished by the department as hereinafter provided; *provided, however*, that number plates furnished for trailers and for such motor vehicles as are exempted by section two of this act from the payment of the fees in this act prescribed shall contain suitable distinguishing marks or symbols, and the numbers assigned in such cases shall run in different numerical series from the numbers assigned to other vehicles registered under the provisions of this act; *and provided, further*, anything to the contrary in this act notwithstanding, that it shall not be necessary to apply for registration of implements of husbandry temporarily drawn, moved or otherwise propelled upon the public highway, nor shall it be necessary for the department to assign any distinguishing numbers to such implements of husbandry or to furnish number plates for display thereon. Said department shall furnish with each number plate, and on each annual renewal of registration, a registration seal together with screws or other means of attachment to the number plate, the form and character of which seal shall be uniform for any one calendar year, such seal to be changed by the department as to design or color or both, from year to year. Said seal shall bear the identical number shown on the number plate to which it is to be attached and also the calendar year for which it is issued and it shall be valid only for such year. The department shall also furnish with each number plate for motorcycles and with each pair of number plates for automobiles, and on each annual renewal of registration, a certificate of registration which shall contain upon the face thereof the following data: The name of the registered owner of the motor vehicle, his post-office address, the make of the vehicle, the year model denoted by the manufacturer, the model or letter denoted by the manufacturer, if any, the engine or motor number, the registered horsepower, the registration number and the amount of annual registration fee, together with the date of issue of the certificate. In case of motorcycles, the manufacturer's serial number shall be stated in lieu of the engine number. Such certificate shall contain a blank space for the signature of the registered owner. The reverse side of said certificate shall contain forms (a) for notice to the department by the registered owner, in case of transfer of ownership, as hereinafter required, and (b) for application to the department by the transferee, in case of transfer of said motor vehicle, for registration thereof in his name, said application to be in the form of a joint statement to be signed by both transferor and transferee and to contain, in addition to such other particulars as may be required by said department, a statement of the post-office address of the transferee so applying for registration. Said certificate shall contain the identical registration number denoted on the number plate or plates and seal in connection with which such certificate is issued, and it shall be valid only for the calendar year in which it is issued. Said certificate shall be enclosed in a suitable container, to be furnished by the department, such container to have a frame of aluminum or other metal and to have a cover of isinglass or other transparent material, through which such certificate can be easily inspected, and with such container said department shall furnish screws or other suitable means of attachment to the motor vehicle. Said number plates, seals, certificates and containers shall be furnished by the department without further charge than the fees specified in section seven of this act, with transportation prepaid, and shall be of substantial character and suitable form and design, to be determined by the department.

Upon the transfer of ownership of any motor vehicle its registration shall expire and the person in whose name such vehicle is registered shall forthwith (a) file with the department a notice, upon the form furnished by the department and attached to the certificate of registration, containing the date of such transfer of ownership and the name and post office address of the transferee, and (b) subject to the provisions hereinafter contained, return the registration number plate or plates and seal, transportation prepaid, to the department. In the case of such transfer of ownership of any motor vehicle or in case of loss of possession thereof, the registered owner, provided that he applies to the department within ten days after such transfer or loss of possession, may have assigned to another motor vehicle the registration number of the motor vehicle so transferred or lost; *provided, further*, that in such case of transfer and application for reassignment to another motor vehicle, the number plate or plates and seals may be retained for a period of ten days after such transfer, and if application for such reassignment shall have been made within said period they may be further retained until the department has either duly

reassigned said number in accordance with said application or has refused said application for reassignment and has canceled said number and demanded surrender of said plate or plates and seals.

Upon the transfer of ownership of any motor vehicle, the person in whose name such vehicle is registered and the person to whom ownership of such vehicle is to be transferred shall forthwith join in a statement of said transfer indorsed upon the reverse side of the certificate of registration of said motor vehicle in the space provided for said purpose, which statement shall be signed by the transferor in the manner and form of his signature contained on the face of said certificate and which statement shall likewise be signed by the transferee, who shall also set forth below his signature his post office address. Said statement shall include an application by the transferee for registration of said vehicle in his name. Said certificate so indorsed and bearing upon the reverse side thereof the signatures of the transferor and transferee, shall be forwarded by the transferee to the department together with the proper fee for registration required by section seven of this act. The department shall file said certificate so jointly indorsed by transferor and transferee and upon receipt of the proper fee as above provided the department, if satisfied of the genuineness and regularity of said transfer, shall register said motor vehicle in the name of said transferee and may cancel the former registration number or assign the same to the same or another motor vehicle, at the option of the department, subject to the other provisions of this act. Upon such registration the department shall issue and forward to the applicant without further charge than as provided in section seven of this act, a new registration certificate in the manner and form as hereinabove provided for original registration. Until said transferee has received said certificate of registration and has written his name upon the face thereof in the blank space provided for said purpose by the department, delivery of said motor vehicle shall be deemed not to have been made and title thereto shall be deemed not to have passed and said intended transfer shall be deemed not to be valid or effective for any purpose; *provided*, that where such transfer is made to a manufacturer or dealer to whom has been assigned a general distinguishing number and who intends to resell or otherwise retransfer said vehicle a certificate of registration shall be furnished without charge to him. It shall be in a distinctive form and shall bear such manufacturer's or dealer's general distinguishing number whereupon such manufacturer or dealer shall be entitled to display upon said vehicle number plates assigned to him by the department bearing said general distinguishing number; but upon sale or transfer of said vehicle by such manufacturer or dealer each and every provision herein contained relative to the return of such certificate to the department with the joint statement of transferor and transferee endorsed thereon, as well as other provisions applicable upon transfer of motor vehicles shall be complied with. In case of a transfer of a motor vehicle to such manufacturer or dealer without the removal therefrom by the transferee of the number plates and seals, the manufacturer or dealer shall forthwith deliver to the department, transportation prepaid, said number plates and seals. In case of transfer of ownership of a motor vehicle, registered under the provisions of this act, by operation of law as upon inheritance, devise or bequest, order in bankruptcy or insolvency, execution sale, repossession upon default in performance of the terms of a lease or conditional sales contract, or otherwise than by the voluntary act of the registered owner, the notice of transfer as well as the joint statement hereinabove provided for shall be signed by the executor, administrator, receiver, trustee, sheriff, or other representative or successor in interest of the registered owner in lieu of such owner, and the transferee's application for registration shall be accompanied by a statement of the special facts in the premises; *provided*, that the department may in its discretion require from the transferee, before registering such motor vehicle, such additional information respecting such involuntary loss of ownership by the former registered owner as may be satisfactory to the department.

Anything to the contrary hereinabove notwithstanding, upon the transfer of ownership of any motor vehicle to a person not intending either to operate the same or to cause or permit the same to be operated upon the public highways and not intending to transfer such motor vehicle to another person, a statement by said transferee of such fact or intent shall accompany the application for registration, in which case no fee for registration need be paid by the applicant, but the registration number plates and seals, if not retained by the transferor, shall be forthwith forwarded, without demand, to the department, whereupon the department, if satisfied of the genuineness and regularity of said transfer and if satisfied of the facts stated in said application for registration, shall register, without any charge whatever, such motor vehicle in the name of said transferee and shall issue and forward to him a new registration certificate, in a distinctive form to be determined by the department; *provided*, that until said transferee has received said registration certificate delivery of said motor vehicle shall be deemed not to have been made, and title thereto shall be deemed not to have passed and said intended transfer shall be deemed to be incomplete and not to be valid or effective for any purpose; *and provided, further*, that nothing herein contained shall be so construed as to permit such motor vehicle to be operated upon the public highway under such distinctive certificate of registration last hereinabove provided for.

A person who transfers the ownership or loses possession of a motor vehicle registered in his name or removes such motor vehicle from the state, shall be entitled to a rebate bearing the same proportion to that portion of the fee theretofore paid by him, as the remaining quarters of the calendar year bear to that portion of the year for which said fee was paid, *provided*, that any such rebate shall not be paid excepting upon a certificate filed by the department with the state board of control, setting forth the facts; *and provided, further*, that such rebates shall be paid out of the motor vehicle fund.

If the department shall determine, at any time, that for any reason a motor vehicle or trailer is unsafe or is improperly equipped or is otherwise unfit to be operated, or that the applicant for registration thereof is not entitled as owner thereof to such registration, the department may refuse to register such vehicle and may, for a like reason, revoke any registration already acquired.

SEC. 8. Section nine of said act is hereby amended to read as follows:

SEC. 9. Every manufacturer of, or dealer in, motor vehicles may make application to the department, by mail or otherwise, upon a blank provided by the department, for a general distinguishing number or symbol, instead of registering each motor vehicle owned by him, and with such application he shall deposit the proper registration fee as provided in section seven of this act, and the department shall grant the application if satisfied of the facts stated in the application and shall issue to the applicant a certificate of registration containing the name and business address of the applicant and the general distinguishing number or symbol assigned to him, and made in such form and containing such further information as the department may determine; and every motor vehicle owned or controlled by such manufacturer or dealer shall be regarded as registered under such general distinguishing number or symbol until sold, or until let for hire, or until loaned for a period of more than ten successive days; *provided*, that whenever a manufacturer or dealer shall maintain a branch or subagency he shall apply for a separate registration for such branch or subagency and shall pay therefor the fee provided in section seven of this act for the registration of motor vehicles owned by or under the control of a manufacturer or dealer, and the determination of the department upon the question whether any establishment constitutes a branch or subagency within the intent of this act, shall be conclusive. The department shall furnish, without other charge than the fee specified in section seven of this act, with transportation charges prepaid, to every manufacturer of or dealer in automobiles or motorcycles applying therefor whose vehicles are registered in accordance with the provisions of this section, five pairs of automobile number plates or five single motorcycle number plates, of suitable design, together with the accompanying seals, the plates to have displayed upon them the registration number which is assigned to the motor vehicles of such manufacturer or dealer, with a different symbol on each pair of automobile number plates and on each single motorcycle plate. If the department shall determine at any time for due cause that any such manufacturer or dealer to whom the certificate of registration provided for in this section has been issued and to whom such general distinguishing number or symbol has been assigned has failed to comply with the requirements of this section hereinafter contained with reference to notices or reports of transfer of motor vehicles, or has caused or suffered, or is causing or suffering, the unlawful use of such certificate or number, the department may revoke said certificate of registration and recall and cancel said general distinguishing number or symbol, in which event said manufacturer or dealer, after notice of such action on part of the department, shall, without further demand, return to the department any and all number plates and seals that may have been furnished him by the department under said certificate so revoked; *provided*, that no manufacturer or dealer or any employee of such manufacturer or dealer, shall cause or permit the display, or other use, of any number plate, seal or certificate of registration which may have been furnished to such manufacturer or dealer under the general distinguishing number or symbol hereinbefore provided for, excepting upon motor vehicles owned by such manufacturer or dealer within the meaning and intent of this act; *provided, further*, that no person shall display, or otherwise use or have in his possession any number plate, seal or certificate of registration furnished by the department under a general manufacturer's or dealer's distinguishing number or symbol, except such manufacturer or dealer or his employees; *and provided, further*, that if the department, upon receiving from any manufacturer or dealer an application for the issuance for the ensuing calendar year of the certificate of registration and general distinguishing number or symbol provided for in this section, shall determine upon due cause that such manufacturer or dealer during the previous calendar year has failed to comply with the requirements of this section hereinafter contained respecting the filing of notices or reports of transfer of motor vehicles, or has caused or suffered, or is causing or suffering, the unlawful use of such certificate or number, the department may refuse such application.

When it shall become necessary for a manufacturer of, or dealer in, or consignee of, motor vehicles to move any vehicles owned by or consigned to him, not being registered under any of the provisions of this act, from any vessel, railroad depot, or warehouse, to the salesrooms or other place of business of such

manufacturer or dealer, or to a warehouse or other place of storage, over the public highways, he may operate such vehicle, either under its own power or otherwise, over such public highways as are necessary for said purpose, without first registering said motor vehicle or affixing thereto any number plates issued to him under the general distinguishing number or symbol hereinabove specified: *provided, however*, that in such event he shall first obtain from the police authorities or marshal of the city or town in which said vessel, railroad depot or warehouse is situated, a written permit authorizing such operation; and there is hereby conferred upon police authorities, including town marshals, within the State of California, authority to issue such permits in proper cases as hereinabove provided.

Upon the transfer of any motor vehicle by a manufacturer or dealer whether by sale, lease or otherwise, such motor vehicle not being registered under the provisions of section three hereof, such manufacturer or dealer shall, within three days after such transfer, file with the department, upon a blank to be furnished by the department, a notice or report containing the date of such transfer, a description of such motor vehicle and the name and post office of the purchaser, lessee or other transferee.

Upon the transfer of any automobile engine or motor, except a new engine or motor transferred with intent that the same be installed in a new automobile, and whether such transfer be made by a manufacturer or dealer or otherwise, and whether by sale, lease or otherwise, the transferor shall within three days after such transfer file with the department, upon a blank to be furnished by the department, a notice or report containing the date of such transfer and a description, together with the maker's number, of said engine or motor, the name and postoffice address of the purchaser, lessee or other transferee.

SEC. 9. Section ten of said act is hereby repealed.

SEC. 10. Section eleven of said act is hereby amended to read as follows:

SEC. 11. Except as in this act otherwise provided, no person shall operate or drive, or cause to be operated or driven, a motor vehicle, or cause a trailer to be drawn by a motor vehicle, on the public highways unless such vehicle shall at all times have displayed the number plate or plates furnished for it as hereinabove provided, together with registration seal or seals furnished by the department; in case of automobiles, each such vehicle shall display one number plate on the front and the other on the back thereof and said registration seals shall be securely attached to the number plates in the space provided thereon for that purpose; in case of motorcycles and trailers, but one number plate with registration seal so attached thereto, shall be required to be displayed and such number plate upon motorcycles and trailers shall be at the rear thereof; in all cases such number plates shall be securely fastened to the motor vehicle or trailer so as to prevent said plates from swinging, and at a minimum distance of sixteen inches from the ground. Nothing in this act shall be construed to require the display of any number plate on other than the rear trailer, when more than one trailer is drawn by a motor vehicle. No person shall attach to, or display on, such motor or other vehicle, any number plate or registration seal or certificate other than as assigned to it for the current year, or a fictitious, or altered number plate, seal or registration certificate, or a number plate seal or registration certificate that shall have been canceled by the department. All letters, numbers, seals, printing, writing and other identification marks upon said plates, seals and certificates, shall be kept clear and distinct and free from grease, dust or other blurring matter, so that they shall be plainly visible at all times during daylight and under artificial light in the night time; *provided*, that in case any such plate, seal or certificate of registration, operator's license or chauffeur's license or badge shall be lost, mutilated or shall have become illegible, the person to whom such plate, seal, certificate, license or badge shall have been furnished shall immediately apply to the department for a duplicate thereof, accompanying his application with the fee specified in section seven of this act.

No person shall operate or drive a motor vehicle on the public highway unless such vehicle shall at all times carry in or upon it, subject to inspection by any peace officer, or employee of the department, the registration certificate furnished for it as hereinabove provided, which in case of an automobile shall be affixed, in the container furnished by the department, in plain sight in the driver's compartment of the automobile and which, in case of a motorcycle, shall be carried either in plain sight affixed to said motorcycle, or in the tool bag or some other convenient receptacle attached to said motorcycle.

The registration fee required under this act to be paid upon a motor vehicle or trailer shall become delinquent in the case of any such vehicle forthwith upon the operation of the vehicle on the public highways without the registration fee required by this act first having been paid to the department, accompanied by the application for registration provided herein. It is hereby provided, in addition to any and all other penalties provided by this act, that if, at the expiration of thirty days after any registration fee becomes delinquent, such fee has not been paid and registration applied for, a penalty shall be added to the amount of such fee in an amount equal to twenty-five per cent of the fee required by section seven of this act, and that such fee, together with the amount of said penalty, shall be a lien upon the motor vehicle or trailer in regard to which said registration fee is delinquent, and the department

shall have power and it is hereby made its duty to collect the said registration fee, together with the penalty, by seizure of such motor vehicle or trailer from the person in possession thereof, if any, and by sale thereof. The seizure and sale herein authorized shall be conducted and carried out by the department in the same manner as is provided by law for the seizure and sale of personal property by the county tax collector for the collection of taxes due on said personal property; *provided, however*, that in case of annual renewal of registration, where the applicants have in all things complied with the requirements of this act and have duly applied for such annual renewal of registration before the commencement of the ensuing calendar year, accompanying their applications with the proper fees for such registration, they shall be entitled to operate said vehicles during the months of January and February without displaying the registration seals or certificates of the current year, on condition that they have at all times displayed upon said vehicles the number plates assigned to said vehicles respectively together with the registration seals and certificates assigned thereto for the previous calendar year.

SEC. 11. Section thirteen of said act is hereby amended to read as follows:

SEC. 13. (a) Where there is not sufficient light within the lateral boundaries of the public highway to reveal all persons, vehicles, or other substantial objects within said boundaries for a distance of at least one hundred fifty feet, and at all times during the period from a half hour after sunset to a half hour before sunrise, every automobile while on the public highway shall carry at the front at least two lighted lamps showing white or yellow lights visible under normal atmospheric conditions at least five hundred feet in the direction toward which said automobile is faced and every such automobile and every trailer, at the times and under the conditions in this section hereinbefore specified, shall carry at the rear a lighted lamp exhibiting a red light plainly visible, under normal atmospheric conditions, for a distance of five hundred feet toward the rear and so constructed and placed that the number plate carried on the rear of such automobile or trailer shall be illuminated by a white light in such manner that the number thereon can be plainly distinguished under normal atmospheric conditions at a distance of not less than fifty feet toward the rear; *provided, however*, that where more than one trailer is attached to a motor vehicle, only the rear trailer shall be required to exhibit said light. At the times and under the conditions in this section hereinbefore specified all other vehicles, except motorcycles, bicycles and such vehicles as may be propelled by a pedestrian, shall carry one or more lighted lamps or lanterns so arranged that said vehicle shall be visible from every direction for a distance of not less than two hundred feet.

(b) At the times and under the conditions in this section hereinbefore specified, every motorcycle or bicycle while on the public highway shall carry a lighted lamp showing a white or yellow light visible under normal atmospheric conditions at least three hundred feet in the direction toward which such motorcycle or bicycle is faced, and shall also carry at the rear of such motorcycle or bicycle a lighted lamp exhibiting a red light plainly visible under normal atmospheric conditions for a distance of at least two hundred feet toward the rear.

(c) In any case where a motor or other vehicle shall be loaded with any material in such manner that any portion of such load extends toward the rear four feet or more beyond the rear of the bed or body of such vehicle, there shall be displayed at the extreme end of such load, at the times and under the conditions in this section hereinbefore specified, in addition to the ordinary rear or tail light hereinbefore required to be displayed on such vehicle a red light plainly visible under normal atmospheric conditions at least two hundred feet from the rear; *provided, further*, that at other times while such vehicle is upon the highway a red flag or cloth shall be displayed at the extreme rear end of said load, of suitable size to be plainly visible as a warning signal to persons operating vehicles approaching from the rear.

(d) At the times and under the conditions in this section hereinbefore specified the headlights of all motor vehicles upon the highway shall give sufficient light to reveal any person, vehicle or substantial object on the road directly ahead of such motor vehicle for a distance of at least one hundred fifty feet, and shall also give sufficient side illumination to reveal any person, vehicle or substantial object ten feet to the side of said motor vehicle at a point ten feet ahead of the lamps; *provided, however*, that such headlights shall be so constructed or arranged that no portion of the beam of reflected light when measured seventy-five feet or more ahead of said lamps shall rise to more than forty-two inches above the level surface on which the vehicle stands; *provided, further*, that the term "headlight" as used herein, shall denote any light, irrespective of its location upon the motor vehicle, the rays of which are projected forward, except sidelights of not to exceed four candlepower, and that the term "beam of reflected light," as used herein, shall denote the approximately parallel focalized rays gathered and projected by a reflector, lens or other device; *and provided, further*, anything herein to the contrary notwithstanding, that where there is sufficient light within the lateral boundaries of the public highway within any incorporated city, town or city and county, to reveal all persons, vehicles or substantial objects within said boundaries for a distance of one hundred fifty feet, no lights shall be required to be displayed on any vehicle while the same is not in operation, providing that the wheels of such standing vehicle nearest the sidewalk are located within six inches of such sidewalk.

SEC. 12. Section fifteen of said act is hereby amended to read as follows:

SEC. 15. (a) Other than on vehicles actually engaged at the time in construction or repair work on public highways, no tire on any motor or other vehicle operated on or over any public highway or bridge shall have on its periphery any block, stud, flange, cleat, ridge, bead or any other protuberance of metal or wood which projects beyond the tread or traction surface of the tire; but this section shall not be so construed as to prohibit the use of tire chains of reasonable proportions on motor vehicles when required for safety because of snow, ice or other conditions tending to cause such motor vehicle to slide or skid: *provided, however*, that traction engines or tractors the propulsive power of which is exerted not through wheels resting upon the ground but by means of a flexible band or chain, known as a movable track, may be operated upon the public highways with transverse corrugations upon the periphery of said movable tracks, on condition that a permit **shall first have been obtained as hereinafter in this section provided.**

(b) No motor or other vehicle shall be operated on or over any public highway or bridge, nor shall any object be moved over or upon any public highway or bridge on wheels, rollers, or otherwise, except when transported in or upon vehicles running exclusively on stationary rails or tracks, in excess of a total weight, including load, of thirty thousand pounds, when said motor or other vehicle or contrivance is equipped with four wheels running on the highway, or in excess of a total weight, including load, of forty thousand pounds when said motor or other vehicle or contrivance shall be equipped with six wheels running on the highway and with three axles not less than ninety-six inches apart, without first obtaining **a permit as hereinafter in this section provided.**

(c) No motor or other vehicle or other object, or contrivance for moving loads, except as hereinafter otherwise provided, shall be operated or moved upon or over any public highway or bridge, the weight of which resting upon the surface of said highway or bridge exceeds eight hundred pounds upon any inch of width of tire, when said vehicle is equipped with tires made of other material than metal; and no motor or other vehicle, object, or contrivance for moving loads shall be operated or moved upon or over any public highway or bridge, the weight of which resting upon the surface of said highway or bridge exceeds six hundred pounds upon any inch of width of tire, roller, wheel or other object supported on the surface thereof when such tires or the rolling surface of such rollers, wheels or other objects are made in whole or in part of metal, without first obtaining a permit as hereinafter in this section provided, *provided, however*, that traction engines or tractors the propulsive power of which is exerted not through wheels resting upon the ground but by means of a flexible band or chain, known as a movable track, shall not be subject to the foregoing limitations upon permissible weights per inch of width of tire if the portions of the movable tracks in contact with the surface of the highway present plane surfaces; *and provided further*, that cities heretofore or hereafter organized under freeholders' charters may permit or prohibit the increase, beyond the maximum weight per inch of width of tire hereinabove prescribed, of the weight of loads carried within the limits of such cities in or upon metal-tired vehicles drawn by muscular power, but where any such city has not by proper and suitable ordinance or other regulation permitted or prohibited such increase of maximum weight of loads, the regulations and **limitations prescribed by this act shall not apply.**

(d) No motor vehicle shall be operated or driven over any public highway or bridge drawing or having attached thereto more than two trailers: *provided*, that all four-wheeled trailers excepting light camping trailers shall be equipped with suitable brakes.

(e) Anything to the contrary herein notwithstanding, upon application in writing to the state department of engineering, said department of engineering in its discretion may issue a special permit to the owner or operator of any vehicle allowing heavier or wider loads than hereinabove in this section or elsewhere in this act permitted to be moved or carried over and on the public highways and bridges, or allowing more than two trailers to be drawn by a motor vehicle; and may also issue such special permit to increase the permissible weights per inch of width of tire and may also permit the use of corrugations on the periphery of the movable tracks of traction engines or tractors propelled not by wheels resting upon the ground but by flexible bands or chains. Such permits shall be in writing and they may limit the time of use and operation over the particular highways and bridges which may be traversed and may contain such special conditions and provisions and require such undertaking or other security as the said department of engineering shall deem to be necessary to protect the public highways and bridges from injury, or provide indemnity for any injury resulting from such operation. All such special permits shall be carried in the vehicles to which they refer and shall upon demand be open to the inspection of any peace officer, any authorized agent of the department of engineering or of the motor vehicle department, or any officer or employee charged with the care or protection of the public highways. It shall be unlawful for any person to violate, or to cause or permit to

be violated, the limitations or conditions of such special permits and any such violation shall be deemed for all purposes to be a violation of the provisions of this act.

(f) Anything to the contrary herein notwithstanding, the state department of engineering may in its discretion limit the maximum load to be carried over or on any public bridge, causeway, viaduct, trestle or dam, below the maximum established by law; *provided, however*, that in such event said department of engineering shall cause suitable signs to be erected and maintained, specifying such limitation of load, such signs to be placed at a distance of not less than one hundred feet nor more than one hundred fifty feet from the approaches to such bridge, causeway, viaduct, trestle or dam.

(g) Anything to the contrary in this act notwithstanding, the owner and the operator, driver or mover of any vehicle, object or contrivance over a public highway or bridge, shall be jointly and severally responsible for all damages which said highway or bridge may sustain as the result of so operating or driving or moving such vehicle and the amount of such damages may be recovered in an action at law by the authorities in control of such highway or bridge.

SEC. 13. Section seventeen of said act is hereby amended to read as follows:

SEC. 17. No person who is to such extent under the influence of intoxicating liquor that he can not properly operate or drive a motor or other vehicle shall operate or drive a motor or other vehicle upon any public highway within this state.

SEC. 14. Section eighteen of said act is hereby amended to read as follows:

SEC. 15. Section twenty of said act is hereby amended to read as follows:

SEC. 20. (a) The driver or operator of any vehicle in or upon any public highway shall drive or operate such vehicle in a careful manner with due regard for the safety and convenience of pedestrians and of all other vehicles or traffic upon such highway, and wherever practicable shall travel on the right-hand side of such highway. Two vehicles which are passing each other in opposite directions shall have the right of way, and no other vehicle to the rear of either of such two vehicles shall pass or attempt to pass such two vehicles. On all occasions the driver or operator of any vehicle in or upon any public highway shall travel upon the right half of such highway unless the road ahead on the left-hand side is clear and unobstructed for at least one hundred yards ahead and in all cases while crossing an intersecting highway. For the purposes of this section and its subdivisions, an animal or animals attached to any conveyance shall, with such conveyance, be deemed to constitute one vehicle.

(b) Vehicles proceeding in opposite directions shall pass each other to the right, each giving to the other one-half the road as nearly as possible.

(c) Vehicles overtaking other vehicles proceeding in the same direction shall pass to the left thereof and shall not again drive to the right until reasonably clear of such overtaken vehicle.

(d) It shall be the duty of the driver, rider or operator of a vehicle about to be overtaken and passed to give way to the right in favor of the overtaking vehicle, on suitable and audible signal being given by or on behalf of the operator, driver or other person in charge and control of such overtaking vehicle if such overtaking vehicle be a motor vehicle.

(e) Excepting where controlled by such traffic ordinances or regulations enacted by local authorities as are permitted under this act the operator of a vehicle approaching an intersection of the public highway shall yield the right of way to a vehicle approaching such intersection from the right of such first named vehicle.

(f) It shall be the duty of the person operating or in charge of an overtaking vehicle to sound audible and suitable signal before passing a vehicle proceeding in the same direction.

(g) All vehicles approaching an intersection of a public highway, with the intention of turning thereat shall in turning to the right keep to the right of the center of such intersection, and in turning to the left shall run beyond the center of such intersection, passing to the right thereof, before turning such vehicle toward the left. For the purposes of this subdivision the "center of such intersection" shall be held to mean the meeting point of the medial lines of the two highways traversed by the vehicle making the turn.

(h) In all passing and overtaking such assistance shall be given by the occupants of each vehicle respectively to the other as the circumstances shall reasonably demand in order to obtain clearance and avoid accidents; every person having control or charge of any motor vehicle or other vehicle upon any public highway and approaching any vehicle drawn by a horse or horses, or any horse upon which any person is riding, shall operate, manage and control such motor vehicle or other vehicle in such manner as to exercise every reasonable precaution to prevent the frightening of any such horse or horses and to insure the safety and protection of any person riding or driving the same; and if such horse or horses appear frightened the person in control of such motor vehicle or other vehicle shall reduce its speed, and if requested by signal or otherwise by the driver or rider of such horse or horses shall not proceed further toward such animal or animals unless such movement be necessary to avoid accident or injury, until such animal or animals be under the control of the driver or rider thereof.

(i) The person in control of any vehicle moving slowly along and upon any public highway shall keep such vehicle as closely as practicable to the right-hand boundary of the highway, allowing more swiftly moving vehicles reasonably free passage to the left.

(j) The person in charge of any vehicle in or upon any public highway, before turning, stopping, or changing the course of such vehicle, and before turning such vehicle when starting the same, shall see first that there is sufficient space for such movement to be made in safety, and if the movement or operation of other vehicles may reasonably be affected by such turning, stopping or changing of course, shall give plainly visible or audible signal to the persons operating, driving or in charge **of such vehicles of his intention so to turn, stop, or change his course.**

(k) In passing any railroad, interurban or street car while passengers are alighting from or boarding same, vehicles shall be operated or driven on the right hand side of such street car and at a rate of speed not exceeding ten miles an hour and shall be so operated or driven that no portion thereof or of any load thereon shall be within six feet of the running board or steps of such car and shall at all times be operated with due care and caution so that the safety of such passengers shall be assured; *provided, however*, that where local authorities have plainly marked upon the surface of the highway safety zones for the protection of such passengers, vehicles shall not, at any time, be operated or driven within such zones; *provided, further*, that said safety zones shall only be marked at street corners or at other regularly established stations or stopping places of such railroad, or interurban, or street cars, and shall not extend beyond seven feet toward the boundary of the highway from the outer rail of such railroad, interurban or street car line.

(l) Every motor vehicle when moving in defiles, canyons, or mountain passes where the curvature of the road or highway prevents a clear view for a distance of one hundred yards shall be held under control and not permitted to coast and the operator thereof in approaching curves shall give a warning of his gong or other adequate signaling device.

(m) Police patrol wagons, police ambulances, fire patrols, fire engines and fire apparatus in all cases while being operated as such, shall have the right of way with due regard to the safety of the public, but this provision shall not protect the driver or operator of any such vehicle or his employer or principal from the consequence of the arbitrary exercise of this right or for injuries culpably inflicted.

(n) No person shall hitch or leave standing, or cause or permit to be hitched or left standing, any animal, or leave standing or cause or permit to be left standing any vehicle, or stop or cause or permit to be stopped any animal or vehicle at any time upon the public highway within fifteen feet of any public fire hydrant located upon the public highway or sidewalk, unless such animal is under the charge of some person capable of driving the same or unless such vehicle is in the charge **of some person capable of operating or driving the same.**

(o) No motor or other vehicle as defined in this act shall be operated or driven on or over any public highway or bridge if the outside width of tread exceeds one hundred twelve inches or if the total outside width of the bed of said vehicle and any load thereon shall exceed one hundred two inches, nor shall any pleasure type automobile be operated on or over any public highway or bridge if any luggage, package, trunk, crate, box or other load carried thereon extends to the side more than eight inches beyond the running board of such automobile; *provided, however*, that any city now or hereafter organized under freeholders' charter may permit an increase beyond the maximum hereinbefore prescribed of the total outside width of the beds of vehicles and any loads thereon, where such vehicles are operated or driven and said loads are carried wholly within the limits of said city, but where any such city shall not by proper and suitable ordinance or other regulation permit such increased width, the regulations and limitations prescribed by this act shall apply; *and provided*, that the regulations and limitations prescribed by this act relative to the maximum widths of vehicles and their loads shall not apply to implements of husbandry temporarily drawn, propelled or moved upon the highway; *and provided, further*, that loads not exceeding ten feet in width of loosely-piled material not crated, baled, boxed, sacked or carried otherwise than loosely in bulk, may be carried upon vehicles on the highway; *provided*, that the extreme width of such vehicles, including any loading racks thereon, shall not exceed one hundred two inches, as hereinbefore prescribed.

(p) No person shall leave standing, or cause or permit to be left standing upon the main traveled portion, or any part thereof, of any public highway, a vehicle undergoing repair, or which has been stopped for the purpose of having repairs made thereon, or for the purpose of camping; *provided, however*, that this provision shall not apply to a vehicle which shall be disabled, while on such main traveled portion of the highway, in such manner and to such extent that it shall be impossible to avoid stopping such vehicle on said main traveled portion of the highway, and impracticable to remove the same therefrom until repairs shall have been made.

(q) The provisions of subdivisions (a), (b), (c), (d), (e), (g), (i), (j), (k) of this section shall be applicable to the rider of every horse, mule or other riding

animal ridden upon the public highway, to the end and effect that the same duties, rules and regulations imposed thereon upon the drivers or operators of vehicles upon the public highway, including the care to be exercised in driving or operating vehicles, the portion of the highway upon which they shall travel, the right of way as between vehicles passing or overtaking each other, or upon approaching intersections, the duty of giving way in favor of overtaking vehicles, the manner of turning at intersections and at other places upon the highway and of stopping or changing the course of the vehicles and the duties imposed upon operators or drivers of vehicles in passing railroad, interurban or street cars, shall be imposed, and they are hereby imposed, upon the riders of animals upon the public highways.

(r) No person owning, or controlling the possession of, any horse, cow, mule, ass, sheep, goat, hog or other live stock, shall voluntarily or negligently permit such animal to stray upon or remain unaccompanied upon the public highway, or shall permit the tether or any portion thereof to which such animal may be attached, to lie across or upon any public highway, and no person shall feed, pasture or camp any such live stock upon any public highway between the hours of sunset and sunrise.

SEC. 16. Section twenty-two of said act is hereby amended to read as follows:

SEC. 22. (a) Any person operating or driving a motor or other vehicle on the public highways shall operate or drive the same in a careful and prudent manner and at a rate of speed not greater than is reasonable and proper, having regard to the traffic and use of the highway, and no person shall operate or drive a motor vehicle or other vehicle on a public highway at such rate of speed as to endanger the life or limb of any person or the safety of any property; *provided*, that it shall be unlawful to operate or drive at a rate of speed in excess of thirty miles an hour; *and provided, further*, that in any event no person shall operate or drive a motor vehicle or other vehicle on any public highway where the territory contiguous thereto is closely built up, at a greater rate of speed than twenty miles an hour, or in the business district of any incorporated city and county, city or town, at a greater rate of speed than fifteen miles an hour; *provided, further*, that no person shall operate or drive a motor vehicle or other vehicle on any public highway at a greater rate of speed than fifteen miles an hour in approaching any steam, electric or other railway crossing at grade, or in approaching or traversing an intersecting highway, or crossing or intersection of highways, or in approaching or going around corners or curves in the highway, when in any of the foregoing cases the operator's or chauffeur's view of the road or railway traffic is obstructed, but anything to the contrary herein notwithstanding, no person shall operate or drive a motor vehicle or other vehicle on any public highway at a greater rate of speed than fifteen miles an hour in traversing any steam, electric or other railway crossing at grade; *provided, further*, that the board of supervisors of any county and city and county within this state, and the board of trustees, city council or other governing body of every municipality within this state, within six months after the passage of this act, shall place and thereafter maintain warning signs on every public highway approaching a crossing at grade of such highway and the tracks of any railway, at a reasonable distance, not less than three hundred feet, from such crossing, and on either side thereof. Such sign shall consist of a metal disc twenty-four inches in diameter, the field enameled white, with an enameled black border line one inch wide, and with an enameled black vertical and horizontal cross-line two and a half inches wide; the reverse side of such disc to be colored black. In each of the upper quarters shall appear in black enamel the letter "R," five inches high, three and three quarters inches wide, lines one inch stroke. Anyone defacing, injuring, knocking down or removing any such sign shall be guilty of a misdemeanor; *provided, further*, that the maximum rate of speed over any bridge, dam, trestle, culvert, causeway or viaduct as well as the maximum rate of speed over any state highway or portion of state highway may be established by the state highway commission at less than the rate established by law, when in the judgment of said commission the safety of persons using the highway or the protection of the highway shall be promoted thereby, but whenever any such different rate of speed is so established by said commission, the commission shall cause to be erected suitable signs to mark the location and limits of the highway to which said different rate of speed shall apply, and such signs shall be placed at a distance of not less than one hundred feet or at a greater distance than one hundred fifty feet from the highway or portion of highway or from the approaches of any bridge, dam, trestle, culvert, causeway or viaduct with respect to which such different rate of speed may be so established. In the case of a bridge, dam, trestle, culvert, causeway or viaduct, such maximum rate of speed so established by said commission shall not be less than ten miles an hour, and in the case of any other highway or portion of highway, such maximum rate of speed so established shall not be less than fifteen miles an hour.

(b) No motor or other vehicle carrying a weight in excess of nine thousand pounds, including the vehicle, shall be operated, driven, drawn or otherwise moved on any public highway or bridge at a rate of speed greater than twenty-five miles

an hour; no motor or other vehicle carrying a weight in excess of twelve thousand pounds, including the vehicle, shall be operated, driven, drawn or otherwise moved on any public highway or bridge at a rate of speed greater than fifteen miles an hour; no motor or other vehicle carrying a weight in excess of twenty-four thousand pounds, including the vehicle, shall be operated, driven, drawn or otherwise moved on any public highway or bridge at a rate of speed greater than ten miles an hour; *provided, however*, that no motor vehicle or trailer equipped with tires made wholly or partly of metal shall be operated, driven, drawn or otherwise moved on any public highway or bridge at a rate of speed greater than six miles an hour; *provided, further*, that any such motor vehicle or trailer, with tires made wholly or partly of metal, may be operated, driven, drawn or otherwise moved, subject to the other provisions of this act, up to ten miles an hour if be equipped with springs and if the rear wheels be not less than forty-six inches in diameter, with a bearing surface of not less than eighteen inches; *and provided, further, however*, anything to the contrary herein notwithstanding, that no motor or other vehicle constructed or otherwise adapted for carrying loads weighing four tons or more, exclusive of such vehicle, shall be operated, driven, drawn or otherwise moved upon the public highway, whether laden or unladen, at a rate of speed exceeding fifteen miles an hour; *and provided, further*, that nothing contained in this subdivision shall apply to motor vehicles equipped with pneumatic tires.

(c) In case of any person arrested for violation of the provisions of this section, unless such person shall demand that he be taken forthwith before the next accessible magistrate, the arresting officer shall take the name and address of such person, and the number of his motor vehicle and notify him in writing to appear before a designated magistrate at a time and place to be specified in said writing, at least five days subsequent to the date of such notice, and upon the promise in writing of such person to appear at such time and place, such officer shall forthwith release him from custody. Any person wilfully violating such promise shall be guilty of a misdemeanor regardless of the disposition of the charge upon which he was originally arrested.

(d) Limitations as to the rate of speed herein fixed shall be exclusive of all other limitations fixed by any law of this state of any political subdivision thereof. Local authorities shall have no power to enact, enforce or maintain any ordinance, rule or regulation in any way in conflict with, contrary to or inconsistent with the provisions of this act, or of any section or other subdivision thereof, and no such ordinance, rule or regulation of said local authorities heretofore or hereafter enacted shall have any force or effect, excepting, however, that (1) such powers as are now or may hereafter be vested in local authorities to enact ordinances and regulations, applicable equally and generally to all vehicles and other users of the highways, and providing for traffic or crossing officers or semaphores, to bring about the orderly passage of vehicles and other users of the public highways on certain portions thereof, when the traffic is heavy and continuous, as well as (2) the powers now or hereafter vested in local authorities to license and to regulate the operation of vehicles offered to the public for hire, and to regulate the use of the highways for processions or assemblages, shall remain in full force and effect, and all ordinances, rules and regulations which may have been or which may be hereafter enacted in pursuance of said powers, shall remain in full force and effect; *and provided, further*, that local authorities may by general rule, ordinance or regulation, exclude vehicles from any cemetery or ground used for the burial of the dead, or exclude vehicles used solely or principally for commercial purposes from any park or part of a park system, where such general rule, ordinance, or regulation is applicable equally and generally to all other vehicles used for the same purpose; *provided*, that at the entrance or at each entrance if there be more than one, to such cemetery or park from which vehicles are so excluded, there shall have been posted a sign plainly legible from the middle of the public highway on which such cemetery or park opens, plainly indicating such exclusion and prohibition.

SEC. 17. Section twenty-three of said act is hereby repealed.

SEC. 18. Section twenty-four of said act is hereby amended to read as follows:

SEC. 24. (a) It shall be unlawful for any person to operate or drive a motor vehicle upon the public highway unless licensed by the department as hereinafter provided; *provided, however*, that the requirements of this section shall not apply to the operators or drivers of any implements of husbandry temporarily drawn, propelled or moved on the public highway. Before operating a motor vehicle upon the public highway, application for a license to operate such vehicle shall be made by mail or otherwise to the department upon a blank to be prepared, and furnished on request, by said department. The fee specified in section seven of this act shall accompany the application. To each person shall be assigned some distinguishing number or mark and the department shall issue to the licensee a certificate in such form as the department shall determine; it shall contain the distinguishing number or mark assigned to the licensee, his name, age, place of residence, business address if any, and a brief description of the licensee for the purpose of identification, and such other information as the said department shall deem necessary. Every person licensed to operate motor vehicles as aforesaid, whether as a chauffeur or operator, shall indorse his usual signature in the space on the license certificate provided for

the purpose, immediately upon the receipt of said certificate and his license shall not be valid until the certificate is so indorsed. Licenses, whether to chauffeurs or operators, shall be valid during the calendar year only in which issued. The department shall furnish to every chauffeur licensed a suitable metal badge with the distinguishing number assigned to him stamped thereon, without extra charge therefor, such badge to have stamped thereon the words "Registered Chauffeur No. - -, Cal." with the said license number and year of issue inserted therein. This badge shall thereafter be worn by such chauffeur, affixed to his clothing in a conspicuous place, at all times when he is operating or driving a motor vehicle upon the public highway, and the license certificate issued to each chauffeur or operator, under the provisions of this section, shall be carried by the licensee at all times when he is operating or driving a motor vehicle upon the public highway and shall be produced by him for inspection upon request by any peace officer. In case of the loss of such badge or certificate a duplicate will be issued by the department on the filing of an affidavit showing the fact of loss, and on payment of a fee of one dollar to the department in the case of a badge and fifty cents in case of a certificate. Duplicate license certificates shall be issued by the department to operators other than chauffeurs upon application therefor, whether in case of loss or otherwise, upon payment of a fee of twenty-five cents to the department. Applications for the annual renewal of licenses by chauffeurs shall be accompanied by the fee required by section seven of this act, but in case of operators no fee shall be required upon such renewal of license. No chauffeur's license or badge shall be issued to any applicant under the age of eighteen years; *provided*, that it shall be unlawful for any person to cause **or knowingly to permit his or her child, ward or employee to operate or drive a** motor vehicle upon the public highway, whether as a chauffeur or operator, without first having obtained such license as is hereinbefore specified; *provided*, that the application to the department of a minor to operate or drive a motor vehicle, whether as chauffeur or operator, shall not be granted by the department unless the parent or parents having the custody of such applicant or the guardian of such applicant shall have joined in said application by signing the same; *and provided, further*, that any negligence of a minor, so licensed, in operating or driving a motor vehicle upon the public highway, whether as chauffeur or operator, shall be imputed to the person or persons who shall have signed the application of such minor for said license, which person or persons shall be jointly and severally liable with such minor for **any damages caused by such negligence.**

SEC. 19. Section twenty-six of said act is hereby amended to read as follows:

SEC. 26. (a) No person shall use a fictitious name in applying for such chauffeur's or operator's license, nor shall any chauffeur or operator licensed as herein provided voluntarily permit any other person to possess or use his license certificate or badge; nor shall any person while operating or driving a motor vehicle use or **possess any license certificate or badge belonging to another person.**

(b) No person shall display or cause or permit to be displayed, or have in his possession, any canceled, revoked, suspended, altered or fictitious registration number plate, registration seal, registration certificate, operator's license certificate, chauffeur's license certificate or chauffeur's badge, as the same are respectively provided **for in this act.**

(c) No person shall knowingly buy, sell, receive, dispose of, conceal or have in his possession any motor vehicle from which the manufacturer's serial number or motor number or any other distinguishing number or identification mark has been removed, defaced, covered, altered or destroyed for the purpose of concealment or **misrepresenting the identity of said motor vehicle.**

SEC. 20. Section twenty-seven of said act is hereby amended to read as follows:

SEC. 27. No person shall operate or drive a motor vehicle or cause a trailer to be drawn upon a public highway after the thirty-first day of December, one thousand nine hundred seventeen, nor shall any owner of a motor vehicle or of any trailer permit such motor vehicle or trailer to be so operated, driven or drawn after said date, unless the requirements of this act relative to the registration of motor vehicles and trailers and to licensing of chauffeurs and operators shall have been in all respects complied with; *provided, however*, that a nonresident operator or chauffeur who has complied with the provisions of the country or state of his residence relative to the operation of motor vehicles and who, while operating a motor vehicle upon the highways of this state shall wear such badge and carry such license certificate as may have been assigned to him in the country or state of his residence, shall be exempt from license hereunder for a period not to exceed three months in any calendar year; *and provided, further*, that the provisions of this act relative to registration and the payment of the fees therefor and the display of registration number plates and seals shall not apply to a motor vehicle or trailer owned by a nonresident, other than a foreign corporation doing business in this state, who is only sojourning within this state; *provided*, that the registration number plate assigned and furnished for said motor vehicle or trailer for the current calendar year by the country or state of which such owner is a resident shall be displayed on such motor vehicle or trailer substantially as provided in this act for vehicles registered pursuant to the provisions hereof; *provided, however*, that a nonresident owner of a motor vehicle or trailer so registered in such other country or state shall, not later than twenty-four hours

after commencing to operate said vehicle, or to cause or permit the same to be operated, on any public highway within this state, apply to the department for registration of such vehicle, said application to be made upon a form to be prepared and to be furnished on request by the department, and shall state in addition to such other matters as may be required by the department, the name and post office and residence address of the applicant, together with the registration number of said vehicle in the country or state in which the same shall be registered, which country or state shall be designated by the applicant in said application. Upon receipt of said application, the department, if satisfied of the facts stated therein, shall, without charge to the applicant, register said motor vehicle or trailer and shall furnish to the applicant a registration certificate or device, of a distinctive form to be determined by the department, indicating that the holder thereof has complied with the requirements of this act and containing such other matter as may be deemed suitable by the department, which certificate or device shall be valid for a period of three months from the date of its issuance, at the end of which period it shall be returned by said owner, transportation prepaid, to the department. In case of a motor vehicle, said certificate or device shall be carried, at all times while said motor vehicle is being operated or driven upon the public highways, or shall be kept in or upon said motor vehicle, in the manner required of resident owners with respect to registration certificates, and in case of a trailer, such certificate or device shall be displayed in such manner as the department shall determine. The department shall file said applications for registration by nonresident owners and shall carefully index said applications and registrations, which files and index shall be open to inspection by the public during reasonable business hours.

SEC. 21. Section twenty-eight of said act is hereby amended to read as follows:

Sec. 28. It shall be unlawful for any person to drive or operate, or cause to be driven or operated, upon the public highway any motor vehicle not his own, whether with or without intent to steal the same, in the absence of the owner thereof and without such owner's consent; *provided*, such consent shall not be inferred in any instance because of the fact that upon a previous occasion such owner had consented to the use of the same or another motor vehicle by such person. Any person violating any of the provisions of this section shall be punished by imprisonment in the county jail for not less than one month nor more than one year or in state prison for not less than one year nor more than ten years.

SEC. 22. Section thirty-two of said act is hereby amended to read as follows:

Sec. 32. (a) Excepting as in this act otherwise provided, or where a different penalty is expressly fixed by this act, any person violating any of its provisions, or knowingly making a false statement or knowingly concealing a material fact or otherwise committing a fraud in an application for the registration of a vehicle, or in an application for an operator's or chauffeur's license, shall be guilty of a misdemeanor, and upon conviction thereof, unless in this act otherwise provided, shall be punished by a fine not exceeding five hundred dollars or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment.

(b) Immediately upon receipt by the department of information concerning the conviction of any person for the violation of section seventeen of this act, or concerning the third conviction within any calendar year of any person, for the violation of section twenty two of this act, the department shall transmit said information to the state highway commission, whereupon said highway commission, or any member thereof, shall fix a time and place for a hearing, and the person so convicted shall be served with a written notice, at least ten days prior to the date of said hearing, to appear and show cause, at such hearing, why his license to operate a motor vehicle upon the public highways should not be suspended or revoked. If upon such hearing it is determined that there is good and sufficient reason therefor, findings and an order shall be made by the commission or by the person or persons holding such hearing on behalf of the commission, to the effect that such license shall be revoked, or shall be suspended for a limited time to be determined by the commission, which findings and order shall be transmitted to the department, and the department shall thereupon forthwith revoke said license, or suspend the same, in accordance with said findings and order; *provided*, that in like manner said commission may, upon its own initiative or upon the sworn information of any person, in its discretion order the suspension or revocation of any operator's or chauffeur's license (1) if satisfied, upon such hearing as hereinbefore provided for, that such operator or chauffeur is a reckless driver or that he is an incompetent or unfit person to operate a motor vehicle because of a mental or physical infirmity or disability, or (2) when said operator or chauffeur shall have been directly concerned in an accident upon the public highway resulting in the death of any person.

If in any case the respondent shall fail to appear at the time and place fixed for any such hearing as is provided in this section, he shall be in default, and if in the opinion of the commission, or of the person or persons holding such hearing on behalf of the commission, there is sufficient reason therefor, the license of the respondent may be ordered revoked or suspended, whereupon the department shall upon notice of such order, revoke or suspend, as the case may be, such license.

Upon the suspension or revocation of any chauffeur's or operator's license, the department shall demand the surrender of the license certificate, and any duplicates

thereof that may have been issued, and also the license badge, if any, and it shall be unlawful for any person whose license has been suspended or revoked as herein provided to fail or neglect forthwith to surrender to the department any such certificates or badge in his possession or under his control.

Said commission, or any member thereof, or any person authorized to hold the hearings hereinbefore provided for, may summon witnesses in behalf of the state and may administer oaths and take testimony, may cause depositions to be taken, and may order the production of books, papers, agreements and documents.

The fees for the attendance and travel of witnesses shall be the same as for witnesses before the superior court, and shall be paid by the state upon demand by the commission filed with the controller.

The supreme court, any district court of appeal or any superior court shall have jurisdiction, upon the application of the commission, or of the motor vehicle department to enforce all lawful orders of the commission under this section

(c) In addition to any or all other punishments provided in this act and imposed by the court upon any person for violation of any of the provisions of this act, the court may, in its discretion, suspend an operator's or chauffeur's license for a period of not to exceed thirty days, in which case the court shall take up the license certificate of such person together with, in case of a chauffeur, the license badge, and shall forward them to the department.

(d) Upon the expiration of the period of suspension of any license as hereinbefore in this section provided for, the department shall return to the licensee his license certificate, or in its discretion may issue to him a new certificate, and such license shall be valid for the remainder of the current calendar year, subject to the other provisions of this act; and in like manner the department shall return to any chauffeur whose license badge may have been forwarded to the department upon suspension of his license, such license badge or issue to such licensee a new badge.

SEC. 23. Section thirty-three of said act is hereby repealed.

SEC. 24. Section thirty-four of said act is hereby amended to read as follows:

SEC. 34. There is hereby created in the state treasury a fund which shall be known as the "motor vehicle fund." All moneys received by the department under any of the provisions of this act must be paid into the state treasury within twenty-four hours after the receipt thereof and shall be deposited to the credit of the motor vehicle fund, but if at any time such payment can not be made because of the intervention of a Sunday or a holiday, then such money shall be paid into the state treasury before twelve o'clock noon of the first business day following such Sunday or holiday; *provided, however*, that there is also hereby created in the state treasury a fund which shall be known as the "operators' license fund," and the moneys received by the department for operators' or chauffeurs' licenses shall not be credited to the motor vehicle fund but to the credit of said operators' license fund. One-half of the net receipts under this act except those credited to the operators' license fund shall be paid from the motor vehicle fund to the counties from which the moneys were received, as determined by the places of residence of the persons to whom the registration certificates are issued, and all such amounts so returned shall be paid into the road funds of the several counties receiving the same, and shall be expended by such counties exclusively in the construction and maintenance of roads, bridges and culverts in said counties respectively. In the event that any county has not established a road fund, its proportion of said net receipts shall be retained by the state until provision for such road fund has been made, and it shall then be paid over. In the months of January and July of each year the department shall make to the controller a report setting forth the gross and net receipts for the preceding six months, and thereafter the controller shall draw his warrants upon the motor vehicle fund in favor of the county treasurer of each county for the amount to which such county is entitled; *provided, nevertheless*, that the controller shall not draw such warrant in favor of any county which theretofore shall not have established a road fund or which shall be delinquent in its annual report to the state department of engineering as hereinafter required. Of the moneys in said motor vehicle fund and in the operators' license fund, when such action has been authorized by the board of control, the department may draw, without at the time furnishing vouchers and itemized statements, sums not to exceed in the aggregate ten thousand dollars, said sums so drawn to be used as a revolving fund where cash advances are necessary. At the close of each fiscal year, or at any other time upon demand of the board of control, the moneys so drawn must be accounted for and substantiated by vouchers and itemized statements submitted to and audited by the board of control and by the controller. All moneys remaining in the motor vehicle fund and in the operators' license fund after the expenditures herein authorized, in addition to all sums that have been heretofore or that may be appropriated hereafter by the legislature for the same purpose, shall be expended under the direction of the state department of engineering for the maintenance and improvement of the state roads and highways under the jurisdiction of said department of engineering, and for the maintenance and improvement of roads and highways in state parks subject to the approval of the official or officials charged by law with the management and control of such parks, such moneys to be so drawn from said motor vehicle fund for the purpose of such

maintenance and improvement upon warrants executed by the state controller upon demand made by the state department of engineering, and allowed and audited by the board of control. So much of the motor vehicle fund and of the operators' license fund as may be necessary is hereby appropriated to be expended by the department in carrying out the provisions of this act; *provided, however*, that there shall not be so expended out of the motor vehicle fund in any one year more than ten per cent of said fund; *provided, further*, that said operators' license fund, or so much thereof as shall be necessary, shall be expended in the office and clerical expense of registering operators and chauffeurs and in defraying the compensation and proper expenses of such employees of the department, in section thirty-seven of this act hereinafter particularly referred to, as shall be invested with the power and charged with the duties of peace officers in the enforcement of the provisions of this act throughout the state; *and provided, further*, that the board of supervisors of each county in the state shall make an annual report to the state department of engineering not later than the first day of March in each year, upon forms to be provided by the state department of engineering, showing the amount of moneys received out of the motor vehicle fund during the preceding calendar year and the disposition of said moneys, specifying in such detail as may be required by said department of engineering the roads, bridges and culverts constructed or maintained out of said moneys and the sums applied to the several items of such construction or maintenance; *and provided, further*, that whenever said report shall not have been duly filed in the manner and form hereby provided at or before the time hereinbefore specified, no further warrants shall be drawn upon the motor vehicle fund in favor of the county treasurer of such delinquent county until said report has been furnished.

SEC. 25. Section thirty-five of said act is hereby amended to read as follows:

SEC. 35. (a) All fines or forfeitures collected in cases of conviction for violation of any of the provisions of this act following arrests by any officer employed by an incorporated municipality, except a city and county, shall be paid to the treasurer of the county in which such municipality is situated and such moneys shall belong to the several counties, to be used by them, when authorized and permitted by law, in the discretion of the respective boards of supervisors in the construction, maintenance and improvement of roads, streets, bridges and culverts within the limits of the incorporated municipalities of said counties, and for no other purpose; *provided, however*, that when not so authorized or permitted by law to use such moneys for said purposes, said counties shall receive said moneys for the benefit of, and said moneys shall belong to, the several incorporated municipalities in said counties respectively, excepting as herein otherwise provided, and at quarterly intervals the supervisors shall apportion and pay over said moneys to said municipalities according to their population ascertained in the manner provided by law, which moneys shall be expended by such municipalities solely in the construction, maintenance and improvement of streets, bridges and culverts within the city limits along routes directly connecting interurban public highways entering such cities respectively; *provided, however*, anything to the contrary herein notwithstanding, that no (1) incorporated city and county, (2) city of more than twenty-five thousand population, or (3) city operating under a freeholders charter and enforcing or seeking to enforce any ordinance, rule, or regulation in conflict with or covering the same or any part of the ground covered by this act, except as expressly permitted therein, shall be entitled to share in said moneys.

(b) Any and all other fines or forfeitures collected by or in any court for violation of any of the provisions of this act, whether by a justice of the peace, police court, city recorder's court, city justice of the peace, or otherwise, shall be paid to the treasurer of the county or incorporated city and county in which the court is held, and said moneys shall be used by the several counties and incorporated cities and counties solely in the construction, maintenance and improvement of roads, streets, bridges and culverts within their respective limits, and for no other purpose.

SEC. 26. Section thirty-seven of said act is hereby amended to read as follows:

SEC. 37. There is hereby created a department to be known as the motor vehicle department of California. The chief officer shall be known as the superintendent, who shall be a civil executive officer and shall be appointed by the governor and shall hold office at the pleasure of the governor. He shall within fifteen days from the time of notice of his appointment take and subscribe to the constitutional oath of office and file the same in the office of the secretary of state and execute to the people of the state a bond in the penal sum of ten thousand dollars. He shall receive an annual salary of three thousand dollars to be paid monthly upon a warrant of the controller. He shall have the power to appoint one chief clerk, who, shall be a civil executive officer, at an annual salary of two thousand one hundred dollars; one cashier, at an annual salary of two thousand one hundred dollars; and, with the approval of the board of control, such additional employees as the proper and economical conduct of the business of the department may demand, and shall fix and prescribe their duties, compensation and term of employment; *provided*, that such employees shall include field deputies or inspectors, upon whom are hereby conferred, for the purposes of the enforcement of this act, the powers now or hereafter vested

by law in peace officers, and who may exercise said powers in any portion of the state or of any political subdivision thereof, but solely in the enforcement of the provisions of this act. The cashier shall execute to the people of the state a bond in the penal sum of five thousand dollars. The salaries herein provided for shall be payable monthly, and the expenditures authorized by this act, shall be made upon the certificate of the superintendent of the department, allowed and audited by the board of control, and the warrant of the state controller.

SEC. 27. Section forty-two of said act is hereby repealed.

SEC. 28. There shall be printed two hundred and fifty thousand copies of said vehicle act, as amended by this act, which shall be distributed to the public on request, without charge, by the department.

SEC. 29. Excepting the provision of section eleven hereof requiring that the light displayed upon a trailer shall illuminate the number plate carried upon such trailer, each and all of the provisions of sections one, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, twenty-one, twenty-two, twenty-three, twenty-five, twenty-seven, twenty-eight and twenty-nine of this act, together with such provisions of section twenty-six of this act as relate to the salaries of the officers or employees of the department, and such other provisions of this act as relate to or require the preparation or purchase of forms and supplies, and other work incident to the registration of motor vehicles and trailers and the licensing of operators and chauffeurs, shall go into effect ninety days after the final adjournment of this session of the legislature, and the remainder of this act shall go into effect at midnight on the thirty-first day of December, in the year one thousand nine hundred seventeen.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 491—An act declaring and establishing a state highway from the city of San Bernardino, by way of Arrowhead avenue, Waterman Canyon, the "Crest Drive" and Mill Creek to the city of Redlands.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of lines 3, 4, 5, 6, 7, 8 and 9 of the printed bill and insert in lieu thereof the following:

Beginning at a point in Waterman canyon at the termination of the pavement of the San Bernardino county highway system, thence following the meanderings of the road known as the "Crest drive" into Bear valley, ending at a point directly opposite the most easterly point of Bear lake.

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 13 of the printed bill, strike out the word "and", also the word "further" and the comma following.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 954—An act to provide compensation for state employees on certain legal holidays.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 3, strike out the comma following the word "holidays" and the words "except Sundays".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out the period at the end of line 5 and all of lines 6 and 7, and insert in lieu thereof a comma and the following: "in which case they shall receive such extra compensation as is prescribed by the prevailing rate of wages paid in the same community for the same class of work."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 923—An act to amend the Penal Code, by amending section 499*b* thereof.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1173—An act providing for the taking over by the State of California of a certain road in Boulder Creek Township, county of Santa Cruz, and for the maintenance and improvement of the same as a state road under the supervision of the State Department of Engineering.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1150—An act to amend an act entitled "An act to promote drainage," approved March 18, 1885, by adding a new section thereto to be numbered 20½, providing for the disincorporation of drainage districts.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 853—An act to regulate and limit the amount that may be produced by tax levies in the aggregate by political subdivisions of this State, and repealing all acts and parts of acts in conflict with this act.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, following the word "therein" strike out the period and insert in lieu thereof a semicolon and the following: "and the term 'year' shall mean and refer to fiscal year."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 2, of the printed bill strike out the word "an" and insert in lieu thereof the following: "a current or".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 11, of the printed bill strike out the words "next succeeding" and insert in lieu thereof the word "current"; also, on page 2, line 13, strike out the word "succeeding" and insert in lieu thereof the word "current".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 29, of the printed bill strike out the word "sixty" and insert in lieu thereof the word "ninety".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, beginning with line 13, of the printed bill strike out all of section 4 and insert in lieu thereof the following:

SEC. 4. A state board of authorization is hereby created for the purpose of determining whether an emergency or urgent necessity exists by reason of which any political subdivision may make tax levies that will produce an amount greater than the amount limited by section six; to prescribe the forms mentioned in section three; and to have such other powers and duties as are hereinafter vested therein. The members of the said board shall be the state controller, the chairman of the state board of control, the chairman of the state board of equalization, and two other persons in the service of the state, to be appointed by the governor. The members of the state board of authorization shall organize by electing a chairman and a secretary from their own number.

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 24, of the printed bill, strike out the word "forty-five" and insert in lieu thereof the word "sixty".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 4, line 18, of the printed bill, after the period following the word "six." insert the following: "In correcting or revising any proposed levies or budget so returned for correction or revision, the governing body shall make due provisions in any event, first, for the principal and interest of bonded indebtedness, and, second, for the support and maintenance of the public schools."

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 6, lines 11 and 12, of the printed bill strike out all matter preceding the word "Such" and insert in lieu thereof the following: "but if the number of votes cast in the affirmative shall be less than two-thirds of all the votes cast at such election, the governing body shall not have such power."

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 6, line 13, of the printed bill strike out the word "ten" and insert in lieu thereof the word "fifteen".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 8 of the printed bill, following section 15, add a new section to be known as section 16 and to read as follows:

SEC. 16. This act is hereby declared to be an urgency measure, within the meaning of section one, article four of the constitution of the State of California, and shall take effect immediately.

The facts constituting such urgency are as follows: The state of war existing between the United States of America and the Imperial German government makes necessary the immediate imposition of heavy additional taxes by the government of the United States which will be felt in the political subdivisions of this state. In order that the financial and tax-paying ability of the political subdivisions of this state be safeguarded and conserved in the interests of the public safety, especially during the fiscal year 1917 1918, it is necessary, for the immediate preservation of the public safety, that this act take effect immediately.

Amendment adopted.

AMENDMENTS FROM FLOOR.

During the second reading of Senate Bill No. 853, the following amendment was offered and its adoption moved by Senator Benson:

AMENDMENT NUMBER ONE.

Amend section 14 of the printed bill by striking out all of line 29, on page 7, of the printed bill after the period therein and by striking out all of lines 30, 31, 32 and 33, and all of line 34 on said page before the word "From" therein.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Ingram:

SENATE CHAMBER, SACRAMENTO, April 14, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2, Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend section 626 of the Penal Code, relating to the protection of game.

Request referred to Committee on Rules.

REQUEST FOR LEAVE OF ABSENCE.

Senator Crowley asked for, and was granted, leave of absence for Monday, April 16th, Tuesday, April 17th, and Wednesday, April 18th.

ADJOURNMENT.

At one o'clock p.m., on motion of Senator Benson, the President pro tempore declared the Senate adjourned until Monday, April 16th, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Monday, April 16, 1917.

The Senate met at eleven o'clock a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Thompson—36.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Saturday, April 14, 1917, its further reading was dispensed with, on motion of Senator Crowley.

LEAVES OF ABSENCE.

Senator Tyrrell was, on motion of Senator Carr, F. M., granted leave of absence for this day.

Senator Burnett was, on motion of Senator Scott, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Breed, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. Herbert L. Breed of Oakland.

COMMUNICATIONS.

The following communication was presented by Senator Rigdon, and ordered printed in the Journal:

GONZALES, CALIFORNIA, April 13, 1917.

Hon. E. S. Rigdon, Sacramento, California.

DEAR SIR: The Board of Trustees of the Gonzales Union High School wish to very respectfully state to you that the board is unalterably opposed to any legislation which will make the high school textbooks of the State of California uniform.

Very respectfully submitted.

PAUL BIANCHI, President.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 397—An act appropriating money for the improvement of the grounds of the Los Angeles State Normal School;

Also: Assembly Bill No. 316—An act to appropriate money to be used as a revolving fund by the Sixth District Agricultural Association for the purpose of creating, installing and maintaining special expositions at Exposition Park, Los Angeles;

Also: Assembly Bill No. 602—An act to establish an institution for the care, training, confinement, discipline and instruction of feeble-minded and epileptic persons and for the study of mental deficiency and related problems, to provide for commitment thereto, for the maintenance thereof, for the manufacture of certain articles for sale, and to make an appropriation therefor;

Also: Assembly Bill No. 94—An act to amend section 3 of an act entitled "An act to establish a state training school for girls; to provide for the maintenance and management of the same; and to make an appropriation therefor," approved June 14, 1913, as amended; and to provide penalties for permitting or aiding escapes from such school and for concealing inmates thereof, and providing for the arrest of fugitives therefrom;

Also: Assembly Bill No. 1319—An act to amend section 4239 of the Political Code, relating to county officers in counties of the tenth class;

Also: Assembly Bill No. 674—An act to amend section 3766 of the Political Code, relating to the manner of publication of the delinquent tax list;

Also: Assembly Bill No. 1425—An act to establish and permanently locate the boundary line between the county of Riverside, and the county of San Bernardino.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 397 read first time, and referred to Committee on Finance.

Assembly Bill No. 316 read first time, and referred to Committee on Finance.

Assembly Bill No. 602 read first time, and referred to Committee on Finance.

Assembly Bill No. 94 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1319 read first time, and referred to Committee on County Government.

Assembly Bill No. 674 read first time, and referred to Committee on County Government.

Assembly Bill No. 1425 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 784—An act appropriating money for the purpose of improving certain streets and roadways adjacent to Santa Barbara State Normal School at Santa Barbara, California;

Also: Assembly Bill No. 490—An act making an appropriation for general repairs and improvements at the Whittier State School;

Also: Assembly Bill No. 1353—An act to authorize the State Board of Prison Directors to provide for assisting paroled and discharged prisoners and to secure employment for the same and making an appropriation for that purpose;

Also: Assembly Bill No. 1462—An act to appropriate money to be expended under the direction of the State Board of Control in cooperation with the Federal Government to carry out the project adopted by Congress for the protection of the navigability of Los Angeles and Long Beach harbors and providing for the future completion of the entire project;

Also: Assembly Bill No. 606—An act to amend section 3818 of the Political Code, relating to redemption from tax sale;

Also: Assembly Bill No. 1424—An act to provide for the formation, government, organization, operation and dissolution of local health districts in any part of the State and for changing the boundaries thereof, the appointment and compensation of local district health officers, their duties and assistants, defining the qualifications, powers and duties of such officers; and to provide for the assessment, levy, collection, custody and disbursement of taxes therein.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 784 read first time, and referred to Committee on Finance.

Assembly Bill No. 490 read first time, and referred to Committee on Finance.

Assembly Bill No. 1353 read first time, and referred to Committee on Finance.

Assembly Bill No. 1462 read first time, and referred to Committee on Finance.

Assembly Bill No. 606 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1424 read first time, and referred to Committee on Public Health and Quarantine.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 757—An act to add a new section to the Penal Code, to be numbered 631c, relating to the protection of fish and game and providing for additional penalties for the violation of the laws relating thereto.

Also: Assembly Bill No. 758—An act to amend section 636 of the Penal Code of the State of California, relating to the protection of fish and game;

Also: Assembly Bill No. 405—An act to provide for a license for trapping fur-bearing mammals for profit, defining fur-bearing mammals and requiring reports to be filed with the Fish and Game Commission;

Also: Assembly Bill No. 825—An act to provide for the consolidation of two or more irrigation districts organized or existing under or by virtue of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or a construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, and of the acts of which it is supplemental or amendatory and the acts supplemental or amendatory thereto;

Also: Assembly Bill No. 752—An act to amend section 626s of the Penal Code of the State of California, relating to hunting of game in certain districts;

Also: Assembly Bill No. 759—An act to amend an act entitled "An act to divide the State of California into six fish and game districts," approved March 21, 1911.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 757 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 758 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 405 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 825 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 752 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 759 read first time, and referred to Committee on Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 949—An act to create a reclamation district to be called "Reclamation District No. 2020," and providing for the control and management thereof, and repealing all acts and parts of acts inconsistent with this act;

Also: Assembly Bill No. 1109—An act to amend sections 2618 and 2621 of the Political Code, relating to highways;

Also: Assembly Bill No. 1452—An act to amend section 321*a* of the Civil Code, relating to the change of the principal place of business by a corporation;

Also: Assembly Bill No. 215—An act to validate bonds of the Los Angeles county flood control district and all proceedings relating thereto, and making final and conclusive, except as therein provided, the official canvass of election returns of the election at which said bonds were voted;

Also: Assembly Bill No. 296—An act to amend section 660 of the Code of Civil Procedure, relating to time of hearing motion for new trial;

Also: Assembly Bill No. 1332—An act to cure defects in maps or plats filed for record prior to January 1, 1917, and in deeds or conveyances referring to such maps.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 949 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 1109 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1452 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 215 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 296 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1332 read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 16, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Concurrent Resolution No. 25—Relative to tidelands granted to the city of San Diego;

Also: Senate Joint Resolution No. 13—Relative to the emancipation of Russia from autocratic rule;

And reports that the same have been correctly engrossed.

ROMINGER, Acting Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 731—An act to amend sections 3446, 3447, 3449, 3452, 3453, 3454, 3455, 3456, 3457, 3459, 3460, 3462, 3463, 3465 and 3466, and to repeal sections 3467 and 3468, of the Political Code, relating to swamp and overflowed, salt marsh and tidelands—and reports that the same has been correctly re-engrossed.

ROMINGER, Acting Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 1023—An act relating to corporations and to the issue of shares by them without a nominal or par value;

Also: Senate Bill No. 228—An act to amend section 304 of the Civil Code, relating to entries to be made in the book of by-laws kept by corporations;

Also: Senate Bill No. 555—An act to provide for the formation, government, operation and dissolution of forest fire districts, in any part of the State of California, to prevent and extinguish forest, brush and grass fires therein, and protect persons and property from injury, loss or damage resulting from any such fires, and to provide for the assessment, levy, collection and disbursement of taxes and revenues therein, and the contribution or payment of public funds therefor;

Also: Senate Bill No. 261—An act to amend section 1920 of the Civil Code, relating to interest on judgments;

Also: Senate Bill No. 1158—An act to amend section 1557 of the Penal Code, relating to the accounts of persons employed to bring back fugitives from the State;

Also: Senate Bill No. 922—An act to amend the Penal Code by repealing section 499c thereof;

Also: Senate Bill No. 923—An act to amend the Penal Code, by amending section 499b thereof;

Also: Senate Bill No. 1173—An act providing for the taking over by the State of California of a certain road in Boulder Creek township, county of Santa Cruz, and for the maintenance and improvement of the same as a state road under the supervision of the State Department of Engineering;

Also: Senate Bill No. 1150—An act to amend an act entitled "An act to promote drainage," approved March 18, 1885, by adding a new section thereto, to be numbered 20½, providing for the disincorporation of drainage districts;

And reports that the same have been correctly engrossed.

ROMINGER, Acting Chairman.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 16, 1917.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 448—An act to amend section 626s of the Penal Code, relating to the protection of game—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

SLATER, Chairman.

Senate Bill No. 448 ordered on file for second reading.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 16, 1917.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 928—An act to amend an act entitled "An act regulating the employment and hours of labor of children; prohibiting the employment of minors under certain ages; prohibiting the employment of certain illiterate minors; providing for the enforcement thereof by the commissioner of the bureau of labor statistics and providing penalties for the violation hereof," approved February 20, 1905, as amended by an act approved April 14, 1911, as further amended by an act approved June 2, 1913, as further amended by an act approved June 5, 1915—has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Senate Bill No. 928 ordered on file for second reading.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, April 16, 1917.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Assembly Bill No. 470—An act to provide for the extermination of ground squirrels in certain districts in counties and cities and counties authorizing the filing of petitions with boards of supervisors or other governing board of such county or city and county, praying for the establishment of districts for the extermination of such squirrels and creating the office of squirrel commissioner, providing the method of his appointment and providing for his compensation and expenses and those of his deputies and assistants; making the charges and expenses of such extermination primarily a county charge; and providing for the assessment and collection of certain charges therefor against certain property owners, for purpose of reimbursing the county; providing for the imposition of fines on delinquent owners and occupants; imposing certain duties upon owners and occupants of certain lands and declaring persons violating same guilty of a misdemeanor; and for the dissolution of the district—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

KING, Chairman.

Assembly Bill No. 470 ordered on file for second reading.

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 14, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator King to introduce a bill entitled "An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for the payment of claims and judgments together with costs and interest upon such judgments—has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

CALL OF THE SENATE.

The roll was called in accordance with the provisions of section 2 of Article IV of the Constitution on the adoption of the above report.

Pending the announcement of the vote, Senator King moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Ballard, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, King, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—26.

The Secretary announced the absentees.

Time, eleven o'clock and twenty minutes a.m.

The President pro tempore directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At eleven o'clock and twenty-five minutes a.m., Senators Benson, Crowley, Johnson and Jones were brought to the bar of the Senate, and, on motion of Senator King, were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and twenty-six minutes a.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator King.

The Secretary was directed to call the roll, on the adoption of the above report, of the Senators who had not answered to their names.

The roll was called, and the above report adopted by the following vote:

AYES—Senators Ballard, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, King, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Thompson—31.

NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Chandler to introduce a bill entitled—An act appropriating money for the purchase of additional dairy cows for the Folsom State Prison—has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, King, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—30.

NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Canepa to introduce a bill entitled—An act to add a new section to the Civil Code, to be numbered section 1861*a*, relating to liens of keepers of furnished apartment houses—has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, King, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—31.

NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Evans to introduce a bill entitled—An act to add a new section to the Civil Code to be numbered 1215*a*, relating to the rights of parties dealing in grown, growing or harvested crops—has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, King, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—31.

NOES—None.

Also:

Mr. President: Your Committee on Rules to which was referred the request of Senator Kelso to introduce a bill entitled "An act authorizing municipalities [illegible] to acquire by the purchase of such property and appropriate a sinking fund for retiring of the purchase bonds issued for the same under [illegible] such municipality, reports the same back and recommends that the request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

Ayes—Senators Bullard, Bond, Brown, Cayton, Cox, F. M. Cox, W. J. Chamberlin, Chandler, Crawford, Dodson, Dunn, Fisher, Gates, Hare, Harris, Jones, Kelso, King, Lane, McDonald, Mathes, Nelson, Parker, Robb, Sargent, Scott, Sharkey, Slater, Smallwood, and Thompson—31.

Noes—None.

Also:

Mr. President: Your Committee on Rules to which was referred the request of Senator Harris to introduce a bill entitled "An act to amend section [illegible] of the Penal Code relating to the enticement of minors," [illegible] the same under consideration, and unanimously reports the same back and recommends that the request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

Ayes—Senators Bullard, Bond, Brown, Cayton, Cox, F. M. Cox, W. J. Chamberlin, Chandler, Crawford, Dodson, Dunn, Fisher, Gates, Hare, Harris, Jones, Kelso, King, Lane, McDonald, Mathes, Nelson, Parker, Robb, Sargent, Scott, Sharkey, Slater, Smallwood, and Thompson—31.

Noes—None.

Also:

Mr. President: Your Committee on Rules to which was referred the request of Senator Harris to introduce a bill entitled "An act to amend section [illegible] of the Penal Code relating to the enticement of minors," [illegible] the same under consideration, and unanimously reports the same back and recommends that the request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

Ayes—Senators Bullard, Bond, Brown, Cayton, Cox, F. M. Cox, W. J. Chamberlin, Chandler, Crawford, Dodson, Dunn, Fisher, Gates, Hare, Harris, Jones, Kelso, King, Lane, McDonald, Mathes, Nelson, Parker, Robb, Sargent, Scott, Sharkey, Slater, Smallwood, and Thompson—31.

Noes—None.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

PRESIDENT SEBASTIAN C. W. KEYSER IN THE CHAIR.

The following bills were introduced in accordance with the above reports:

By Senator King: Senate Bill No. 1754—An act authorizing the incorporation of industrialists by cities, towns and municipal corporations

for the payment of claims and judgments together with costs and interest upon such judgments.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Chandler: Senate Bill No. 1185—An act appropriating money for the purchase of additional dairy cows for the Folsom State Prison.

Bill read first time, and referred to Committee on Finance.

By Senator Canepa: Senate Bill No. 1186—An act to add a new section to the Civil Code, to be numbered section 1861*a*, relating to liens of keepers of furnished apartment houses.

Bill read first time, and referred to Committee on Judiciary.

By Senator Evans: Senate Bill No. 1187—An act to add a new section to the Civil Code to be numbered 1215*a*, relating to the rights of parties dealing in grown, growing or harvesting crops.

Bill read first time, and referred to Committee on Judiciary.

By Senator Kehoe (by request): Senate Bill No. 1188—An act prohibiting misrepresentations as to contracts for the purchase of real property, and providing a penalty for violation of the provisions hereof.

Bill read first time, and referred to Committee on Judiciary.

By Senator Flaherty: Senate Bill No. 1189—An act to amend section 2024 of the Code of Civil Procedure, relating to taking depositions out of the State.

Bill read first time, and referred to Committee on Judiciary.

By Senator Ingram: Senate Bill No. 1190—An act to amend section 626*a*, of the Penal Code, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

SENATOR HANS IN THE CHAIR.

At eleven o'clock and forty-five minutes a.m., Senator Hans of the Fourteenth District was called to the chair.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendment to Senate Joint Resolution No. 14—Relative to the universal military training bill before the United States Congress.

ASSEMBLY AMENDMENT TO SENATE JOINT RESOLUTION NUMBER FOURTEEN.

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed resolution, insert after the word "training" the words "during the present national crisis.", and before the period after the word "training", in line 14, insert "during the present national crisis."

The question being: Shall the Senate concur in Assembly amendment to Senate Joint Resolution No. 14?

The roll was called, and the Senate refused to concur in Assembly amendment to Senate Joint Resolution No. 14, by the following vote:

AYES—Senator McDonald—1.

NOES—Senators Ballard, Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Slater, Stuckenbruck, and Thompson—25.

Resolution ordered transmitted to the Assembly.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At twelve o'clock m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 1090—An act to amend sections 1, 2, 3, 6, 7, 12, 15 and 16 of an act entitled "An act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911, as amended.

On motion of Senator Scott, Senate Bill No. 1090 was passed on file.

Senate Bill No. 516—An act to amend section 1521 of the Political Code, relating to the compensation and expenses of members of the State Board of Education and Assistant Superintendents of Public Instruction.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 516 passed by the following vote:

AYES—Senators Ballard, Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Gates, Hans, Ingram, Johnson, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Scott, Sharkey, Slater, Stuckenbruck, and Thompson—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Crowley:

SENATE CHAMBER, SACRAMENTO, April 16, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2, Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act appropriating money for the purchase and installation of boilers for the Veterans' Home.

Request referred to Committee on Rules.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 731—An act to amend sections 3446, 3447, 3449, 3452, 3453, 3454, 3455, 3456, 3457, 3459, 3460, 3462, 3463, 3465 and 3466, and to repeal sections 3467 and 3468, of the Political Code, and relating to swamp and overflowed, salt marsh and tidelands.

In the absence of the author, Senate Bill No. 731 was ordered passed, to retain its place on the file.

Senate Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending section 16½ of Article XI thereof, relating to the deposit of moneys belonging to the State or to any county or municipality within the State in any bank or banks.

In the absence of the author, Senate Constitutional Amendment No. 34 was ordered passed, to retain its place on the file.

Senate Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by adding thereto a new section to be known as section 5 of Article XIII, providing for the exemption of certain property from taxation.

On motion of Senator Kehoe, Senate Constitutional Amendment No. 27 was passed on file.

Senate Bill No. 1106—An act appropriating money to pay the claim of ——— covering the funeral expenses of John M. Eshleman.

On motion of Senator Benson, Senate Bill No. 1106 was passed on file.

Senate Bill No. 159—An act to create a cattle protection board, to define its powers and duties, to protect the breeders and growers of cattle from theft, to provide for the registration of cattle brands and the licensing of cattle slaughterers and sellers of the meat thereof, to provide for the inspection of cattle and cattle hides for brands and marks, to provide for the collection of license and inspection fees, to provide for the creation of a fund to be known as the cattle protection fund, and to provide penalties for violation of the provisions hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 159 passed by the following vote:

AYES—Senators Benson, Breed, Canepa, Carr, W. J., Chamberlin, Crowley, Duncan, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Kehoe, Luce, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Scott, Sharkey, Slater, and Thompson—24.

NOES—Senator Duncan—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 587—An act to add a new section to the Political Code to be numbered 2983, relating to the office of attorney for the State Board of Health, and repealing all acts inconsistent therewith.

On motion of Senator Kehoe, Senate Bill No. 587 was passed on file.

Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the Constitution by adding a new section 15 to Article XIII, relating to revenue and taxation.

On motion of Senator Benson, Senate Constitutional Amendment No. 31 was passed on file.

Senate Bill No. 49—An act to repeal section 55*a* of the Penal Code, relative to soliciting, demanding, or pledging votes for or against any particular bill or measure.

On motion of Senator Duncan, Senate Bill No. 49 was passed on file.

Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending section 1 of Article IV thereof, relating to legislative powers, and reserving to the people of the State of California the power to propose laws, statutes and amendments to the Constitution and to enact the same at the polls, independent of the Legislature, and also reserving to the people of the State of California the power to

approve or reject at the polls any act or section or part of any act of the Legislature.

Resolution read.

COMMITTEE AMENDMENT.

During reading of the resolution, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, lines 14 and 15, strike out the words "two hundred" and substitute in lieu thereof the word "ninety".

Amendment adopted.

Resolution ordered to print.

Senate Bill No. 881—An act to amend section 2185*b* of the Political Code, relating to temporary and voluntary patients in the state hospitals.

In the absence of the author, Senate Bill No. 881 was ordered passed, to retain its place on the file.

Senate Bill No. 941—An act to amend section 1543 of the Political Code, relating to the duty of the superintendent of schools, and to add a new section to the Political Code, to be numbered section 1582, relating to his duties concerning the lapsing and suspension of school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 941 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Chamberlin, Crowley, Evans, Flaherty, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rominger, Scott, Sharkey, Slater, Stuckenbruck, and Thompson—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 947—An act to add new sections to the Political Code, to be numbered section 1547 and section 1671, relating to the apportionment of school moneys by the county superintendent of schools and the minimum school day, and to repeal section 1858 of the Political Code, relating to the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 947 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Chamberlin, Crowley, Evans, Flaherty, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Thompson—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., the hour of recess was extended until twelve o'clock and thirty-five minutes p.m.

RESOLUTION.

The following resolution was offered:

By Committee on Rules:

WHEREAS, The approach of the adjournment of the Legislature sine die requires that the time of the Legislature be conserved to the utmost; therefore, be it

Resolved, That from and after this date, speeches on the floor of the Senate be limited to ten minutes in length, for opening speeches and five minutes for all other speeches. Extensions of time beyond said periods may be granted only by unanimous consent.

BREED, Chairman.

Resolution read.

MOTION.

During reading of the report, Senator Duncan moved to amend the resolution as follows:

Strike out the word "unanimous" and insert the word "two-thirds".

Motion lost.

Senator Benson moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Crowley, Evans, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, King, Luce, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Thompson—29.

NOES—None.

RECESS.

At twelve o'clock and thirty-five minutes p.m., on motion of Senator Benson, the President pro tempore declared the Senate at recess until the hour of two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 240—An act to amend section 13 of an act entitled "An act for the preservation of public health of the people of the State of California and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907, as amended by acts approved April 1, 1911, and June 13, 1913.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 1, beginning with the word "or" after the word "diseases", strike out all down to and including the word "diseases" on same line.

AMENDMENT NUMBER TWO.

On page 2, line 5, beginning with the word "each", strike out all down to and including the word "and" before the word "each" on line 6.

AMENDMENT NUMBER THREE.

On page 2, line 15, strike out the words "and carriers".

AMENDMENT NUMBER FOUR.

On page 2, line 18, strike out the words "and every carrier".

AMENDMENT NUMBER FIVE.

On page 4, line 13, beginning with the word "or" after the word "case", strike out all down to and including the word "carrier" on same line.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Stuckenbruck, Purkitt, and McDonald upon the adoption of the committee amendments.

Thereupon the Secretary was directed to call the roll.

The roll was called, and the committee amendments refused adoption by the following vote:

AYES—Senators Brown, Canepa, King, Nealon, Purkitt, Rominger, Rush, Scott, and Stuckenbruck—9.

NOES—Senators Ballard, Benson, Breed, Carr, F. M., Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Johnson, Luce, McDonald, Maddux, Sharkey, Thompson, and Tyrrell—18.

Bill read second time, and ordered on file for third reading.

SENATOR TYRRELL IN THE CHAIR.

At two o'clock and fifteen minutes p.m., Senator Tyrrell of the Sixteenth District was called to the chair.

NOTICE OF MOTION TO RECONSIDER.

Senator McDonald gave notice that on the next legislative day he would move to reconsider the vote by which the committee amendments to Assembly Bill No. 240 were refused adoption.

RULING BY THE CHAIR.

The Acting President announced that notice of motion to reconsider the vote whereby the committee amendments to Assembly Bill No. 240 were refused adoption, was not in accordance with the rules of the Senate.

Assembly Bill No. 8—An act to increase the number of judges of the superior court of the county of Fresno, and to provide for the appointment of an additional judge.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 107—An act appropriating five thousand five hundred dollars for restoring, repairing and preserving the old custom house in the city of Monterey, California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 108—An act appropriating three thousand five hundred dollars for restoring, repairing and preserving the old theater in the city of Monterey, California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 229—An act making an appropriation to aid in the construction of a breakwater in Monterey Bay, California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 343—An act appropriating money for the construction of a cottage for disturbed patients at the Stockton State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 342—An act appropriating money for the purchase of 483 acres of land to be used as a farm by the Stockton State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 348—An act appropriating money for the construction of workers' cottage for men at the Agnews State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 398—An act appropriating money to enable the State Normal School at Los Angeles to hold Saturday sessions.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 414—An act appropriating money for the construction of administration building at the Norwalk State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 415—An act appropriating money for the construction of three patients' cottages at the Norwalk State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 447—An act appropriating money for the maintenance and support of the Los Angeles Exposition.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 448—An act appropriating money for the construction and equipment of a heating plant at the Lick Observatory of the University of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 453—An act appropriating money for the construction of trades building at the Whittier State School.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 454—An act appropriating money for equipment and general repairs and alterations to buildings, structures and equipment at the Whittier State School.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 513—An act appropriating money for the equipment of trades building and gymnasium at the California School for Girls.

Bill read second time, and ordered on file for third reading

Assembly Bill No. 515—An act appropriating money for the construction of trades building and gymnasium at the California School for Girls.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 516—An act appropriating money for the furnishing of four cottages at the California School for Girls.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 517—An act appropriating money for service connections to new buildings at the California School for Girls.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 520—An act appropriating money for the construction of three cottages at the California School for Girls.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 525—An act to provide for the return to the owners thereof of any funds deducted from teachers' retirement salaries in

excess of the amounts directed by law to be so deducted; prescribing the procedure relative thereto, and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 651—An act making an appropriation for the painting of the State Capitol Building.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 857—An act making an appropriation for the payment of the claim of the Amador Central Railroad Company for excess taxes paid to the State of California for the calendar years 1912, 1913 and 1914.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1015—An act to appropriate money to pay the claim of Union Tank Line Company upon a judgment rendered against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1090—An act appropriating money to pay the claim of J. H. Farraher.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1091—An act appropriating money to pay the claim of N. E. Conklin.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1092—An act appropriating money to pay the claim of D. F. Conway.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1116—An act to provide for the reforestation, the cutting of fire lanes and fire trails on the Angeles National Forest and to make an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1131—An act appropriating money for the use of the Railroad Commission in the regulation of utilities within incorporated cities during the sixty-ninth and seventieth fiscal years.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1188—An act appropriating money to pay the cost of printing, publishing and distributing state textbooks free to the school children of the State in accordance with the provisions of the Constitution.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1230—An act appropriating money for the purchase of laundry machinery for the Napa State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1231—An act appropriating money for the construction of power house and the purchase of machinery for same for the Napa State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1232—An act appropriating money for the installation of electric elevators at the Napa State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1233—An act appropriating money for the construction of sewer line at the Napa State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1257—An act appropriating money to pay traveling expenses incurred by county treasurers in making settlements with the State.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1270—An act to appropriate money for repairs and additions to mechanical equipment at the Stockton State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1271—An act to appropriate money for alterations and additions to kitchen and bakery and equipment therefor at Stockton State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1283—An act to provide for the prevention of forest fires in the San Antonio Canyon in the San Gabriel Mountains, California, and to make an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1312—An act appropriating money for a nurses' home and industrial building at the Southern California State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1406—An act to appropriate money to pay the deficiency in the appropriation for printing and distributing constitutional amendments for the sixty-seventh fiscal year.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1407—An act making an appropriation to meet the expense of compiling, printing and distributing constitutional amendments.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1438—An act appropriating money for completion, reclamation and irrigation of lands of the Napa State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 988—An act to amend section 67*a* of the Code of Civil Procedure, relating to the number of superior court judges and providing for the appointments of six additional superior court judges in counties of the first class and providing for their compensation.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, lines 3 and 4, strike out the hyphen following the word "twenty", and in line 4, strike out the word "two".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 4, after the word "appoint" strike out the word "four" and insert in lieu thereof the word "two".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 9, after the comma following the figures "1918" strike out the word "four" and insert in lieu thereof the word "two".

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 1093—An act appropriating money to pay the claim of Mrs. George Webb for the death of her husband.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, in lines 2 and 3 of the title of the printed bill, insert a period in line 2 following the word "Webb", and strike out the word "for"; also, strike out all of line 3.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, in lines 4 and 5, of the printed bill, insert a period after the word "Webb" in line 4, striking out the words "for the death"; also, strike out all of line 5.

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 847—An act to repeal section 4099 of the Political Code, relating to the duties of the auditor and treasurer.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1114—An act permitting any incorporated city, municipal corporation or town to make agreements with the board of supervisors, highway commissioners, commissioner or other authority in charge of the roads and highways of the county in which it is situate for the construction, maintenance and supervision of its roads and streets as a road district of such county and to make agreements with any similar state authority for the construction or maintenance of any main state highway within its limits.

Bill read second time, and ordered on file for third reading.

SECOND READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 716—An act relating to the regulation of real estate brokers, agents, salesmen and dealers in the State of California.

On motion of Senator Gates, Senate Bill No. 716 was passed on file.

Senate Bill No. 147—An act to amend section 1 of an act entitled "An act to fix the salaries of the State Forester, Deputy Forester and Assistant Forester," approved March 22, 1909, and repealing all acts and parts of acts inconsistent herewith.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 242—An act appropriating money for necessary buildings, equipment and live stock for animal husbandry department at the University of California Farm School at Davis.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 259—An act appropriating money to cover the cost of grading and filling ground on farm of Stockton State Hospital.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 584—An act creating a State Land Settlement Board and defining its powers and duties and appropriating the sum of two hundred sixty thousand dollars in aid of its operations.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 682—An act appropriating money for the purpose of financing the scientific investigation and search for certain beneficial insects.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 786—An act to appropriate money to cover the cost of installing a new heating distribution system in the administration and ward buildings at the Mendocino State Hospital.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 788—An act to appropriate money to cover the cost of the construction of a nurses' home at the Mendocino State Hospital.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 930—An act to amend sections 9 and 10 of an act entitled "An act to establish and support a Bureau of Labor Statistics," approved March 3, 1883.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1002—An act making an appropriation for the purchase by the State Agricultural Society, of a large tent and movable seats therefor.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1013—An act to appropriate money to pay the claim of Geo. F. Gray against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1036—An act appropriating money to pay the claim of Annie Paul against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1037—An act appropriating money to pay the claim of Frank B. Perfield against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1038—An act appropriating money to pay the claim of William A. Anderson against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1039—An act appropriating money to pay the claim of Patrick Sullivan against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1040—An act appropriating money to pay the claim of C. D. Christoffersen against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1041—An act appropriating money to pay the claim of C. Schmidt Broderson against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1042—An act appropriating money to pay the claim of Thomas J. Stewart against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1043—An act appropriating money to pay the claim of S. I. Cozad against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1044—An act appropriating money to pay the claim of Bela Friedman against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1045—An act appropriating money to pay the claim of Fred Thonhoff against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1046—An act appropriating money to pay the claim of Harland Wehr against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1047—An act appropriating money to pay the claim of Nicholas Brier against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1048—An act appropriating money to pay the claim of Frank De La Piedra against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1049—An act appropriating money to pay the claim of Michael Smith against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1050—An act appropriating money to pay the claim of A. P. Prather against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1051—An act appropriating money to pay the claim of J. A. Cochran against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1052—An act appropriating money to pay the claim of Louisa Nichols against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1053—An act appropriating money to pay the claim of I. J. Hoover against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1054—An act appropriating money to pay the claim of William H. Boswell against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1055—An act appropriating money to pay the claim of Clarence Hall against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1056—An act appropriating money to pay the claim of George L. Makley against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1057—An act appropriating money to pay the claim of Joseph Fox against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1058—An act appropriating money to pay the claim of Mathilde da Conceidao D'Abreau Chulata against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1059—An act appropriating money to pay the claim of J. R. Summers against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1060—An act appropriating money to pay the claim of Matilda J. Osborn against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1061—An act appropriating money to pay the claim of W. H. Long against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1062—An act appropriating money to pay the claim of Robert A. Thomas against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1063—An act appropriating money to pay the claim of Louise J. Maier against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1064—An act appropriating money to pay the claim of William Bottini against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1065—An act appropriating money to pay the claim of Julius Keller against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1066—An act appropriating money to pay the claim of J. W. Arbulich against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1067—An act appropriating money to pay the claim of Melquiades Moreno against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1068—An act appropriating money to pay the claim of Julius W. Sands against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1069—An act appropriating money to pay the claim of H. C. Young against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1070—An act appropriating money to pay the claim of Alina Waara against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1071—An act appropriating money to pay the claim of Henry Behre against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1072—An act appropriating money to pay the claim of Simon Ilhero against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1073—An act appropriating money to pay the claim of I. Lutz against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1074—An act appropriating money to pay the claim of Manuel Da Silva against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1075—An act appropriating money to pay the claim of Ben Oswald against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1080—An act to make an appropriation for repairing the buildings of the California Polytechnic School situated at San Luis Obispo, California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1118—An act to appropriate money for electrification and rewiring at San Quentin State Prison.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1166—An act appropriating money for the construction of two cottages at the Napa State Hospital.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1183—An act to amend section 1 of an act entitled "An act making an appropriation for the use of the creamery department of the California Polytechnic School and making provision for

the return of said appropriation to the state treasury," approved March 14, 1911, by providing for a cash revolving fund for the use of the California Polytechnic School.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 31—An act to establish a state hospital for the care, custody and maintenance of inebriates and drug habitues within the State of California, to be known as the California State Hospital, and to provide for the government and management thereof, and making an appropriation therefor.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, in line 28, of the printed bill, strike out the period and insert a comma, and add the words "which compensation shall not exceed the sum of four thousand dollars per annum."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, in line 33, of the printed bill, strike out the word "two" and insert in lieu thereof the word "one"; also, strike out the word "fifty".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 116—An act appropriating money for the construction and equipment of buildings on the property of the Santa Barbara State Normal School at Santa Barbara, California.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 3 of the title, strike out the word "buildings", and insert in lieu thereof the words "gymnasium building".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, in line 1, of the printed bill, strike out the word "fifty-five", and insert in lieu thereof the word "twenty".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, in line 6, of the printed bill, strike out the words "and a domestic arts".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 645—An act to amend an act entitled "An act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and

employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain acts a felony and repealing an act entitled 'An act creating a commissioner of public works, defining his duties and powers and fixing his compensation,' approved February 9, 1900, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees, thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897; also repealing an act entitled 'An act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this act,' approved March 17, 1897, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to provide for the appointment, duties and compensation of a debris commissioner, and to make an appropriation to be expended under his direction in the discharge of his duties as such commissioner,' approved March 24, 1893, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and compensation for such commissioner, defining his duties and making an appropriation for the salary and expenditures provided for and authorized by this act,' approved April 1, 1897, and all acts or parts of acts amendatory thereof," approved March 11, 1907, and all acts or parts of acts amendatory thereof, by amending sections 1, 9, 10, 13, 16 and 17 thereof, relating to the officers and employees of the Department of Engineering, their powers, duties and salaries, and by repealing section 1½ thereof.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, in line 26 of the title, strike out the comma following the word "thirteen" and insert in lieu thereof the word "and"; also, strike out the words "and seventeen".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 7 of the printed bill, strike out all of lines 34, 35, 36, and 37.

Amendment adopted.

AMENDMENT NUMBER THREE.

Strike out all of page 8.

Amendment adopted.

AMENDMENT NUMBER FOUR.

Strike out all of page 9.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 567—An act to appropriate money for the construction of trails, fire trails and telephone lines to and into California Redwood Park, and for the removal of dead and fallen timber in said park.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of the title and insert in lieu thereof the following: "An act to appropriate money for the improvement, support and maintenance of the California Redwood Park."

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all of the bill after the enacting clause and insert in lieu thereof the following:

SECTION 1. There is hereby appropriated out of any money in the state treasury not otherwise appropriated, the sum of thirty thousand dollars for the improvement, support and maintenance of the California Redwood Park.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 571—An act appropriating money for the construction of a convalescent cottage for men at the Agnews State Hospital and for furnishing the same.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of the title and insert in lieu thereof the following: "An act appropriating money for the construction and equipment of a cottage for females at the Agnews State Hospital."

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all of the bill after the enacting clause, and insert in lieu thereof the following:

SECTION 1. The sum of thirty thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the state treasury not otherwise appropriated, to be used in accordance with law for the construction and equipment of a cottage for female patients at the Agnews State Hospital.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 470—An act to provide for the formation and establishment of boulevard districts; the construction, acquisition, maintenance, control and use of boulevards; defining the term boulevard;

providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such boulevards; providing for a boulevard commission to have charge of the affairs of boulevard districts, and the construction, maintenance and repair of boulevards, within such districts; providing for the election of such commission, their terms of office and of elections to be held in such districts; and repealing conflicting acts.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out from the title of the bill commencing after the words "An act" and ending with the words "conflicting acts", and insert in lieu thereof the words

To amend an act entitled: "An act to provide for the formation and establishment of boulevard districts, the construction, acquisition, maintenance, control and use of boulevards; defining the term boulevard; providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such boulevards; providing for a boulevard commission to have charge of the affairs of boulevard districts, and the construction, maintenance and repair of boulevards, within such districts; providing for the election of such commission, their terms of office, and of elections to be held in such districts, and repealing an act entitled 'An act to provide for the formation of boulevard districts, and the construction, maintenance, and use of boulevards, and defining the term boulevard,' approved March 22, 1905, and the act amendatory thereof, approved April 15, 1909," approved May 1, 1911, and all acts amendatory of said act approved May 1, 1911, or of any section or sections thereof, by amending sections one, two, three, four, five and six thereof, relating to the formation and establishment of boulevard districts and by repealing sections seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two and twenty-three thereof, and by adding thereto sections seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-five and twenty-six relating to the construction, acquisition, maintenance, control and use of boulevards, the definition of the term boulevard, the voting, issuing and selling of bonds, and levying of taxes for the acquisition, construction, maintenance and repair of such boulevards, boulevard commissions to have charge of the affairs of such boulevard districts and the construction, maintenance and repair of boulevards within such districts, and the nomination and election of commissioners, their terms of office, elections to be held in such districts, and to the validating of boulevard districts heretofore declared established by boards of supervisors, and legalizing boulevard districts which may hereafter be formed under the provisions of said act or acts amendatory thereof.

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out the whole of said Senate Bill No. 470 after the words "The people of the State of California do enact as follows:", commencing with the words "SECTION 1", on line 1, page 1, of said bill, and ending with the figures "1909", on line 19, page 15, and insert in lieu thereof the following:

SECTION 1. Section one of an act entitled, "An act to provide for the formation and establishment of boulevard districts; the construction, acquisition, maintenance, control and use of boulevards; defining the term boulevard; providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such boulevards; providing for a boulevard commission to have charge of the affairs of boulevard districts, and the construction, maintenance and repair of boulevards, within such districts; providing for the election of such commission, their terms of office, and of elections to be held in such districts; and repealing an act entitled 'An act to provide for the formation of boulevard districts, and the construction, maintenance, and use of boulevards, and defining the term boulevard,' approved March 22, 1905, and the act amendatory thereof, approved April 15, 1909," approved May 1, 1911, is hereby amended to read as follows:

Section 1. Any portion of a county not contained in a boulevard district under the provisions of this act, may be formed into a boulevard district, and when so

formed shall be known and designated by the name and style of _____ boulevard district (using the name of the district) of _____ county (using the name of the county in which said district is located), and shall have the rights herein enumerated, and such as may hereafter be conferred by law.

SEC. 2. Section two of said act is hereby amended to read as follows:

SEC. 2. A petition for the formation of such boulevard district (naming it) may be presented to the board of supervisors of the county wherein the district is proposed to be formed, which said petition shall be signed by not less than ten freeholders, **owning land within the proposed district and shall contain:**

(1) The boundaries of the proposed district and an estimate of the number of **inhabitants residing therein;**

(2) An estimate of the number of acres contained therein and the assessed value **thereof and of the improvements thereon;**

(3) A request that an election be called within said district for the purpose of determining the question of the formation of said boulevard district, for the construction and maintenance of a boulevard or boulevards therein under the provisions of **this act.**

There shall be filed with said board of supervisors at the time of the filing of the petition for the organization of said boulevard district with said board, a bond in the sum of not more than three hundred dollars, with two sufficient sureties, to be approved by said board, who shall each qualify in double the amount of said bond, conditioned that they will pay the expense and cost of said election in an amount not exceeding the amount mentioned in said bond, in case the proposition to organize **said district shall be defeated at said election.**

SEC. 3. Section three of said act is hereby amended to read as follows:

SEC. 3. Such petition must be presented at a regular meeting of said board of supervisors and they shall thereupon fix a time for hearing said petition, not less than twenty, nor more than sixty days after the date of presentation thereof, and shall publish a notice of the fact that such petition has been filed (referring to the same on file with the clerk of the board of supervisors for further particulars) and giving the time and place at which said petition will be heard, and directing all parties interested to appear at said time and place, and show cause, if any they have, why said petition should not be granted, which said notice shall be published at least once a week for two consecutive weeks in some newspaper published and circulated in said proposed district: *provided*, that if no newspaper be so published in said district, then said notice shall be so published in some newspaper published and circulated at the county seat of the county in which said proposed district is located.

SEC. 4. Section four of said act is hereby amended to read as follows:

SEC. 4. Upon the day named for the hearing of said petition, the board of supervisors shall hear the same and any objections thereto and may adjourn such hearing from time to time, not more than sixty days in all. If the board find that lands have been improperly included, it may in fixing the final boundaries exclude from such district any lands which may have been so included, or the board may, as it deems for the best interests of such district, include any adjacent lands outside the boundaries described in said petition, either on petition of the owners of such lands, or upon notice of its intention to include such adjacent lands by publication once a week for two successive weeks in a newspaper of general circulation published either in said district or at the county seat which notice shall refer to the petition for the formation of the district on file with the board of supervisors, shall describe the adjacent territory intended to be included within the proposed boundaries of said proposed district and shall direct all persons interested therein to appear at a specified time and place and show cause if any there be why said adjacent lands should not be so included. Upon the petition and evidence produced at such hearings the board shall determine and fix the boundaries of such district and must thereupon, **by order, define and establish such boundaries.**

SEC. 5. Section five of said act is hereby amended to read as follows:

SEC. 5. The board of supervisors thereupon, and not later than thirty days after the establishment of said boundaries, as hereinbefore provided, shall by order, call an election to be held in such proposed boulevard district for the purpose of determining whether such district shall be formed. The order must fix the day of such election, which must be within sixty days from the date of the order, and must show the boundaries of the proposed district, and must state that at such election three persons who are to compose the boulevard commission will be voted for. This order shall be entered in the minutes of the board, and shall be conclusive evidence of the due presentation of a proper petition, and of the fact that each of the petitioners was, at the time of the signing and presentation of such petition, a freeholder owning land within the proposed district and that all other steps and actions requisite to and pertaining to the making of said order, including the hearing of said petition and establishment of the boundaries of said district, have been properly taken; notice of such election shall be given by posting a copy of such order for three successive weeks prior to the election, in three public places within the proposed district, and by publication of a copy of such order at least once a week for three successive weeks prior to the election in some newspaper published in the proposed district, if there **be one, and if not, in some newspaper published at the county seat.**

SEC. 6. Section six of said act is hereby amended to read as follows:

SEC. 6. The board of supervisors, at least fifteen days prior to the election, shall select one, and may select two, polling places within the proposed district and make all suitable arrangements for the holding of such election. They must select and appoint, from among the qualified electors of the proposed boulevard district, one inspector and two judges of election in each polling place, who shall constitute the officers of said election and the election board. If none are so appointed or if any officer appointed does not attend at the opening of the polls on the morning of election, the electors present may appoint substitutes to fill the election board. The ballot shall contain the words "boulevard district—yes" and "boulevard district—no", and shall also make provision for voting for three commissioners of said district. At such election there shall be elected three persons for members of the boulevard commission to be known as commissioners. Such election, and all subsequent or other elections in said district shall, except as herein otherwise expressly provided, be conducted as nearly as practicable in accordance with the general election laws of the state, except that the provisions of said laws as to the form of ballots and the making of nominations and the selection or appointment of officers of election shall not apply, and that no irregularity or informality in conducting any election under this act, not substantially affecting adversely the legal rights of any elector, as herein defined, shall invalidate or affect such election and no ballot at any such election shall be rejected because of any distinguishing mark or marks thereon. At such election pursuant to this act, every qualified elector, resident within the district as proposed or established, and who would be entitled on the date of the respective election to vote in said district at a general election, shall be entitled to vote at such election. The said officers of election must make return of the canvass to the board of supervisors of said county, which shall canvass said returns as by law provided, and if a majority of the votes cast at such election shall be in favor of a boulevard district the board of supervisors shall make and cause to be entered in the minutes of said board an order that the boulevard district of the name and with the boundaries theretofore established by said board (setting forth such boundaries) has been duly established, and shall declare the persons receiving respectively the highest number of votes for members of the boulevard commission, duly elected as such commissioners; and said order shall be conclusive evidence of the fact and regularity of all prior proceedings of every kind and nature provided for by this act or by law, and of the existence and validity of the boulevard district. If a majority of the votes cast shall be against a boulevard district, the board shall by order entered in its minutes so declare, and no other proceeding shall be taken in relation thereto until the expiration of six months from the date of the presentation of the petition to said board.

SEC. 7. Sections seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, and twenty-three of said act, and all acts amendatory of said sections, or any thereof, are hereby repealed.

SEC. 8. A new section is hereby added to said act to be numbered section seven and to read as follows:

SEC. 7. The officers of the district shall be three members of the boulevard commission, who shall be designated as commissioners, and their term of office shall be for four years and until their successors are elected and qualified, except that the term of one of the three commissioners elected at the first election in each district, to be selected by lot at their first meeting, shall be for only two years and until his successor is elected and qualified. No person shall be eligible to be or act as a commissioner who has not been a bona fide resident and freeholder within the boundaries of the district for at least one year prior to his election or appointment. Any vacancy in the office of commissioner shall be filled by appointment for the unexpired term by the board of supervisors of the county in which said district is located, but no member of the board of supervisors shall be eligible to membership on said commission, or to hold any position in connection therewith. Each commissioner shall give a bond to the boulevard district for the faithful performance of his duties in the sum of five thousand dollars, to be approved by a judge of the superior court of the county in which the district is located. The commissioners shall receive no compensation whatever either for general or special services.

SEC. 9. A new section is hereby added to said act to be numbered section eight and to read as follows:

SEC. 8. An election shall be held in each boulevard district on the first Monday after the first Tuesday in March in the second year after the formation of the district, and in every alternate year thereafter, at which shall be elected a commissioner or commissioners in place of him or them whose term shall expire during such year. Not less than twenty days before the day of each such election the boulevard commission must give notice of said election by posting notice thereof in three public places in the boulevard district, which notice must specify the time and place of election, the hours during which the polls will be kept open, and the officers to be elected. They shall select one, and may select two polling places within the district; shall appoint one inspector and two judges of election in each

polling place, and make all necessary and proper arrangements for holding the election. Said election officers shall constitute the election board. If no election officers are so appointed, or if any of those appointed are not present at the time of the opening of the polls, the electors present may appoint all, or any, of them so absent or not appointed and they shall conduct the election as if so appointed by said commission and present. The officers of the election must publicly canvass the votes immediately after the closing of the polls, and must make return of the election within twenty-four hours after the closing of the polls to the board of supervisors. Said board of supervisors at its first meeting after receiving said returns shall canvass the same and shall make, sign and deliver certificates of election to the person or persons elected.

SEC. 10. A new section is hereby added to said act to be numbered section nine and to read as follows:

SEC. 9. The boulevard commission shall be the governing body of the district, and shall exercise all the powers thereof. At its first meeting or as soon thereafter as may be practicable, the commission shall choose one of its members as president, and another of its members as secretary. All contracts, deeds, warrants, releases, receipts and documents of every kind shall be signed in the name of the district by its president, and shall be countersigned by its secretary. The commission may hold such meetings, either in the day or in the evening, as may be convenient. In case of the absence or inability to act of the president or secretary, the board shall, by order entered upon its minutes, choose from its members a president pro tempore, or secretary pro tempore as the case may be. A majority of the members of the commission is a sufficient number to form a commission for the transaction of business, and every decision of a majority of the members forming such commission made when duly assembled, is valid as an act of said commission.

SEC. 11. A new section is hereby added to said act to be numbered section ten and to read as follows:

SEC. 10. Every boulevard district formed under the provisions of this act shall have power to have and use a common seal, alterable at the pleasure of the boulevard commission; to sue and be sued by its name; to lay out, establish, construct, acquire and maintain one or more boulevards within the district, and for this purpose to acquire by purchase, gift, devise, condemnation proceedings or otherwise real and personal property and rights of way within the district, and to pay for and hold the same; to make and accept any and all contracts, deeds, releases and documents of any kind which shall be necessary or proper to the exercise of any of the powers of the district, and to direct the payment of all lawful claims and demands against it; to issue bonds as hereinafter provided, and to provide for the payment of the same and the interest thereon; and to cause to be levied taxes sufficient when directed by a vote of the people of the district for the construction, maintenance or repair of said boulevard, or boulevards, and all indebtedness of such district, and the running expenses of the district; to employ all necessary engineers, surveyors, agents and workmen to do the work on or in connection with the boulevard or boulevards in said district; and generally to do and perform any and all acts necessary or proper to the complete exercise and effect of any of its powers or the purposes for which it was formed.

SEC. 12. A new section is hereby added to said act to be numbered section eleven and to read as follows:

SEC. 11. By the term "boulevard" as used herein is meant a highway of limited dedication and use, not less than thirty, and not more than one hundred feet in width, and upon, along, and over the portion or portions of which where the same is less than sixty feet in width no railroad, electric road, or street railroad shall, except upon a permit granted therefor by the board or body in control of such boulevard evidenced by an order entered in its minutes, be constructed or operated; and any easements granted or condemned for the building of said boulevard shall be so granted or condemned; *provided*, that nothing herein shall be deemed to apply to or as preventing or limiting the use of vehicles across said boulevard. Any boulevard constructed under this act may be constructed, in whole or in part, over, along, or upon any county road or public highway, or any part thereof, and the moneys belonging to such boulevard district may be expended in the improvement of such road or highway to conform to the width and general character of the balance of the boulevard.

SEC. 13. A new section is hereby added to said act to be numbered section twelve and to read as follows:

SEC. 12. The boulevard commission shall, before the construction of any boulevard and before the calling of any election for the issuance of bonds, employ an engineer or engineers who shall make all necessary surveys, prepare a map or maps showing the location of the said proposed boulevard or boulevards, also showing a cross-section and profile of said proposed boulevard or boulevards, together with specifications for the construction thereof and estimates of the cost of acquiring rights of way therefor and of the cost of the construction thereof, which said surveys, maps, specifications and estimates, shall, upon the approval of the same by said commission, by order entered upon its minutes, be formally adopted by said commission and filed with its secretary and constitute the plan of said district for such proposed boulevard or boulevards.

SEC. 14. A new section is hereby added to said act to be numbered section thirteen and to read as follows:

SEC. 13. At any time, and from time to time, after the adoption of a plan for a boulevard or boulevards, the boulevard commission may, by order entered in its minutes call an election for the purpose of determining whether bonds shall be issued for the acquisition of rights of way for, and the construction of such boulevard or boulevards. Such order shall fix the day of the election and shall specify the amount of such bond issue, and shall state in general terms the purposes for which the money to be raised from the sale of such bonds shall be used, such purposes shall be confined to the acquisition of rights of way for and the construction of a boulevard or boulevards in said district, provided however, that any moneys so raised which shall remain on hand after such acquisition of rights of way and construction have been completed may and shall be expended in the betterment and maintenance of such boulevard or boulevards. Notice of such election shall be given by posting a copy of such order for three successive weeks prior to the election in at least three public places within the district and by publication of a copy thereof for at least once a week for three successive weeks prior to the election in some newspaper published within the district. If there is one, and if not, in some newspaper published at the county seat of the county in which such district is located.

SEC. 13. A new section as hereby added to said act to be numbered section fourteen, to read as follows:

SEC. 14. At any time prior to the day fixed for the election the commission shall select one and may select two judges of election for the district and appoint from among the qualified electors within the district, one and two judges for each polling place to conduct the election, and shall make all necessary and proper arrangements for holding the election. The judges shall contact the ballot boxes and ballots and [illegible]. After the polls shall have been closed and the result announced by the election officers the ballots shall be sealed up and delivered to the secretary of the boulevard commission with the election returns, and said commission shall, at its first meeting thereafter, canvass said returns and shall enter the result upon its minutes. Such minutes shall be conclusive evidence of the fact and regularity of all prior proceedings of every kind and nature provided by this act or by law, and of the facts stated in such entry. If at such election [illegible] of the issuance of bonds, the said commission shall have full power and authority to issue and sell said bonds as proposed in the order calling the election as hereinafter provided. If the result of the election be against the issuance of bonds no other election upon the question shall be called or held for six months after such election.

SEC. 16. A new section is hereby added to said act to be numbered section fifteen, as follows:

SEC. 15. All bonds issued under the provisions of this act shall be of such denomination as the boulevard commission may determine, except that no bonds shall be of less denomination than one hundred dollars nor of a greater denomination than one thousand dollars. Said bonds shall be payable in gold coin of the United States at the office of the county treasurer of the county wherein said district is situated, and shall bear interest at a rate not exceeding six per centum per annum, which interest shall be payable semi-annually in like gold coin. Not less than one-thirtieth part of the total issue of bonds shall be payable each year commencing not more than five years after the date of said bonds. Said bond shall be signed by the president and countersigned by the secretary of the boulevard commission, and said bonds shall be numbered consecutively in the order of their maturity, and shall have coupons for interest attached attested by the facsimile signature of the secretary of said commission. The bonds may be sold by the boulevard commission in such manner and in such quantities as it may determine, but no bond may be sold for less than its face value. The proceeds of said sale shall be deposited with the county treasurer and shall be by him placed in the fund to be called the boulevard fund of [illegible] boulevard district (naming it); the money in such fund shall be used for the purposes indicated in the order calling the election upon the question of the issuance of bonds.

SEC. 17. A new section is hereby added to said act to be numbered section sixteen, to read as follows:

SEC. 16. The commission must at or before the first meeting of the board of supervisors in September of each year, furnish the supervisors and the auditor of the county wherein the district is situated, an estimate in writing of the amount of money needed for the purposes of the district for the ensuing fiscal year. The amount must be sufficient to pay all interest and principal of outstanding bonds of the district maturing during the ensuing fiscal year, and to pay the estimated cost of repairs and maintenance of the boulevard, or boulevards, and the running expenses of the district.

SEC. 18. A new section is hereby added to said act to be numbered section seventeen, to read as follows:

SEC. 17. The board of supervisors of any county wherein is situated a boulevard district, must annually at the time of levying county taxes levy a tax to be

known as the "_____ (name of district) boulevard district tax," sufficient to raise the amount reported to them as herein, in section sixteen hereof, provided by the boulevard commission. The supervisors must determine the rate of such tax by deducting fifteen per cent for anticipated delinquencies from the total assessed value of the real property of the district within the county, as it appears on the assessment roll of the county, and dividing the sum reported by the boulevard commission as required to be raised by the remainder of such total assessed value. The tax so levied shall be computed and entered on the assessment roll by the county auditor, and if the supervisors fail to levy the tax as provided in the preceding section, then the auditor must do so. Such tax shall be collected at the same time and in the same manner as county taxes, and when collected shall be paid into the county treasury for the use of said district, and the purposes herein specified. The provisions of the Political Code of this state prescribing the manner of levying and collecting taxes and the duties of the several county officers with respect thereto are, so far as they are applicable and not in conflict with the specific provisions of this act, hereby adopted and made a part hereof. Such officers shall be liable upon their several official bonds for the faithful discharge of the duties imposed upon them by this act. All moneys raised by taxation as herein provided shall belong to said district.

SEC. 19. A new section is hereby added to said act to be numbered section eighteen, to read as follows:

SEC. 18. The treasurer of the county wherein the district is situated shall be the repository of all the funds of the district. The treasurer of the county shall receive and receipt for the same, and shall place the same to the credit of the boulevard district. He shall be responsible upon his official bond for their safe-keeping and disbursement in the manner herein provided.

SEC. 20. A new section is hereby added to said act to be numbered section nineteen, to read as follows:

SEC. 19. The following funds are hereby established to which the money belonging to the district, and raised by taxation as herein provided, shall be apportioned by the treasurer, to wit: bond fund, construction and maintenance fund, and district expense funds. The treasurer shall pay out the same only upon warrants of the boulevard commission, signed by the president and attested by the secretary, except that all bonds and coupons shall be paid on presentation by the county treasurer out of the bond fund without such warrant. The treasurer shall report in writing to the commissioners whenever requested by them or the secretary the amount of money in the various funds, the amounts of receipts since his last report and the amounts paid out.

SEC. 21. A new section is hereby added to said act to be numbered section twenty and to read as follows:

SEC. 20. The boulevard commission shall, pursuant to an order entered in its minutes, advertise for bids for the construction of such boulevard or boulevards, either as a whole or in such sections as it may see fit, in accordance with the plan theretofore adopted and filed, as hereinabove provided, by said commission, by publishing a notice calling for such bids, at least once a week for two successive weeks in a weekly newspaper published within the boulevard district if such newspaper is published therein, otherwise in a newspaper published at the county seat of the county in which such district is located. Such notice shall refer to said order and said plan for further particulars. If the commission shall elect to receive separate bids for the construction of sections of said boulevard or boulevards, the said order shall describe the separate sections for which such separate bids are desired. The commission may also in its discretion advertise at the same time and in the same notice both for bids for the construction of such boulevard or boulevards as a whole and for bids for the construction of separate sections thereof. Every contract for doing any part of said work shall be let, after advertisement as herein provided, to the lowest responsible bidder, who shall, before the making of said contract, give a bond to the boulevard district for the faithful performance of his contract, with sureties satisfactory to said commission in an amount equal to at least fifty per cent of the amount of the contract price; *provided, however*, that the commission may make contracts, without advertisement, for any construction work on said boulevard the cost of which does not exceed one thousand dollars; *and provided, further*, that the commission may reject any or all bids and may thereupon readvertise for bids for doing any part or the whole of said work; or may do said work without letting any contract therefor when the amount of the work is less than one thousand dollars. Said commission may hire all necessary engineers, inspectors and superintendents to supervise the performance of contracts entered into by said commission, or to have charge of the doing of all work done without a contract.

Any order of said commission directing the advertisement or readvertisement for bids, as hereinabove provided, may alter the said plan for such boulevard or boulevards including the route of any portion or portions of any such boulevard or boulevards; *provided*, that no such change shall involve any material increase in the cost of construction of the portion or portions so altered or the cost of acquiring the rights of way therefor and any and all boulevard commissions are hereby given power and authority to make any such change or changes in any such plan or plans.

The commission may do any or all work of maintenance or repair upon such boulevard, or boulevards, either with or without contract therefor and with or without advertising for bids for contracts for such work or maintenance and repair at its discretion.

SEC. 22. A new section is hereby added to said act to be numbered section twenty-one, to read as follows:

SEC. 21. Anything in this act to the contrary notwithstanding, the boulevard commission shall have and is hereby given full power and authority at its option to make application to the department of engineering of the State of California, or to the proper subdivision of said department for its assistance in said boulevard or proper subdivision thereof, as the case may be, of any or all property, titles or authority which said department or proper subdivision thereof, as the case may be, may have, or at any time hereafter, exercise or enjoy with respect to the construction, protection, maintenance or improvement of any boulevard or boulevards or sections of boulevard boulevards constructed or to be constructed pursuant to the provisions of this act, including the preparation of plans, specifications and estimates for, and the handling and expenditure of bonds and district moneys for such construction, maintenance or improvement; any such application to said department of engineering or subdivision thereof, shall be made in accordance with the provisions of the law as it now or may hereafter exist defining the powers, duties and authority of said department of engineering or subdivision thereof in relation to such matters, and upon the granting of any such application by said department of engineering or subdivision thereof, the boulevard commission shall have full power to enter into the terms of such application on its part.

SEC. 23. A new section is hereby added to said act to be numbered section twenty-two, to read as follows:

SEC. 22. Anything in this act to the contrary notwithstanding, the boulevard commission shall have and it is hereby given full power and authority as an agent to transfer and convey all the right, title and interest of the boulevard district, and to any boulevard or boulevards in such district then complete, or sections thereof, to the county within which such district is situated, provided that the board of supervisors of such county consent to and accept such transfer and conveyance and agree thereafter to maintain such boulevard or boulevards as boulevards and as part of the county highway system of said county, and all of said boulevards so transferred and conveyed to be thereafter used and dedicated by said county as county boulevards without any further liability or responsibility charged on the part of such district. But no such transfer or conveyance shall affect any bond or bonds theretofore issued by such district or the liability of such district thereunder.

SEC. 24. A new section is hereby added to said act to be numbered section twenty-three, to read as follows:

SEC. 23. The district may at any time be dissolved upon the vote of two-thirds of the qualified electors thereof at an election called for the purpose of voting upon the question of dissolution. Whenever a petition shall be presented to the boulevard commission shall, by resolution, order that an election be held in said district upon the question of dissolution of the district. Such election shall be called and conducted in the same manner as other elections of the district. Upon such dissolution, any property which may have been acquired by such boulevard district shall vest in the county, except that any such property lying within the boundaries of an incorporated city shall vest in such city: *provided*, however, that if at the time of the election to dissolve such district there be any outstanding bonded indebtedness of such district, then, in such event, the vote to dissolve such district shall dissolve the same for all purposes, excepting only the levy and collection of taxes for the payment of such outstanding indebtedness of such district; and from the time such district is thus dissolved until such bonded indebtedness with the interest thereon is fully paid, satisfied and discharged, the board of supervisors of the county shall constitute ex officio the boulevard commission of said district. And it is hereby made obligatory upon such board to levy such taxes and perform such other acts as may be necessary in order to raise money for the payment of such indebtedness, and the interest thereon, as herein provided.

SEC. 25. A new section is hereby added to said act to be numbered section twenty-five and to read as follows:

SEC. 25. Any and all boulevard districts heretofore established by order entered by any county board of supervisors under this act, and all amendments thereof or of any section or sections thereof, are hereby declared to be legally organized and existing and all the proceedings on the organization and formation of any and all such boulevard districts are hereby approved and in all respects declared valid, and all boulevard districts are subject to the provisions of this act so far as applicable.

SEC. 26. A new section is hereby added to said act to be numbered section twenty-six and to read as follows:

SEC. 26. Any district formed hereunder, in order to determine the legality of its existence, may institute a proceeding therefor in the superior court of the county in which it was organized by filing with the clerk of said county a complaint setting

forth the name of the district, its exterior boundaries, the date of its organization and a prayer that it be adjudged a legal boulevard district formed under the provisions of this act. The summons in such proceeding shall be addressed generally to all persons interested in said district or in any of the lands therein contained, and shall be served by publishing a copy thereof once a week for four weeks in some newspaper of general circulation published in the said county. Within thirty days after the last publication thereof any person interested may appear and answer said complaint, in which case said answer shall set forth the facts relied upon to show the invalidity of the district. In no answer shall be filed within said time the court must render judgment as prayed for in the complaint. If an answer be filed the court shall proceed as in other civil cases. Said proceeding is hereby declared to be a proceeding *in rem* and the judgment rendered therein shall be conclusive against all persons whomsoever and against the State of California.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

RUSH ORDER TO PRINTER.

On motion of Senator Breed, the Secretary was directed to issue a rush order for printing Senate Bill No. 470.

THIRD READING OF SENATE BILLS—OUT OF ORDER.

Senate Bill No. 1035. An act to make lawful certain agreements between employers and laborers, to define the cases in which injunctions may and may not issue, to prescribe the procedure in trials for contempt and to secure the right of jury trial in all such cases.

Bill read third time, previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Flaherty moved to refer Senate Bill No. 1035 to Senator Benson, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 5 of the title, strike out the word "and" and insert in lieu thereof a comma.

AMENDMENT NUMBER TWO.

In line 5 of the title, strike out the period and insert in lieu thereof a comma and the following: "to prescribe the time in which proceedings for contempt shall be instituted, and to prescribe the penalty for the violation of such injunctions."

AMENDMENT NUMBER THREE.

On page 1, line 10 of the printed bill, after the first word "between", strike out the word "employers" and insert in lieu thereof the word "employees".

AMENDMENT NUMBER FOUR.

On page 2, line 6 of the printed bill, after the word "No" insert the word "such".

AMENDMENT NUMBER FIVE.

On page 2, line 16 of the printed bill, after the word "peaceful" strike out the word "means".

AMENDMENT NUMBER SIX.

On page 2, line 19 of the printed bill, after the word "from", strike out the word "peacefully" and insert in lieu thereof the word "peaceably".

AMENDMENT NUMBER SEVEN.

On page 2, after line 22 of the printed bill, add a new section to read as follows:

SEC. 4. That any person who shall wilfully disobey any lawful writ, process, order, citation, decree or command of any court of the State of California, by doing any act or thing therein or thereby forbidden to be done by him, if the act or thing so done by him be of such character as to constitute also a criminal offense, shall be proceeded against for his said contempt as hereinafter provided.

AMENDMENT NUMBER EIGHT

On page 2, line 23 of the printed bill, strike out the figure "4" and insert in lieu thereof the figure "5".

AMENDMENT NUMBER NINE

On page 2, line 28 of the printed bill, strike out the first article "a" and insert in lieu thereof the word "such".

AMENDMENT NUMBER TEN

On page 3, line 10 of the printed bill, strike out the figure "7" and insert in lieu thereof the figure "6".

AMENDMENT NUMBER ELEVEN

On page 3, line 20 of the printed bill, strike out the figure "6" and insert in lieu thereof the figure "7".

AMENDMENT NUMBER TWELVE

On page 3 of the printed bill, strike out all of lines 23, 24, 25, 26, 27, 28, 29 and the words "The term of six months" in line 30 and insert in lieu thereof the following: "In case the accused is a corporate person such fine shall not exceed the sum of one thousand dollars, nor shall such imprisonment exceed the term of six months."

AMENDMENT NUMBER THIRTEEN

On page 4, line 5 of the printed bill, strike out the figure "7" and insert in lieu thereof the figure "8".

AMENDMENT NUMBER FOURTEEN

On page 4, line 6 of the printed bill, strike out the words "anti-trust laws" and insert in lieu thereof the words "laws of this state".

AMENDMENT NUMBER FIFTEEN

On page 4, lines 14 and 15 of the printed bill, strike out the words "anti-trust laws" and insert in lieu thereof the words "laws of this state".

AMENDMENT NUMBER SIXTEEN

On page 4 of the printed bill, strike out all of lines 16, 17, 18, 19, 20, 21, 22, 23, and 24 and insert in lieu thereof the following:

SEC. 9. That nothing herein contained shall be construed to relate to contempts committed in the presence of the court, or so near thereto as to obstruct the administration of justice, nor to contempts committed in disobedience of any lawful process, order, citation, decree or command issued in any suit or other proceeding brought to be prosecuted in the name of, or on behalf of, the State of California, but the same and all other cases of contempt not specifically enumerated herein shall be punished in conformity to the usages at law and in equity now prevailing.

SEC. 10. That no proceeding for contempt shall be instituted against any person unless begun within one year from the date of the act complained of; but nothing such proceeding be a bar to any criminal prosecution for the same act or omission, but nothing herein contained shall affect any proceedings in contempt pending at the time of the passage of this act.

SEC. 11. If any clause, sentence, paragraph, or part of this act shall, for any reason, be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE

SENATE CHAMBER, SACRAMENTO, April 16, 1917.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 1035, with instructions to amend, respectfully reports the same back, amended as per instructions.

BENSON, Special Committee.

Report read, and, on motion of Senator Flaherty, adopted.

Bill ordered to print, and re-engrossment.

RUSH ORDER TO PRINTER.

On motion of Senator Flaherty, the Secretary was directed to issue a rush order for printing Senate Bill No. 1035.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1416—An act to amend sections 1611, 1613, 1614, 1615, 1616 and 1617, of the Political Code; to add thereto ten new sections, to be numbered 1603, 1603*a*, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1612, and to repeal sections 1617*a*, 1617*b*, 1617*c* and 1617*d* of the Political Code, relating to boards of school trustees and city boards of education.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Johnson moved to refer Assembly Bill No. 1416 to Senator Carr, F. M., as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 5, line 2, of the printed bill, after the word "schoolhouses", insert "and other necessary buildings,".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 16, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 1416, with instructions to amend, respectfully reports the same back, amended as per instructions.

CARR, F. M., Special Committee.

Report read, and, on motion of Senator Johnson, adopted.

Bill ordered to print.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 16, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 374—An act to amend section 628*f* of the Penal Code of the State of California relating to the protection of fish and game;

Also: Senate Bill No. 406—An act creating a state board of forestry and providing for the qualifications and duties of the members of said board and the payment of their expenses; providing for the appointment of a state forester and providing for the appointment of a proper person therefor; providing for the appointment of a deputy and an assistant state forester and for the salaries of such forester, deputy forester and assistant forester; providing for the appointment of technical and other assistants and for their compensation; providing for the duties of the state forester, deputy state forester, assistant state forester and other assistants; providing for cooperation with landowners, counties and others in forest protection and for the employment of fire wardens; providing for the summons of citizens to assist in fighting forest fires; providing for the issuance of permits for burning brush, inflammable debris, or rubbish; providing for prevention of forest destruction by insects; providing for the inspection of forest areas, declaring certain dangerous areas and forest fires to be public nuisances; providing for notice to owners and others of the existence of such nuisance and for the abatement thereof of such owner or others or by the state forester; providing for the payment into county treasuries of all of moneys recovered under the penal sections of the forest laws of this State; making certain violations of the forest laws of this State misdemeanors and fixing a penalty therefor; defining the term "forest"; repealing chapter two hundred sixty-four of the laws of 1905, and all acts and parts of acts in conflict herewith;

And reports that the same have been correctly engrossed.

STUCKENBRUCK, Acting Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 1111—An act amending section 330 of the Penal Code, relative to games played with cards, dice, or any device for money in public places.

Also: Senate Bill No. 617—An act to amend section 791 of the Political Code, relating to the maintenance of the office of the Insurance Commissioner.

Also: Senate Bill No. 640—An act to amend section 9 of an act entitled "An act relating to hotels, defining the same, providing regulations in connection therewith, providing for the sanitation of the rooms of such hotels, providing for the sanitary method and manner of keeping, handling and using bed clothes or bed covering in such hotels, repealing all acts or parts of acts in conflict with this act, providing for its enforcement by the State Board of Health, and local health officers, and providing a penalty for the violation of any of its provisions," approved April 26, 1915;

And reports that the same have been correctly re-engrossed.

STUCKENBRUCK, Acting Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 292—An act appropriating money for construction and equipment of small buildings at the San Quentin State Prison;

Also: Senate Bill No. 400—An act to appropriate money to pay the expense of improving certain streets in the city of Berkeley adjoining the grounds of the University of California;

Also: Senate Bill No. 415—An act making an appropriation to pay the claim of the city of Los Angeles against the State of California;

Also: Senate Bill No. 416—An act making an appropriation for the payment of certain assessments for sanitary sewers levied upon the property of the State of California known as the Normal School Property on Vermont Avenue, in the city of Los Angeles, State of California;

Also: Senate Bill No. 417—An act making an appropriation for the payment of certain assessments for main outfall sewer levied upon the property of the State of California known as the Normal School Property, on Vermont Avenue, in the city of Los Angeles, State of California;

Also: Senate Bill No. 460—An act to amend sections 2319, 2319a, 2319b, 2319c, 2319d, 2319e and 2319f of the Political Code, to add sections 2319g and 2319h as new sections to the Political Code, relating to the State Commissioner of Horticulture and prescribing the powers, duties and compensation of said State Commissioner of Horticulture and the officers and employees appointed by said commissioner and providing methods, means and penalties for the enforcement of such powers and duties, and providing for the appointment of additional officers, fixing their compensation and prescribing their duties;

Also: Senate Bill No. 773—An act appropriating money for the purpose of constructing a barn to be used in connection with the California Polytechnic School at San Luis Obispo;

Also: Senate Bill No. 907—An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, by controlling the floods, removal of levees and continuing the improvement of the Sacramento River, California, in accordance with the plans of the California Debris Commission contained in the report of said commission submitted August 10, 1910, and transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on June 27, 1911, and printed in House of Representatives Document No. 81 of the first session of the sixty-second United States Congress, as modified by the report of said commission submitted February 8, 1913, approved by the Chief of Engineers of the United States Army and the Board of Engineers for Rivers and Harbors and printed in Rivers and Harbors Committee Document No. 5, sixty-third United States Congress, first session, in so far as said plan provides for the protection and enlargement of river channels and the construction of weirs; and making an appropriation for such work; and providing for the continuance of such work as provided by section 2 of an act of the Congress of the United States entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes," approved March 1, 1917;

Also: Senate Bill No. 1006—An act to amend sections 2, 6 and 17 of an act entitled "An act to create for the State of California a Department of Engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain acts a felony and repealing an act entitled 'An act creating a commissioner of public works, defining his duties and powers and fixing his compensation,' approved February 9, 1900, and all acts or parts of acts amendatory thereof;

also repealing an act entitled 'An act to create a department of highways in the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the fortyeighth fiscal year,' approved April 1, 1897; also repealing an act entitled 'An act providing for the appointment of an auditing board to the commissioner of public works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this act,' approved March 17, 1897, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to provide for the employment, duties and compensation of a Debris Commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such commissioner,' approved March 24, 1893, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this act,' approved April 1, 1897, and all acts or parts of acts amendatory thereof," approved March 11, 1907, and all acts or parts of acts amendatory thereof:

Also: Senate Bill No. 1020—An act appropriating money to pay the claim of various counties and institutions, orphan aid;

Also: Senate Bill No. 1091—An act to amend sections 2283, 2285, 2286 and 2289 of the Political Code, relating to the support and maintenance of orphans, half orphans and abandoned children;

Also: Senate Bill No. 1126—An act providing for the establishment and maintenance of a State nursery under the jurisdiction and management of the State Forester for the growing of stock for reforestation and the planting of trees along highways and in public places, and making an appropriation therefor;

Also: Senate Bill No. 1140—An act to accept the provisions and benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled and approved February 23, 1917, to provide for the promotion of vocational education; to create a vocational education fund and making an appropriation therefor;

Also: Senate Bill No. 1138—An act to provide for the establishment of public medical centers for the care of the health of the children of the State of California; prescribing penalties for violations of the provisions hereof and amending an act entitled "An act to provide for health and development supervision in the public schools of the State of California," approved April 15, 1909, and all acts and parts of acts inconsistent herewith;

Also: Senate Bill No. 426—An act to add a new section to the Political Code, to be numbered 1858, relating to the powers and duties of the governing boards of school districts in levying taxes for building purposes;

Also: Senate Bill No. 692—An act to amend section 1548 of the Political Code, relating to postage, expressage, printing and binding of documents and other incidental expenses of the county, or city and county, superintendent of schools;

Also: Senate Bill No. 693—An act to amend sections 1712 and 1714 of the Political Code, relating to school libraries, what books and apparatus may be bought, how and when they may be purchased, and providing a library fund in cities and cities and counties;

Also: Senate Bill No. 981—An act to add a new section to the Political Code to be numbered 1617b, relating to power of trustees of elementary school districts;

Also: Senate Bill No. 505—An act relating to the liability in damages of the officers of towns, cities, cities and counties, counties and of the State of California for injuries to person or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, and repealing acts in conflict herewith;

Also: Senate Bill No. 6—An act to regulate the preparation of plans and specifications and awarding of contracts for the erection, construction and alteration of public buildings in the State of California;

Also: Senate Bill No. 132—An act to amend section 270 of the Penal Code, providing punishment for failing to support a minor child, and conferring jurisdiction upon the juvenile court;

Also: Senate Bill No. 589—An act to amend section 290a of the Civil Code, relating to corporations authorized to act as executor, administrator, guardian, assignee, receiver, depositary, or trustee or to engage in the business of banking;

Also: Senate Bill No. 817—An act establishing and defining the jurisdiction of the Industrial Accident Commission of the State of California and of the Railroad Commission of the State of California over the safety of employees of public utilities;

And reports that the same have been correctly engrossed.

STUCKENBRUCK, Acting Chairman.

REPORTS OF STANDING COMMITTEES (ORDER OF ORDER).

The following reports of standing committees were received and read:

ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, April 14, 1917.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Senate Bill No. 754—An act to amend section 1 of an act entitled "An act creating an Advisory Pardon Board, defining and prescribing the powers and duties thereof, and making an appropriation therefor," approved May 18, 1915—has had the same under consideration, and respectfully reports the same back with recommendation that it do pass.

BROWN, Chairman.

Senate Bill No. 754 ordered on file for second reading.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 14, 1917.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 759—An act to amend or not to amend "An act to divide the State of California into six fish and game districts," approved March 21, 1913—has had the same under consideration, and respectfully reports the same back with recommendation and recommends that it do pass, as amended.

SLATER, Chairman.

Assembly Bill No. 759 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 16, 1917.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 338—An act to amend section 1238 of the Political Code, relating to the compensation of county and township officers of counties of the sixth class, and to the number, appointment and salaries of their assistants and deputies—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

INMAN, Chairman.

Senate Bill No. 338 ordered on file for second reading.

RECONSIDERATION POSTPONED.

On motion of Senator Duncan, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 1079 was refused passage, was continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS—(CONTINUED).

Assembly Bill No. 733—An act to amend section 273A of the Penal Code, relating to the abandonment and neglect of children and the nonsupport of wife.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Ingram moved to refer Assembly Bill No. 733 to Senator Slater, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, strike out the word "person" and insert in lieu thereof the word "persons".

AMENDMENT NUMBER TWO.

On page 1, strike out all of lines 10 and 11 and insert in lieu thereof the following: "or highways, or any other public work, during the term of such sentence, in the

county where such conviction is had, or in any other county in accordance with an agreement ratified by the boards of supervisors of the respective counties, and approved by the state board of charities and corrections. And".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 16, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 733, with instructions to amend, respectfully reports the same back, amended as per instructions.

SLATER, Special Committee.

Report read, and, on motion of Senator Ingram, adopted.

Bill ordered to print.

Assembly Bill No. 11—An act to amend section 626 of the Penal Code, relating to the protection of fish and game.

On motion of Senator Breed, Assembly Bill No. 11 was passed on file.

Assembly Bill No. 64—An act to amend section 626*d* of the Penal Code, relating to the protection of fish and game.

On motion of Senator Breed, Assembly Bill No. 64 was passed on file.

Assembly Bill No. 206—An act to amend section 1 and to repeal section 2 of an act entitled "An act granting to the city of Alameda the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Alameda, and regulating the management, use and control thereof," approved June 11, 1913.

On motion of Senator Breed, Assembly Bill No. 206 was passed on file.

Assembly Bill No. 327—An act to amend section 636½ of the Penal Code, relating to the protection of fish and game.

On motion of Senator Breed, Assembly Bill No. 327 was passed on file.

Assembly Bill No. 673—An act to add a new section to the Penal Code of the State of California to be numbered 626*a*, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 673 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, King, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 266—An act to amend sections 1107, 1214 and 1217 of the Civil Code, relating to the effect of transfers of real property and of the recording and nonrecording thereof.

On motion of Senator Maddux, Assembly Bill No. 266 was passed on file.

Assembly Bill No. 1154—An act to provide for the adoption of textbooks for use in the public high schools of the State, and for furnishing textbooks for the use of pupils of such schools.

On motion of Senator Irwin, Assembly Bill No. 1154 was passed on file.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

Assembly Constitutional Amendment No. 21—Proposed amendment to Article XII of the Constitution, relative to poll taxes.

On motion of Senator Stuckenbruck, Assembly Constitutional Amendment No. 21 was pased on file.

Assembly Bill No. 284—An act to amend section 633 of the Political Code, relating to the licensing of insurance agents.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 284 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Gates, Hans, Ingram, Johnson, King, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1395—An act to amend section 147 of the Penal Code, relating to inhuman treatment of prisoners.

On motion of Senator Breed, Assembly Bill No. 1395 was passed on file.

Assembly Bill No. 546—An act prohibiting the marriage of all persons afflicted with certain diseases and requiring health certificates for marriage, requiring the posting of notice of application for a marriage license, and prescribing penalties for violations hereof.

On motion of Senator Breed, Assembly Bill No. 546 was passed on file.

Assembly Bill No. 643—An act to provide for and regulate the issuance of stock without nominal or par value by public utility corporations now existing or hereafter organized.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 643 passed by the following vote:

AYES—Senators Ballard, Breed, Canepa, Carr, F. M., Chandler, Crowley, Evans, Gates, Hans, Ingram, Johnson, King, Lyon, Maddux, Nealon, Parkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 871—An act to amend the Political Code by adding a new section thereto, to be numbered 4276a, relating to fees and mileage of jurors in counties of the forty-seventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 871 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 870—An act to amend section 4276 of the Political Code, relating to salaries and fees of officers in counties of the forty-seventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 870 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Gates, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Lyon, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 136—An act to amend section 4271 of the Political Code, relating to salaries of officers of counties of the forty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 136 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Gates, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 589—An act to add a new section to the Code of Civil Procedure, to be numbered 103*c*, relating to justice's clerks for counties of the third class.

On motion of Senator Breed, Assembly Bill No. 589 was passed on file.

Assembly Bill No. 253—An act to amend section 4251 of the Political Code, relating to salaries and fees of officers of counties of the twenty-second class.

On motion of Senator Breed, Assembly Bill No. 253 was passed on file.

Assembly Bill No. 27—An act to add a new section, to be known as section 9*gg*, to an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 27 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Gates, Hans, Ingram, Irwin, Johnson, Kehoe, King, Lyon, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 483—An act to amend section 4257 of the Political Code, relating to the compensation of county and township officers of counties of the twenty-eighth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 483 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M. Chandler, Crowley, Duncan, Gates, Hans, Ingram, Jones, Lemmon, Kehoe, Kelly, Lyon, M. Donald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stockenbruck, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 502—An act to amend section 4041 of the Political Code, relating to the general powers of board of supervisors.

On motion of Senator Lyon, Assembly Bill No. 502 was passed to file.

Assembly Bill No. 523—An act fixing the compensation of grand and trial jurors in counties of the twenty-eighth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 523 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M. Carr, W. J. Chandler, Crowley, Duncan, Gates, Hans, Ingram, Jones, Johnson, Kehoe, King, M. Donald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stockenbruck, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 990—An act to add a new section to the Political Code, to be numbered 4147a, relating to the powers and duties of deputy coroners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 990 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M. Chandler, Crowley, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, Lyon, M. Donald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stockenbruck, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1314—An act to amend section 4042 of the Political Code, relating to additional powers and duties of the board of supervisors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1314 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Duncan, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Lyon, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Tyrrell—29.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 137—An act to provide for the care of the graves of soldiers, sailors and marines of the United States of America whose remains are buried in certain cemeteries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 137 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Duncan, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Tyrrell—30.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1400—An act declaring certain drainage work already done within Drainage District No. 1, Butte County, to have been legally done, validating the same, and making such work a proper subject for the levy of an assessment to pay therefor; authorizing the levy and collection of such assessment in said district to provide for such payment, and interest; the original assessment levied and collected being insufficient to provide for such payment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1400 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Duncan, Flaherty, Gates, Hans, Ingram, Johnson, Kehoe, King, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Stuckenbruck, and Tyrrell—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 390—An act appropriating money for new wiring in the old buildings and grounds at the Southern California State Hospital.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 390 passed by the following vote:

AYES—Senators Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Kehoe, King, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Tyrrell—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 392—An act appropriating money for the installation of pump, motor and connections in connection with the new well, at the Southern California State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 392 passed by the following vote:

AYES—Senators Benson, Breed, Campa, Carr, F. M., Carr, W. J., Chandler, Flaherty, Gates, Ingram, Irwin, Kehoe, Luce, Maddux, Nealon, Parkin, Rigdon, Rominger, Scott, Sharkey, Stuckenbruck, and Tyrrell—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 765—An act to define commercial feeding stuffs and to establish a standard therefor, providing for the branding and labeling of same, empowering the State Board of Health to enforce the provisions of the act and providing penalties for the violation of the same.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 765 was refused passage by the following vote:

AYES—Senators Benson, Breed, Campa, Carr, F. M., Evans, Gates, Johnson, Lyon, Nealon, Rush, and Tyrrell—11.

NOES—Senators Ballard, Carr, W. J., Chandler, Chandler, Flaherty, Ingram, Irwin, Kehoe, Luce, McDonald, Maddux, Parkin, Rominger, Scott, Sharkey, Shearer, and Stuckenbruck—17.

NOTICE OF MOTION TO RECONSIDER.

Senator Lyon gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 765 was refused passage.

Assembly Bill No. 828—An act to amend section 1665 of the Political Code, relating to the subjects in which instruction shall be provided in the elementary schools of the State.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Gates moved to refer Assembly Bill No. 828 to Senator Lyon, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 14, strike out the semicolon and insert in lieu thereof a comma.

AMENDMENT NUMBER TWO.

On page 2, line 15, strike out the comma following the word "education" and the word "manual" and insert in lieu thereof a period and the word "Manual".

AMENDMENT NUMBER THREE.

On page 2, line 19, beginning with the word "any", strike out everything down to and including the word "buildings" in line 20, and insert in lieu thereof the following: "in any one school, whether housed in one or more buildings".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 16, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 828, with instructions to amend, respectfully reports the same back, amended as per instructions.

LYON, Special Committee.

Report read, and, on motion of Senator Gates, adopted.

Bill ordered to print.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Irwin:

SENATE CHAMBER, SACRAMENTO, April 16, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2, Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend section 1475 of the Code of Civil Procedure, relating to the setting off of the recorded homestead and the presentation of claims against said homestead and the estate of the homestead claimant.

Request referred to Committee on Rules.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 292—An act appropriating money for construction and equipment of small buildings at the San Quentin State Prison.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 292 passed by the following vote:

AYES—Senators Ballard, Breed, Canepa, Chamberlin, Chandler, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 400—An act to appropriate money to pay the expense of improving certain streets in the city of Berkeley adjoining the grounds of the University of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 400 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Chandler, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 415—An act making an appropriation to pay the claim of the city of Los Angeles against the State of California.

The question being on the passage of the bill.

Bill read third time.

The roll was called, and Senate Bill No. 415 passed by the following vote:

AYES—Senators Ballard, Breed, Caspa, Chandler, Chandler, Evans, Flaherty, Gates, Haus, Ingram, Irwin, Johnson, Jones, Kelso, King, McDonald, Newlin, Parkin, Rominger, Rush, Scott, Sisk, Stephens and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 416—An act making an appropriation for the payment of certain assessments for sanitary sewers levied upon the property of the State of California known as the normal school property on Vermont avenue, in the city of Los Angeles, State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 416 passed by the following vote:

AYES—Senators Ballard, Breed, Caspa, Carr, E. M., Chandler, Chandler, Flaherty, Gates, Haus, Ingram, Irwin, Johnson, Jones, Kelso, King, Lee, Lyon, McDonald, Maddux, Newlin, Parkin, Rush, Scott, Sisk, Stephens, Stone, Stockwell and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 417—An act making an appropriation for the payment of certain assessments for main outfall sewer levied upon the property of the State of California known as the normal school property, on Vermont avenue, in the city of Los Angeles, State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 417 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Caspa, Carr, E. M., Carr, W. J., Chandler, Chandler, Crowley, Evans, Flaherty, Gates, Haus, Ingram, Irwin, Johnson, Jones, Kelso, King, Lee, Lyon, McDonald, Maddux, Newlin, Parkin, Rominger, Rush, Scott, Sharkey, Sisk, Stockwell, Thompson, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 460—An act to amend sections 2319, 2319a, 2319b, 2319c, 2319d, 2319e and 2319f of the Political Code of the State of California; to add sections 2319g and 2319h as new sections to the Political Code of the State of California, relating to the State Commissioner of Horticulture and prescribing the powers, duties and compensation of said State Commissioner of Horticulture and the officers and employees appointed by said commissioner and providing methods, means and penalties for the enforcement of such powers and duties, and providing for the appointment of additional officers, fixing their compensation and prescribing their duties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 460 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Caspa, Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Haus, Ingram, Inman, Irwin, Johnson, Jones,

Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Tyrrell—32.
NOES—Senator Purkitt—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 773—An act appropriating money for the purpose of constructing a barn to be used in connection with the California Polytechnic School at San Luis Obispo.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 773 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rush, Scott, Sharkey, Stuckenbruck, and Tyrrell—29.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 907—An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, by controlling the floods, removing the debris and continuing the improvement of the Sacramento River, California, in accordance with the plans of the California Debris Commission contained in the report of said commission submitted August 10, 1910, and transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on June 27, 1911, and printed in House of Representatives Document No. 81 of the first session of the Sixty-second United States Congress, as modified by the report of said commission submitted February 8, 1913, approved by the chief of engineers of the United States Army and the Board of Engineers for Rivers and Harbors and printed in Rivers and Harbors Committee Document No. 5, sixty-third United States Congress, first session, in so far as said plan provides for the rectification and enlargement of river channels and the construction of weirs; and making an appropriation for such work; and providing for the continuance of such work as provided by section 2 of an act of the Congress of the United States entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes," approved March 1, 1917.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 907 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, Luce, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Tyrrell—30.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1006—An act to amend sections 2, 6 and 17 of an act entitled "An act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain acts a felony and repealing an act entitled 'An act creating a commissioner of public works, defining his duties and powers and fixing his compensation,' approved February 9, 1909, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897, also repealing an act entitled 'An act providing for the appointment of an auditing board to the commissioner of public works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this act,' approved March 17, 1897, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to provide for the appointment, duties and compensation of a debris commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such commissioner,' approved March 24, 1893, and all acts or parts of acts amendatory thereof, also repealing an act entitled 'An act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this act,' approved April 1, 1897, and all acts or parts of acts amendatory thereof," approved March 11, 1907, and all acts or parts of acts amendatory thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1006 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Chamberlin, Chandler, Cronkhite, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Lee, Lyon, McDonald, Maddux, Nealon, Rigdon, Rush, Seer, Sharkey, Slater, and Tyrrell—28.

NOES—Senators Duncan, and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1020—An act appropriating money to pay the claim of various counties and institutions, orphan aid.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1020 passed by the following vote:

AYES—Senators Ballard, Breed, Campa, Chamberlin, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Rominger, Rush, Scott, Slater, Stuckenbruck, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1091—An act to amend sections 2283, 2285, 2286 and 2289 of the Political Code, relating to the support and maintenance of orphans, half orphans and abandoned children.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1091 passed by the following vote:

AYES—Senators Ballard, Breed, Campa, Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Slater, Stuckenbruck, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1126—An act providing for the establishment and maintenance of a state nursery under the jurisdiction and management of the State Forester for the growing of stock for reforestation and the planting of trees along highways and in public places, and making an appropriation therefor.

In the absence of the author, Senate Bill No. 1126 was ordered passed, to retain its place on the file.

Senate Bill No. 1140—An act to accept the provisions and benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled and approved February 23, 1917, to provide for the promotion of vocational education; to create a vocational education fund and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1140 passed by the following vote:

AYES—Senators Ballard, Breed, Campa, Chamberlin, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Scott, Stuckenbruck, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1138—An act to provide for the establishment of public medical centers for the care of the health of the children of the State of California; prescribing penalties for violations of the provisions hereof and repealing an act entitled "An act to provide for health and development supervision in the public schools of the State of California," approved April 15, 1909, and all acts and parts of acts inconsistent herewith.

Bill read third time.

CALL OF THE SENATE.

The roll was called on the passage of Senate Bill No. 1138.

Pending the announcement of the vote, Senator McDonald moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kelso, King, Lane, Lyon, McDonald, Maddux, Nealon, Purkitt, Reglen, Rominger, Rush, Scott, Slater, Stockenberry, and Tyrrell—26.

The Secretary announced the absentees.

Time, four o'clock and thirty-five minutes p.m.

The Acting President directed the Sergeant-at-Arms to close the doors.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At four o'clock and forty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator McDonald.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Senate Bill No. 1138 refused passage by the following vote:

AYES—Senators Canepa, Chamberlin, Irwin, Jones, Kelso, Maddux, Nealon, Purkitt, Reglen, Rominger, Scott, Slater, and Stockenberry—13.

NOES—Senators Ballard, Benson, Breed, Carr, F. M., Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Inman, King, Lane, Lyon, McDonald, and Tyrrell—19.

NOTICE OF MOTION TO RECONSIDER.

Senator McDonald gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 1138 was refused passage.

THIRD READING OF SENATE BILLS—(REST WHO).

Senate Bill No. 426—An act to add a new section to the Political Code, to be numbered 1838, relating to the powers and duties of the governing boards of school districts in levying taxes for building purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 426 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Johnson, Kelso, King, Lane, Lyon, McDonald, Maddux, Nealon, Rominger, Rush, Scott, Sharkey, Slater, and Tyrrell—26.

NOES—Senators Irwin, and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assmbly.

Senate Bill No. 692—An act to amend section 1548 of the Political Code of the State of California, relating to postage, expressage, printing and binding of documents and other incidental expenses of the county, or city and county, superintendent of schools.

On motion of Senator Crowley, Senate Bill No. 692 was passed on file.

Senate Bill No. 693—An act to amend sections 1712 and 1714 of the Political Code of the State of California, relating to school libraries, what books and apparatus may be bought, how and when they may be purchased, and providing a library fund in cities, and cities and counties.

On motion of Senator Crowley, Senate Bill No. 693 was passed on file.

Senate Bill No. 981—An act to add a new section to Article VII, Chapter 3, Title III of Part III of the Political Code of the State of California to be designated section 1617*b*, relating to power of trustees of elementary school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 981 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Johnson, Kehoe, King, Luce, Lyon, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 505—An act relating to the liability in damages of the officers of towns, cities, cities and counties, counties and of the State of California for injuries to person or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, and repealing acts in conflict herewith.

On motion of Senator Carr, F. M., Senate Bill No. 505 was passed on file.

Senate Bill No. 1181—An act to amend section 1547 of the Penal Code, relating to offering rewards for the apprehension of fugitives from justice.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1181 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, Kehoe, King, Luce, Lyon, Maddux, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 6—An act to regulate the preparation of plans and specifications and awarding of contracts for the erection, construction and alteration of public buildings in the State of California.

On motion of Senator Flaherty, Senate Bill No. 6 was passed on file.

Senate Bill No. 837—An act to amend the Code of Civil Procedure of the State of California by adding a new section to be numbered

and known as section 300, relating to costs in proceedings for the removal and suspension of attorneys.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 837 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, Kehoe, Luce, Lyon, Maddux, Neylon, Parkin, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At four o'clock and fifty minutes p.m. Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Senate Bill No. 1178—An act authorizing the State Board of Control for and on behalf of the State of California to retransfer a certain tract of land back to original owners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1178 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, King, Luce, Lyon, McDonald, Maddux, Neylon, Parkin, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 132—An act to amend section 270 of the Penal Code, providing punishment for failing to support a minor child, and conferring jurisdiction upon the juvenile court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 132 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, King, Luce, Lyon, McDonald, Maddux, Neylon, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR CANEPA IN THE CHAIR.

At five o'clock p.m., Senator Canepa, of the Eighteenth District, was called to the chair.

SECRETARY CLIFTON E. BROOKS AT THE DESK.

Senate Bill No. 589—An act to amend section 290*a* of the Civil Code, relating to corporations authorized to act as executor, administrator,

[illegible]

[illegible]

[illegible]

The roll was called, in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

Ayes—Senators Ballard, Benson, Bond, Cartwright, Cate, F. M., Cate, W. J., Chandler, Crowley, Dennis, Flaherty, Gates, Hagan, Harris, Hiram Johnson, Hotchkiss, Jones, Kehoe, Lane, Lewis, McDonald, Marks, Nelson, Peterson, Rigdon, Rominger, Rush, Savage, Shearer, Simpson, Stevenson, Stewart, Sutherland and Thompson—40.

Noes—None.

INTRODUCTION AND FIRST READING OF BILLS.

The following bill was introduced in accordance with the above report:

By Senator Crowley: Senate Bill No. 3191—An act appropriating money for the purchase and installation of boilers for the Veterans Home.

Bill read first time, and referred to Committee on Finance.

THIRD READING OF URGENT BILLS—(CONTINUED).

Senate Bill No. 813—An act to authorize inspections by the Railroad Commission and the Industrial Accident Commission in the exercise of jurisdiction with respect to safety devices, rules and regulations in employments and places of employment established by public authority.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 813 passed by the following vote:

Ayes—Senators Ballard, Benson, Bond, Cartwright, Cate, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Hagan, Johnson, Jones, King, Lane, Lewis, Marks, Nelson, Rigdon, Rominger, Rush, Savage, Shearer, Stevenson, Stewart, Sutherland and Thompson—26.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 829—An act to amend section 467 of the Political Code, relating to the examination by the Insurance Commissioner of insurance carriers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 829 passed by the following vote:

Ayes—Senators Ballard, Benson, Bond, Cartwright, Cate, F. M., Cate, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Hagan, Harris, Johnson, Jones, King, Lane, Marks, Rigdon, Rominger, Rush, Savage, Shearer, Stewart, Sutherland and Thompson—26.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 337—An act to incorporate standard provisions in policies of accident and health insurance, to prevent discriminations in connection therewith, and to prescribe penalties for violations of the provisions hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 337 passed by the following vote:

AYES—Senators Benson, Breed, Caneja, Carr, F. M., Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Johnson, Jones, King, Luce, Lyon, Maddux, Nealon, Rigdon, Rush, Scott, Shirkey, Slater, Stuckenbruck, and Thompson—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 47—Proposed amendment to Article VI of the Constitution, relative to the adoption of rules of pleading and practice in the courts of the State of California.

On motion of Senator Breed, Senate Constitutional Amendment No. 47 was passed on file.

Senate Constitutional Amendment No. 45—Proposed amendment to Article VI of the Constitution, relative to the Supreme Court and District Courts of Appeal, and providing for two divisions of the District Courts of Appeal of the First and Second Appellate Districts.

On motion of Senator Breed, Senate Constitutional Amendment No. 45 was passed on file.

Senate Constitutional Amendment No. 46—Proposed amendment to Article VI of the Constitution, relative to courts and providing for the creation of and fixing the jurisdiction of inferior courts, and regulating appeals therefrom.

On motion of Senator Breed, Senate Constitutional Amendment No. 46 was passed on file.

Senate Constitutional Amendment No. 48—Proposed amendment to Article VI of the Constitution, relative to providing for the appointment of a commissioner of justice, and prescribing his duties and responsibilities.

On motion of Senator Breed, Senate Constitutional Amendment No. 48 was passed on file.

Senate Bill No. 176—An act adding a new section to the Political Code to be numbered 3245*a*, relating to hours of labor of females employed in State hospitals.

On motion of Senator Flaherty, Senate Bill No. 176 was passed on file.

Senate Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by adding a new article thereto, to be numbered XXIV, establishing a State Athletic Commission and regulating boxing and sparring in the State.

On motion of Senator Scott, Senate Constitutional Amendment No. 19 was passed on file.

Senate Constitutional Amendment No. 44—A resolution to propose to the people of the State of California to amend section 13 of Article VI of the Constitution of the State, relating to inferior courts.

On motion of Senator Ballard, Senate Constitutional Amendment No. 44 was ordered to unfinished business.

Senate Bill No. 816—An act to amend section 3 of an act entitled "An act relating to explosives and prescribing regulations for the transportation, storage and selling of explosives, and providing penalties for the violation of this act," in effect March 21, 1911, and

known as Chapter 213, Statutes of 1911, and to repeal section 11 of said act.

In the absence of the author, Senate Bill No. 816 was ordered passed, to retain its place on the file.

Senate Bill No. 811—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications.

On motion of Senator Ballard, Senate Bill No. 811 was passed on file.

Senate Bill No. 1134—An act to amend section 131 of the Civil Code, relating to judgment in an action for divorce, and repealing section 132 of said Civil Code.

On motion of Senator Scott, Senate Bill No. 1134 was passed on file.

Senate Bill No. 1023—An act relating to corporations and to the issue of shares by them without a nominal or par value.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1023 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Dennis, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Jones, King, Lane, Lyon, Maddux, Nelson, Parkitt, Rhodes, Rominger, Rush, Scott, Sharkey, Stiret, Stuckenbruck, and Thompson—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 228—An act to amend section 304 of the Civil Code relating to entries to be made in the book of by-laws kept by corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 228 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Canepa, Carr, F. M., Chamberlin, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Jones, King, Lane, McDonald, Maddux, Nelson, Parkitt, Rominger, Rush, Scott, Sharkey, Stiret, Stuckenbruck, and Thompson—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 555—An act to provide for the formation, government, operation and dissolution of forest fire districts, in any part of the State of California, to prevent and extinguish forest, brush and grass fires therein, and protect persons and property from injury, loss or damage resulting from any such fire; and to provide for the assessment, levy, collection and disbursement of taxes and revenues therein, and the contribution or payment of public funds therefor.

Bill read third time.

On motion of Senator Sharkey, Senate Bill No. 555 was passed on file.

Senate Bill No. 261—An act to amend section 1920 of the Civil Code of the State of California, relating to interest on judgments.

In the absence of the author, Senate Bill No. 261 was ordered passed, to retain its place on the file.

RESOLUTIONS.

The following resolutions were offered:

By the Committee on Contingent Expenses:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate for the sum of two hundred dollars for postage stamps, the same to be paid out of the contingent fund of the Senate, and the Treasurer is hereby directed to pay the same.

NEALON, Chairman.

Resolution read.

Senator Nealon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, King, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, and Stuckenbruck—28.

NOES—None.

Also:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Senate in the sum of eight dollars forty cents, in favor of J. A. Rominger, to pay the amounts as itemized below, and the State Treasurer is hereby ordered to pay the same.

To mileage, Long Beach to Los Angeles and return, first half of present session	$4 20
To mileage, Long Beach to Los Angeles and return, second half of present session	4 20
Total	$8 40

This is to correct an error which was made by the Mileage Committee, figuring the above mileage Los Angeles to Sacramento and return, whereas it should have been figured Long Beach to Sacramento and return; said error being shown in Senate Journals of January 10th and February 27th, respectively.

NEALON, Chairman.

Resolution read.

Senator Nealon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, and Slater—30.

NOES—None.

REPORT OF STANDING COMMITTEE—OUT OF ORDER.

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 16, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Irwin to introduce a bill entitled: "An act to amend section 1475 of the Code of Civil Procedure, relating to the setting off of the recorded homestead and the presentation of claims against said homestead and the estate of the homestead claimant;"—has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, and Sharkey—31.

NOES—None.

INTRODUCTION AND FIRST READING OF BILL

The following bill was introduced in accordance with the above report:

By Senator Irwin: Senate Bill No. 119—An act to amend section 1475 of the Code of Civil Procedure, relating to the setting off of the recorded homestead and the presentation of claims against said homestead and the estate of the homestead claimant.

Bill read first time, and referred to Committee on Judiciary.

THIRD READING OF SENATE BILLS—(RESUMED)

Senate Bill No. 455—An act to amend section 4244 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fifteenth class.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 455 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Irwin, Jeanot, Irwin, Johnson, Jones, Kehoe, Lane, Lyon, McDonald, Rigdon, Rush, Scott, Slater, Scott, and Sanderbeck—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1158—An act to amend section 1567 of the Penal Code, relating to the accounts of persons employed to bring back fugitives from the State.

In the absence of the author, Senate Bill No. 1158 was ordered passed, to retain its place on the file.

Senate Bill No. 922—An act to amend the Penal Code by repealing section 499c thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 922 passed by the following vote:

AYES—Senators Ballard, Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Evans, Flaherty, Gates, Ingram, Irwin, Jeanot, Jones, Lane, Lyon, McDonald, Rigdon, Rominger, Rush, Scott, Slater, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 923—An act to amend the Penal Code, by amending section 499b thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 923 passed by the following vote:

AYES—Senators Ballard, Breed, Canepa, Carr, F. M., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Irwin, Jeanot, Jones, Lane, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Slater, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1173—An act providing for the taking over by the State of California of a certain road in Boulder Creek township, county of Santa Cruz, and for the maintenance and improvement of the same as a state road under the supervision of the State Department of Engineering.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1173 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, Jones, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rominger, Rush, Scott, Sharkey, and Slater—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1150—An act to amend an act entitled "An act to promote drainage," approved March 18, 1885, by adding a new section thereto to be numbered 20½, providing for the disincorporation of drainage districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1150 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Jones, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, and Stuckenbruck—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 599—An act to provide for the organization and supervision of courses in physical education in the elementary, secondary and normal schools of the State, and appropriating ten thousand dollars therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 599 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, W. J., Crowley, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, Luce, Lyon, McDonald, Maddux, Nealon, Rush, Scott, and Sharkey—22.

NOES—Senators Irwin and Stuckenbruck—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 560—An act to amend sections 5, 68, 70 and 72 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments

for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Breed moved to refer Assembly Bill No. 560 to Senator Kehoe, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 4, lines 2 and 3, of the printed bill, strike out the following words: "which has accrued and is unpaid" and insert in lieu thereof "which is past due and remains unpaid".

AMENDMENT NUMBER TWO.

On page 4, lines 4, 5 and 6, of the printed bill, strike out the following words: "two semiannual installments of interest [illegible] according to the terms of such bond", and insert in lieu thereof the following words: "installment of interest for the half year then current and one additional semi-annual installment."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 16, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 560, with instructions to amend, respectfully reports the same back, amended as per instructions.

KEHOE, Special Committee.

Report read, and, on motion of Senator Breed, adopted.

Bill ordered to print.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At five o'clock and fifty-five minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Assembly Bill No. 585—An act to amend section 765 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended.

Bill read third time, previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Evans moved to refer Assembly Bill No. 585 to Senator King, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

Strike out all of lines 13, 14, 15, 16 and 17, and insert in lieu thereof the words "public places therein; *provided*, that emergency ordinances subject to the referendum must be published at least one time."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 13, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 585, with instructions to amend, respectfully reports the same back, amended as per instructions.

KING, Special Committee.

Report read, and, on motion of Senator Evans, adopted.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Duncan moved to refer Assembly Bill No. 585 to Senator Purkitt, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 2 of the title, strike out the words "section seven hundred sixty-five" and insert in lieu thereof the following: "sections seven hundred sixty-four and seven hundred sixty-five".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, in line 1, strike out the word "sixty-five" and insert in lieu thereof the word "sixty-four".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, between lines 4 and 5, insert the following:

Sec. 764. The board of trustees of such city shall have power

1. To pass ordinances not in conflict with the constitution and laws of this state, or of the United States.

2. To purchase, lease, or receive such real estate and personal property as may be necessary or proper for municipal purposes, and to control, dispose of, and convey the same for the benefit of the city; *provided*, that they shall not have any power to sell or convey any portion of any water front, but may rent such water front for a term not exceeding ten years for the purpose of erecting bath houses thereon.

3. To contract for supplying the said city with water, and gas, and electric lights or other lights for municipal purposes, to purchase, lease, construct or otherwise acquire water works, electric plants, and gas works or plants or any of same, and all machinery, conductors, lands, appliances and all other things needed therefor, and to supply said city with, and to sell to the inhabitants of said city, gas, electric light or other light, and heat, and power; *provided*, that no such purchase or lease shall be made unless the question of acquiring such property is submitted to the voters of such city in the same manner as other propositions, at a general or special municipal election, and a majority of the electors voting at such election shall vote in favor of such proposition.

4. To establish, build and repair bridges; to establish, lay out, alter, keep open, open, improve and repair streets, sidewalks, alleys, squares, and other public highways and places within the city, and to drain, sprinkle, oil, and light the same; to remove all obstructions therefrom; to establish the grades thereof; to grade, pave, macadamize, gravel and curb the same in whole or in part, and to construct gutters, culverts, sidewalks, and crosswalks therein, or upon any part thereof; to cause to be planted, set out, and cultivated, shade trees therein; and generally to manage and control all such highways and places.

5. To establish, construct and maintain drains and sewers, and to provide by ordinance for a general system of sewers, and the expense of building and maintaining the same.

6. To provide fire engines and all other necessary or proper apparatus for the prevention and extinguishment of fires.

7. To impose and collect from every male inhabitant between the ages of twenty-one and sixty years, an annual street poll tax, not exceeding two dollars, and no other road poll tax shall be collected within the limits of such city; *provided*, that any member of a volunteer fire company in said city shall be exempt from such tax.

8. To impose and collect an annual license, not exceeding two dollars on every dog owned or harbored within the limits of the city.

9. To levy and collect annually a property tax, which shall be apportioned as follows: For the general fund not exceeding sixty cents on each one hundred dollars; for street fund, not exceeding thirty cents on each one hundred dollars; for school fund, not exceeding twenty-five cents on each one hundred dollars; for sewer fund, not exceeding ten cents on each one hundred dollars. The levy for all purposes for any one year for all purposes to which such funds are applicable shall not exceed one dollar on each one hundred dollars of the assessed value of all real and personal property within such city.

10. To license, for purposes of regulation and revenue, all and every kind of business, including the sale of intoxicating liquors, authorized by law and transacted or carried on in such city, and all shows, exhibitions, and lawful games carried on therein; to fix the rates of licenses upon the same, and to provide for the collection of the same by suit or otherwise.

11. To improve the rivers and streams flowing through such city, or adjoining the same; to widen, straighten, and deepen the channels thereof, and to remove

obstructions therefrom; to improve the water front of the city, and to construct and maintain embankments and other works to protect such city from overflow.

12. To erect and maintain buildings for municipal purposes.

13. To permit, under such restrictions as they may deem proper, the laying of railroad tracks and the running of cars drawn by horses, steam, electricity, or other power thereon, and the laying of gas or water pipes in the public streets, and to construct and maintain, and to permit the construction and maintenance of telephone, **telegraph and electric light lines therein.**

14. In its discretion to divide the city, by ordinance, into a convenient number of wards, not exceeding five, to fix the boundaries thereof, and to change the same from time to time; *provided*, that no change in the boundaries of any ward shall be made within sixty days next before the date of said general municipal election, nor within twenty months after the same shall have been established or altered. Whenever such city shall be divided into wards, the board of trustees shall determine by ordinance the number of trustees to be elected from each ward, apportioning the same in proportion to the population of such ward; and thereafter the trustees so determined shall be elected by the qualified electors resident in said ward, as to the general city at the whole city, as may be designated in such ordinance.

15. To appoint and remove such policemen and such other subordinate officers as they may deem proper, and to fix their duties and compensation.

16. To impose fines, penalties, and forfeitures for any and all violations of ordinances, and for any breach or violation of any ordinance to fix the penalty by fine or imprisonment, or both, but no such fine shall exceed three hundred dollars, nor **the term of such imprisonment exceed three months.**

17. To cause all persons imprisoned for violation of any ordinance to labor on the streets, or other property or works within the city.

18. To establish fire limits, and the same to alter at pleasure; to regulate or prevent the erection of wooden or other buildings or structures of combustible materials; to regulate the construction of all buildings, sheds, awnings, signs, or any structure of a dangerous or unsafe character; to provide by regulations for the prevention and summary removal of all filth and garbage in the streets, sloughs, alleys, backyards or public grounds of such city, or elsewhere therein; to regulate or prohibit the storage of gunpowder and combustible or explosive materials of every kind and nature within the city limits, and to prescribe the limits in which the same may be kept or stored.

19. To do and perform any and all other acts and things necessary and proper to carry out the provisions of this chapter, and to exert and enforce within the limits of such city all other local, police, sanitary, and other regulations as do not conflict with general laws.

20. To levy and collect a property tax in addition to that now authorized by law for the purpose of improving, repairing, and maintaining any and all streets, avenues, lanes, alleys, courts, places and sidewalks of said municipality, which have heretofore been accepted by said municipality, under and pursuant to the provisions of any street improvement act, providing for the acceptance of streets by said municipality, which such tax shall not exceed thirty cents on each one hundred dollars of the assessed value of all real and personal property within such municipality.

SEC. 2. Section seven hundred sixty-five of "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, is hereby amended to read as follows:

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 16, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 585, with instructions to amend, respectfully reports the same back, amended as per instructions.

PURKITT, Special Committee.

Report read, and, on motion of Senator Duncan, adopted.

Bill ordered to print.

Assembly Bill No. 697—An act to amend section 863 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Evans moved to refer Assembly Bill No. 697 to Senator King as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

Strike out all of lines 9, 10, 11, 12 and 13, and insert in lieu thereof: "the clerk. Every penal ordinance or ordinance imposing a fine or other penalty for its infraction, except an emergency ordinance not subject to the referendum, must be published by said board at least twice in a newspaper of general circulation published and circulated in such city or town, whereas all other ordinances must be published at least once in such a newspaper; *provided*, that if there be no such newspaper published and circulated in such city or town, then all ordinances must be posted in at least three public places therein; *provided, further*, that in all cities or towns which have been incorporated less than one year, all ordinances may be either published or posted as aforesaid, as the board of trustees may determine; *and provided, further*, that in no case shall the price charged for such publication of any ordinances exceed the customary rate charged by such newspaper for the publication of legal notices of a private character."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 16, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 697, with instructions to amend, respectfully reports the same back, amended as per instructions.

KING, Special Committee.

Report read, and, on motion of Senator Evans, adopted.
Bill ordered to print.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 16, 1917.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 59—An act providing for the establishment and maintenance of sewer districts outside of municipal corporations—has had the same under consideration, and respectfully reports the same back without recommendation.

INMAN, Chairman.

Assembly Bill No. 59 ordered on file for second reading.
Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 717—An act to amend section 4256 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-seventh class—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

INMAN, Chairman.

Assembly Bill No. 717 ordered on file for second reading.
Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 876—An act to add a new section, to be numbered 9*ii*, to an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

INMAN, Chairman.

Assembly Bill No. 876 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on [illegible] to which was referred Assembly Bill No. 611—An act to add a new section to the Penal Code, to be numbered 1052c, relating to the passage of [illegible] under consideration, and respectfully reports the same back without [illegible]

INMAN, Chairman.

Assembly Bill No. 611 ordered on file for second reading.

ADJOURNMENT.

At six o'clock p.m., on motion of Senator Benson, the President pro tempore declared the Senate adjourned.

IN SENATE

SENATE CHAMBER,

SACRAMENTO, Tuesday, April 17, 1917.

The Senate met at ten o'clock a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Cartter, Cox, E. M. Cox, W. J. Chandler, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Martin, Nutter, Parker, Raphan, Rominger, Rush, Scott, Sharkey, Slater, Stephenson, Thompson, and Tyrrell—35.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, April 16, 1917, its further reading was dispensed with, on motion of Senator Benson.

LEAVES OF ABSENCE.

Senator Chamberlin was, on motion of Senator Lyon, granted leave of absence for this day.

Senator Shearer was, on motion of Senator Inman, granted leave of absence for this day.

PRIVILEGE OF THE FLOOR OF SENATE EXTENDED.

On request of Senator Slater, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to M. Robbins Lampson, famous boy poet of Sonoma County.

PETITION.

The following petition was presented and ordered printed in the Journal:

To the Senate of the State of California in Legislature assembled:

We, the undersigned, electors in the State of California, respectfully urge the passage of Senate Constitutional Amendment No. 27 and Assembly Constitutional Amendment No. 33.

DORSEY ASH, and 4 others.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 92—An act to prevent the keeping of towels for common use in public places, and prescribing penalties for violations of the provisions thereof;

Also: Senate Bill No. 435—An act to amend the Penal Code by adding a new section thereto, to be numbered 653e, relating to the time of payment of wages by contractors on public work;

Also: Senate Bill No. 705—An act to amend sections 1663, 1771 and 1775 of the Political Code, relating to the classification of schools, the powers of county boards of education and the granting of teachers' certificates;

Also: Senate Bill No. 505—An act to amend section 4280 of the Political Code, relating to the compensaiton of officers of counties of the fifty-first class;

And respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 705 ordered to unfinished business.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 435—An act to amend the Penal Code, by adding a new section thereto, to be numbered 653f, relating to the time of payment of wages by contractors on public work.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED THIRTY-FIVE.

AMENDMENT NUMBER ONE.

On page 1, line 3, of the title of the printed bill, strike out the letter "e" and insert in lieu thereof the letter "f".

AMENDMENT NUMBER TWO.

On page 1, line 4, of the printed bill, strike out the letter "e" and insert in lieu thereof the letter "f".

AMENDMENT NUMBER THREE.

On page 1, line 2, of the printed bill, strike out the letter "e" and insert in lieu thereof the letter "f".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 435?

The roll was called, and Assembly amendments to Senate Bill No. 435 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Flaherty, Ingram, Johnson, Jones, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Thompson, and Tyrrell—24.

NOES—None.

Senate Bill No. 435 ordered to enrollment.

The Senate took up for consideration Assembly amendments to Senate Bill No. 503—An act to amend section 4280 of the Political Code, relating to the compensation of officers of counties of the fifty-first class, and creating the office of county librarian and providing for the appointment and salary thereof.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED THREE.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 4 of the title, strike out the period and insert in lieu thereof a comma and add the following: "and creating the office of county librarian and providing for the appointment and salary thereof."

AMENDMENT NUMBER TWO.

On page 4 of the printed bill, between lines 9 and 10 insert the following:

15a. There is created for counties of the fifty-first class the office of county librarian; the librarian shall be appointed by the board of supervisors for a term of four years and shall receive a salary of one thousand two hundred dollars per annum, to be paid in equal monthly installments at the same time and in the same manner as other county officers are paid.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 503?

The roll was called, and Assembly amendments to Senate Bill No. 503 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Chandler, Duncan, Evans, Flaherty, Hans, Ingram, Johnson, Jones, Kehoe, King, Lane, Lyon, McDonald, Nealon, Rigdon, Rush, Stuckenbruck, Thompson, and Tyrrell—22.

NOES—None.

Senate Bill No. 503 ordered to enrollment.

The Senate took up for consideration Assembly amendments to Senate Bill No. 92—An act to prevent the keeping of towels for common use in public places and prescribing penalties for violations of the provisions thereof.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER NINETY-TWO.

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the words "place of."

On page 1, line 5, of the printed bill, strike out the word "employment" and also the comma following said word.

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 92?

The roll was called, and Assembly amendment to Senate Bill No. 92 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Duncan, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, Jones, Kehoe, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Slater, Stuckenbruck, Thompson, and Tyrrell—25.

NOES—None.

Senate Bill No. 92 ordered to enrollment.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 471—An act to amend sections 1, 2, 3, 5, 7, 8, 9 and 10 of an act entitled "An act authorizing levee districts of the State to incur a

bonded indebtedness for the purpose of building, constructing or repairing roads of the district, or for constructing and maintaining ditches or canals of such district, or for the purpose of acquiring rights of way for any such roads, ditches, or canals, or for any and all of said purposes," approved March 8, 1911, and adding thereto four new sections designated as sections 8a, 8b, 8c, and 11.

Also: Senate Bill No. 594—An act to amend section 8 of an act entitled "An act to provide for the formation of road districts in the various counties of this State and to provide for the creation of boards, duties and other works for the purpose of protecting the roads within such districts from overflow and to levy assessments to cover and construct and maintain such levees, ditches and other works and to pay the necessary costs and expenses of maintaining and operating," approved March 20, 1905, and amended by an act approved March 16, 1907;

Also: Senate Bill No. 404—An act to repeal an act entitled "An act to provide for the operating of occupational diseases," approved April 21, 1911;

Also: Senate Bill No. 327—An act to amend section 1673 of the Political Code, pertaining to the length of the school day and the length of time that pupils may be required to attend during each day.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 471, 594, 404 and 327 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 769—An act to amend sections 2, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 24, 27, 31, 33, 36, 37, 38, 40, 41, 42, 43, 44, 46, 47, 48 and 49 of an act entitled "An act establishing and creating a department of the State Mining Bureau for the protection of the mineral resources of petroleum and gas from waste and destruction through improper operations in production; providing for the appointment of a state oil and gas supervisor, prescribing his duties and powers; fixing his compensation; providing for the employment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; providing procedure for arbitration of departmental failings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act," approved June 16, 1915, and to add a new section thereto to be numbered 21a.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 769 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 971—An act to amend sections 1, 2, 3, 4, 5, 6 and 9 of an act entitled "An act to establish a legislative counsel bureau and making an appropriation therefor," approved May 26, 1913, as amended;

Also: Assembly Bill No. 987—An act to amend section 2 of an act entitled "An act to provide for the organization of the Railroad Commission to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers and the rights and remedies of persons of public utilities and to provide penalties for officers of public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys thereon to carry out the provisions of this act, and repealing Title XV of Part IV of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of the act," approved April 23, 1915, relating to common carriers, and defining what shall constitute common carriers;

Also: Assembly Bill No. 709—An act to amend sections 1 and 2 of an act entitled "An act to secure the payment of the claims of materialmen, mechanics or laborers, employed by contractors upon State, municipal or other public work," approved March 27, 1897, as amended;

Also: Assembly Bill No. 727—An act to provide a relief fund in the several counties or any city and county of the State for the needy blind, providing for and prescribing the powers and duties of boards of supervisors in every county or city and county;

Also: Assembly Bill No. 608—An act to amend sections 7, 8, 10 and 19 of an act entitled "An act to provide for the organization and management of mutual fire insurance companies," approved April 1, 1897, and acts amendatory thereto, and to add a new section thereto, to be numbered 18½.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 971 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 987 read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 709 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 727 read first time, and referred to Committee on County Government.

Assembly Bill No. 608 read first time, and referred to Committee on Insurance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 625—An act to amend sections 1817 and 1818 of the Political Code, relating to the county school tax.

Also: Assembly Bill No. 991—An act amending sections 1, 3, 4, 7, 14 and 15, of an act entitled "An act to provide for work upon public streets, private avenues, boulevards, lanes and alleys not within the territory of incorporated cities or towns, for the incidental establishment of grades thereof, for the [illegible] thereon of sidewalks, sewers, manholes, bridges, culverts, gutters, [illegible] and crosswalks, for the issue of bonds representing the [illegible] and expenses thereof, for a special fund derived in part from the county road fund, and for [illegible] assessment upon a district, and for the establishment of such districts," approved March 24, 1907, and adding new sections 9a and 15a thereto, [illegible] security to laborers and materialmen and the furnishing of [illegible] for the making of highway improvements.

Also: Assembly Bill No. 174—An act to provide for the formation, [illegible] operation, reorganization, dissolution and [illegible] of [illegible] districts in any part of the State, for the construction of [illegible] and other sanitary disposal of sewerage matter, the acquisition of [illegible], the issuance and conducting of elections in such districts, the [illegible], custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their [illegible] and [illegible] for the payment of such bonds, and the disposal of their proceeds.

Also: Assembly Bill No. 607—An act to amend section 2 of an act entitled "An act to provide for direct legislation by citizens and [illegible] initiative and referendum," approved January 2, 1912;

Also: Assembly Bill No. 768—An act to amend section 428 of the Penal Code, relating to fish and game.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 625 read first time, and referred to Committee on Education.

Assembly Bill No. 991 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 174 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 607 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 768 read first time, and referred to Committee on Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 14th passed Assembly Bill No. 582—An act to amend section 4296 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the seventh class;

Also: Assembly Bill No. 1174—An act to amend section 1532 of the Political Code, relating to the duties of the Superintendent of Public Instruction.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 582 read first time, and referred to Committee on County Government.

Assembly Bill No. 1174 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 16 passed Assembly Bill No. 657—An act to amend sections 2, 3, 13, 14, 15 and 30 of an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries, or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission, and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys and creating a reclamation board and defining its powers," approved December 24, 1911, as amended by an act approved May 26, 1913, and as further amended by an act approved June 9, 1915, and to add twenty new sections to said act, to be numbered 5½, 7½, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48 and 49, relating to the appointment, powers and duties of said reclamation board, and to the method of levying and collecting assessments in the Sacramento and San Joaquin Drainage District or parts thereof, and providing for the early completion of the Sacramento flood control project and the issuance of bonds of the Sacramento and San Joaquin Drainage District therefor, and for the completion of plans for the San Joaquin flood control project.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 657 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 17, 1917.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 208—An act to appropriate money to construct an assembly hall at the San Jose Normal School;

Also, Senate Bill No. 251—An act appropriating money for the reconstruction of ward 7, Mendocino State Hospital;

Also: Senate Bill No. 441—An act making an appropriation for the purchase of additional lands adjoining Agricultural Park in the city of Sacramento;

Also: Senate Bill No. 646—An act to amend section 718 of the Political Code, relating to employees of the Superintendent of the Capitol Building and Grounds;

Also: Senate Bill No. 749—An act authorizing the Governor to appoint a commission to investigate and advise the Legislature concerning the adoption of a system of social insurance, and to make a report to the forty-third session of the Legislature and making an appropriation therefor;

Also: Senate Bill No. 765—An act to appropriate money to reimburse the fish and game preservation fund for compensation benefits paid out of said fund to the officers and employees of the Fish and Game Commission, while performing services accruing out of and incidental to their employment;

Also: Senate Bill No. 772—An act appropriating money for the purpose of acquiring an additional watershed for the use of the California Polytechnic School at San Luis Obispo;

Also: Senate Bill No. 899—An act to add a new section to the Political Code, to be numbered 3700a, relating to salary of the Secretary of the State Board of Equalization;

Also: Senate Bill No. 1004—An act to amend sections 2, 4, 5, 9, 13, and to repeal section 11 of an act entitled "An act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California, to the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State home for the United States soldiers, sailors and marines, and to provide for the government thereof by the State," approved March 11, 1897;

Also: Senate Bill No. 1163—An act to appropriate money to pay the claim of Associated Oil Company against the State of California;

Also: Senate Bill No. 1165—An act appropriating money to pay the claim of Mr. Albert Lindley;

Also: Senate Bill No. 1168—An act appropriating money for the purchase of kitchen equipment for the Sonoma State Home.

Also: Assembly Bill No. 145—An act to establish standards for the packing and marketing of apples, forbidding the sale of certain inferior and diseased apples, providing for its enforcement, fixing penalties for its violation, and making an appropriation to carry into effect the provisions thereof, and repealing an act entitled "An act to establish a standard for the packing and marketing of apples, fixing penalties for the violation of its provisions, and providing for its enforcement and making an appropriation to carry into effect the provisions hereof," approved June 10, 1915;

Also: Assembly Bill No. 439—An act appropriating money for university extension;

Also: Assembly Bill No. 647—An act to authorize the State Board of Control to sell certain lands;

Also: Assembly Bill No. 1193—An act to amend section 780 of the Political Code, relating to the annual salary of the Insurance Commissioner;

Also: Assembly Bill No. 1235—An act to make an appropriation for improvements on the Marshall monument grounds in El Dorado County;

Also: Assembly Bill No. 1251—An act to appropriate money for electrification and rewiring at San Quentin State Prison;

Also: Assembly Bill No. 1433—An act making an appropriation for the preservation and protection of the Pio Pico mansion property;

Also: Assembly Bill No. 1462—An act to appropriate money to be expended under the direction of the State Board of Control in cooperation with the Federal Government to carry out the project adopted by Congress for the protection of the navigability of Los Angeles and Long Beach harbors and providing for the future completion of the entire project.

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

CHANDLER, Chairman.

Senate Bills Nos. 208, 251, 441, 646, 749, 765, 772, 899, 1004, 1163, 1165 and 1168, and Assembly Bills Nos. 145, 439, 647, 1193, 1235, 1251, 1433 and 1462 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 628—An act creating the office of State Superintendent of the Registration of Land Titles, providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of the Registration of Land Titles and his deputy and the employment of attorneys, defining the powers and duties of such officers and making an appropriation to carry this act into effect, has had the same under consideration, and respectfully reports the same back with amendments and recommends that it be re-referred to Committee on Judiciary.

CHANDLER, Chairman.

Senate Bill No. 628 re-referred to Committee on Judiciary.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 93—An act to amend sections 2, 6, 17, 32 and 43 of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, and known as the "Weights and Measures Act," and amended June 8, 1915, and to add a new section thereto to be designated 32*a*, regulating sales and providing penalties:

Also: Senate Bill No. 399—An act appropriating money to complete the construction of the trail in the Sierra Nevada Mountains known as the "John Muir Trail" and laterals therefrom;

Also: Senate Bill No. 905—An act to add three new sections to an act entitled "An act relating to immigrants and immigration, creating a Commission of Immigration and Housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, providing for the investigation by said commission of all things affecting immigrants, and for the care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof," approved June 12, 1913, to be numbered 15, 16 and 17, and making an appropriation to carry out the provisions hereof;

Also: Senate Bill No. 966—An act to amend section 456 of the Political Code, relating to employees in the office of the State Treasurer;

Has had the same under consideration and respectfully reports the same back with amendments and recommends that they do pass, as amended.

CHANDLER, Chairman.

Senate Bills Nos. 93, 399, 905, and 966 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 17, 1917.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 1184—An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for the payment of claims and judgments together with costs and interest upon such judgments—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

TYRRELL, Chairman.

Senate Bill No. 1184 ordered on file for second reading.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, April 16, 1917.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 10—Relating to the erection of a monument in the Capitol Park at Sacramento, commemorative of the soldiers, sailors and marines who have heretofore defended or may hereafter defend the nation's honor and integrity in times of war—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

RUSH, Chairman.

Senate Joint Resolution No. 10 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 16—Authorizing and requesting the Governor to appoint a commission to collect and disseminate facts as to the value and amount of commerce now carried upon the inland and coastal waterways of the State of California and the probable increase in their usefulness as carriers of commerce, if improved, and to present such data from time to time to the board of United States engineers and to the Congress of the United States—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

RUSH, Chairman.

Senate Joint Resolution No. 16 ordered on file.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, April 16, 1917.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 847—An act to provide for the assessment, levy and collection of taxes for the support of the state government for the sixty-ninth and seventieth fiscal years—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to Committee on Finance.

BENSON, Chairman.

Senate Bill No. 847 re-referred to Committee on Finance.

ON IRRIGATION

SENATE CHAMBER, SACRAMENTO, April 17, 1917.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 792—An act to amend the title, and sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 17 of, and to add three new sections to be numbered 6a, 6b, 18 and 19, to an act entitled "An act to be known as 'The California Irrigation Act,' providing for cooperation between the State of California and the United States and independent proceedings in the storage and diversion of water, the distribution thereof for irrigation, the manufacture of power and for domestic purposes; creating an irrigation board to form water districts, acquire, construct reservoirs, divert and distribute water, generate [illegible] and electric current, lease water power, levy assessments, issue bonds of water districts, providing for the management, control and supervision of said water districts and of the works constructed pursuant to this act, directing the State Department of Engineering relative to such works, authorizing irrigation districts to contract under this act and generally providing a policy relative to storage, diversion and use of water, and adopting a plan for providing irrigation charges," approved June 4, 1915—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

MADDUX, Chairman.

Assembly Bill No. 792 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 722—An act to provide for cooperation in acquisition, construction and management of irrigation and drainage works between irrigation districts organized or existing under or by virtue of an act entitled "An act to provide for the organization and government of irrigation districts and to provide for the acquisition thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, and contiguous or adjoining districts organized under the laws of other states.

Also: Assembly Bill No. 1391—An act to amend section 15 of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

MADDUX, Chairman.

Assembly Bills Nos. 722 and 1391 ordered on file for second reading.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Thompson:

SENATE CHAMBER, SACRAMENTO, April 16, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2, Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act relating to outdoor advertising as in this act defined and granting to municipalities the power to regulate or prohibit such advertising.

Request referred to Committee on Rules.

POSTPONEMENT OF MOTIONS TO RECONSIDER.

On motion of Senator Duncan, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 1079 was refused passage, was continued until the next legislative day.

On motion of Senator Lyon, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 765 was refused passage, was continued until the next legislative day.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 617—An act to amend section 591 of the Political Code, relating to the maintenance of the office of the Insurance Commissioner.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 617 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Rominger, Rush, Scott, Sharkey, Thompson, and Tyrrell—26.

NOES—Senators Duncan, Irwin, and Stuckenbruck—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1111—An act amending section 330 of the Penal Code of the State of California, relative to games played with cards, dice, or any device for money in public places.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1111 passed by the following vote:

AYES—Senators Breed, Brown, Carr, F. M., Carr, W. J., Duncan, Evans, Gates, Hans, Ingram, Irwin, Johnson, Jones, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, Thompson, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 731—An act to amend sections 3446, 3447, 3449, 3452, 3453, 3454, 3455, 3456, 3457, 3459, 3460, 3462, 3463, 3465, 3466, and to repeal sections 3467 and 3468 of the Political Code, and relating to swamp and overflowed, salt-marsh and tide lands.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 731 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, King, Luce, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 640—An act to amend section 9 of an act entitled "An act relating to hotels, defining the same, providing regulations in connection therewith, providing for the sanitation of the rooms of such hotels, providing for the sanitary method and manner of keeping, handling and using bedclothes or bed covering in such hotels, repealing all acts or parts of acts in conflict with this act, providing for its enforcement by the State Board of Health, and providing a penalty for the violation of any of its provisions," approved April 26, 1915.

In the absence of the author, Senate Bill No. 640 was ordered passed, to retain its place on the file.

SENATE CONSTITUTIONAL AMENDMENT NUMBER 34

A resolution to propose to the people of the State of California an amendment to the constitution of the state, by amending section sixteen and one-half of article eleven thereof, relating to the deposit of moneys belonging to the state or to any county or municipality within the state in any bank or banks.

Resolved by the Senate, the Assembly concurring. That the legislature of the State of California, at its regular session commencing on the eighth day of January, one thousand nine hundred seventeen, two thirds of the members elected to each of the two houses voting in favor thereof, hereby propose to the qualified electors of the State of California that section sixteen and one-half of article eleven of the constitution of said state be amended to read as follows:

Sec. 16½. All moneys belonging to the state or to any county or municipality within this state may be deposited in any national bank or banks within this state, or in any bank or banks organized under the laws of this state, in such manner and under such conditions as may be provided by any law adopted by the people under the initiative or by a two-thirds vote of each house of the legislature and approved by the governor and subject to the referendum *provided* that the laws now governing the deposit of such moneys shall continue in force until such laws shall be amended, changed or repealed as in this section authorized, *and provided, further*, that the state or any county, city and county, city, town or municipality, issuing bonds under the laws of this state, may deposit moneys in any bank or banks outside this state for the payment of the principal or interest of such bonds at the place or places at which the same are payable.

Resolution read, previously.

The question being on the adoption of the resolution

The roll was called, and Senate Constitutional Amendment No. 34 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, King, Lane, Lyon, McDonald, Maddux, Nealon, Rigdon, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—Senator Duncan—1.

Title read and approved.

Resolution ordered transmitted to the Assembly.

Senate Bill No. 374—An act to amend section 628½ of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 374 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Gates, Ingram, Johnson, Jones, Kehoe, King, Lane, Lyon, McDonald, Maddux, Nealon, Rigdon, Scott, Slater, Stuckenbruck, Thompson, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 406—An act creating a state board of forestry and providing for the qualifications and duties of the members of said board and the payment of their expenses; providing for the appointment of a state forester and providing for the appointment of a proper person therefor; providing for the appointment of a deputy and an assistant state forester and for the salaries of such forester, deputy forester and assistant forester; providing for the appointment of technical and other assistants and for their compensation; providing for the duties of the state forester, deputy state forester, assistant state forester and other assistants; providing for cooperation with land owners, counties and others in forest protection and for the employment

of firewardens; providing for the summons of citizens to assist in fighting forest fires, providing for the issuance of permits for burning brush, inflammable debris, or rubbish; providing for prevention of forest destruction by insects; providing for the inspection of forest areas; declaring certain dangerous areas and forest fires to be public nuisances; providing for notice to owners and others of the existence of such nuisance and for the abatement thereof by such owner or others or by the state forester; providing for the payment into county treasuries of all of moneys recovered under the penal sections of the forest laws of this State; making certain violations of the forest laws of this State misdemeanors and fixing a penalty therefor; defining the term "forest"; repealing Chapter 264 of the Laws of 1905, and all acts and parts of acts in conflict herewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 406 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Gates, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Slater, Stucken-bruck, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 587—An act to add a new section to the Political Code to be numbered 2983, relating to the office of attorney for the State Board of Health, and repealing all acts inconsistent therewith.

On motion of Senator Kehoe, Senate Bill No. 587 was passed on file.

Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the Constitution by adding a new section 15 to Article XIII, relating to revenue and taxation.

On motion of Senator Benson, Senate Constitutional Amendment No. 31 was passed on file.

Senate Bill No. 49—An act to repeal section 55*a* of the Penal Code, relative to soliciting, demanding, or pledging votes for or against any particular bill or measure.

On motion of Senator Duncan, Senate Bill No. 49 was passed on file.

Senate Bill No. 1126—An act providing for the establishment and maintenance of a state nursery under the jurisdiction and management of the State Forester for the growing of stock for reforestation and the planting of trees along highways and in public places, and making an appropriation therefor.

On motion of Senator Brown, Senate Bill No. 1126 was passed on file.

Senate Bill No. 881—An act to amend section 2185*b* of the Political Code, relating to temporary and voluntary patients in the state hospitals.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 881 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Caneps, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Gates, Ingram, Johnson, Kehoe, Lyon, Newlin, Parker, Rigdon, Rominger, Rush, Scott, Slater, Stuckenbruck, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 692—An act to amend section 1548 of the Political Code of the State of California, relating to postage, expressage, printing and binding of documents and other incidental expenses of the county, or city and county, superintendent of schools.

In the absence of the author, Senate Bill No. 692 was ordered passed, to retain its place on the file.

Senate Bill No. 693—An act to amend sections 1712 and 1714 of the Political Code of the State of California, relating to school libraries, what books and apparatus may be bought, how and when they may be purchased, and providing a library fund in cities, and cities and counties.

In the absence of the author, Senate Bill No. 693 was ordered passed, to retain its place on the file.

Senate Bill No. 505—An act relating to the liability in damages of the officers of towns, cities, cities and counties, counties and of the State of California for injuries to person or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, and repealing acts in conflict herewith.

On motion of Senator Carr, F. M., Senate Bill No. 505 was passed on file.

Senate Bill No. 6—An Act to regulate the preparation of plans and specifications and awarding of contracts for the erection, construction and alteration of public buildings in the State of California.

On motion of Senator Flaherty, Senate Bill No. 6 was passed on file.

SENATE CONSTITUTIONAL AMENDMENT No. 45.

A resolution proposing to the people of the State of California an amendment to section four of article six of the constitution of the State of California relating to the supreme court and district courts of appeal, and providing for two divisions of the district courts of appeal of the first and second appellate districts.

The legislature of the State of California, at its regular session commencing on the eighth day of January, 1917, two-thirds of the members elected to each of the two houses of said legislature voting in favor thereof, hereby proposes an amendment to the constitution of the State of California amending section four of article six thereof so as to read as follows:

JURISDICTION OF SUPREME COURT AND DISTRICT COURT OF APPEAL.

Sec. 4. The supreme court shall have appellate jurisdiction on appeal from the superior courts in all cases in equity, except such as arise in justices' courts; also, in all cases at law which involve the title or possession of real estate, or the legality of any tax, impost, assessment, or municipal fine, or in which the demand, exclusive of interest, or the value of the property in controversy, amounts to two thousand dollars; also, in all such probate matters as may be provided by law; also, on occasions of law alone, in all criminal cases where judgment of death has been rendered; the said court shall also have appellate jurisdiction in all cases, matters and proceedings pending before a district court of appeal, which shall be ordered by the supreme court to be transferred to itself for hearing and decision, as hereinafter

provided. The said court shall also have power to issue writs of mandamus, certiorari, prohibition, and habeas corpus, and all other writs necessary or proper to the complete exercise of its appellate jurisdiction. Each of the justices shall have power to issue writs of habeas corpus to any part of the state, upon petition by or on behalf of any person held in actual custody, and may make such writs returnable before himself or the supreme court, or before any district court of appeal, or before any judge thereof, or before any superior court in the state, or before any judge thereof.

The state is hereby divided into three appellate districts, in each of which there shall be a district court of appeal.

The courts of appeal for the first and second appellate districts shall each consist of two divisions of three justices each.

The court of the third appellate district shall consist of three justices.

The district courts of appeal as existing immediately prior to the general election of the year one thousand nine hundred eighteen shall not be affected as to the officers or terms of office of the justices thereof by the amendment of this section at that election; and the justices of the district courts of appeal of districts of the first and second districts at the time of said general election shall constitute division one of each of said districts respectively. Each of such divisions shall constitute and shall exercise all of the powers of a district court of appeal.

The first district shall embrace the following counties: San Francisco, Marin, Contra Costa, Alameda, San Mateo, Santa Clara, Fresno, Santa Cruz, Monterey and San Benito.

The second district shall embrace the following counties: Tulare, Kings, San Luis Obispo, Kern, Inyo, Santa Barbara, Ventura, Los Angeles, San Bernardino, Orange, Riverside, San Diego and Imperial.

The third district shall embrace the following counties: Del Norte, Siskiyou, Modoc, Humboldt, Trinity, Shasta, Lassen, Tehama, Plumas, Mendocino, Lake, Colusa, Glenn, Butte, Sierra, Sutter, Yuba, Nevada, Sonoma, Napa, Yolo, Placer, Solano, Sacramento, El Dorado, San Joaquin, Amador, Calaveras, Stanislaus, Mariposa, Madera, Merced, Tuolumne, Alpine and Mono.

The supreme court, by orders entered in its minutes, may from time to time remove one or more counties from one appellate district to another, but no county not contiguous to another county of a district shall be added to such district.

Said district courts of appeal shall hold their regular sessions respectively at San Francisco, Los Angeles and Sacramento, and they shall always be open for the transaction of business.

The district courts of appeal shall have appellate jurisdiction on appeal from the superior courts in all cases at law in which the demand, exclusive of interest, or the value of the property in controversy, amounts to three hundred dollars, and does not amount to two thousand dollars; also, in all cases of forcible and unlawful entry and detainer (except such as arise in justices' courts), in proceedings in insolvency, and in actions to prevent or abate a nuisance; in proceedings of mandamus, certiorari and prohibition, usurpation of office, contesting elections and eminent domain, and in such other special proceedings as may be provided by law (excepting cases in which appellate jurisdiction is given to the supreme court); also on questions of law alone, in all criminal cases prosecuted by indictment or information in a court of record, excepting criminal cases where judgment of death has been rendered. The said courts shall also have appellate jurisdiction in all cases, matters, and proceedings pending before the supreme court which shall be ordered by the supreme court to be transferred to a district court of appeal for hearing and decision. The said courts shall also have power to issue writs of mandamus, certiorari, prohibition and habeas corpus, and all other writs necessary or proper to the complete exercise of their appellate jurisdiction. Each of the justices thereof shall have power to issue writs of habeas corpus to any part of his appellate district upon petition by or on behalf of any person held in actual custody, and may make such writs returnable before himself or the district court of appeal of his district, or before any superior court within his district, or before any judge thereof.

The supreme court shall have power to order any cause pending before the supreme court to be heard and determined by a district court of appeal, and to order any cause pending before a district court of appeal to be heard and determined by the supreme court. The order last mentioned may be made before judgment has been pronounced by a district court of appeal, or within thirty days after such judgment shall have become final therein. The judgments of the district courts of appeal shall become final therein upon the expiration of thirty days after the same shall have been pronounced.

The supreme court shall have power to order causes pending before a district court of appeal for one district to be transferred to the district court of appeal of another district, or from one division thereof to another, for hearing and decision.

The justices of the district courts of appeal shall be elected by the qualified electors within their respective districts at the general state elections; and the term of office of said justices shall be twelve years from and after the first day of January next succeeding their election.

Upon the adoption by the people of this section, the governor shall appoint, at the general election of the year one thousand nine hundred eighteen, the governor shall appoint six persons to serve as justices of the district courts of appeal—three as justices of division two of the first appellate district, and three as justices of division one of the second appellate district—who shall hold their respective offices until the next general election and qualification of their successors. The justices of divisions two of the first and second appellate districts elected as above provided, shall by lot divide themselves by lot that one of them shall go out of office at the end of four years, one of them at the end of eight years, and one of them at the end of twelve years, and entry of such classification shall be made in the minutes of said division, signed by the three justices thereof, and a duplicate thereof filed in the office of the secretary of state.

If any vacancy occur in the office of a justice of the district courts of appeal, the governor shall appoint a person to hold office until the election and qualification of a justice to fill the vacancy. Such election shall take place at the next succeeding general state election, as aforesaid; the justice then elected shall hold office for the unexpired term, *provided*, that whenever the term of office of any justice whose term is filled by appointment is fixed by law to expire on the first Monday of January after the next succeeding general election, then the person so appointed to fill the vacancy shall hold office for the remainder of such unexpired term.

One of the justices of each of the district courts of appeal, and of each division of said courts, shall be the presiding justice thereof, and as such shall be appointed or elected, as the case may be.

The presence of two justices shall be necessary for the prosecution of any business by such court except such as may be done at chambers, and the concurrence of two justices shall be necessary to pronounce a judgment.

Whenever any justice of the supreme court is for any reason disqualified or unable to act in a cause pending before it, the remaining justices may select one of the justices of the district court of appeal or of the superior court to act pro tempore in the place of the justice so disqualified or unable to act.

Whenever any justice of a district court of appeal, or any judge thereof, is for any reason disqualified or unable to act in any cause pending before it, the other justices of said court or division may appoint a justice of the district court of appeal of another district or division, or a judge of a superior court who has not tried, in the cause in a court below, to act pro tempore in the place of the judge so disqualified or unable to act.

No appeal taken to the supreme court or to a district court of appeal shall be dismissed for the reason only that the same was not taken to the proper court, but the cause shall be transferred to the proper court upon such terms as to costs or otherwise as may be just, and shall be proceeded with thereon as if regularly appealed thereto.

All statutes now in force allowing, providing for or regulating appeals to the supreme court shall apply to appeals to the district courts of appeal so far as such statutes are not inconsistent with this article and until the Legislature shall otherwise provide.

The supreme court shall make and adopt rules not inconsistent with law for the government of the supreme court and of the district courts of appeal and of the officers thereof, and for regulating the practice in said courts, and for the distribution of causes between the divisions of said court.

Resolution read.

COMMITTEE AMENDMENTS.

During reading of resolution, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 5, line 31, change the word "the" at the end of the line to "a".

AMENDMENT NUMBER TWO.

On page 5, line 32, after the word "or" insert the words "a judge".

AMENDMENT NUMBER THREE.

On page 6, line 1, strike out the word "the" and insert "a".

AMENDMENT NUMBER FOUR.

On page 6, line 2, strike out the word "a" at the end of the line and insert the word "the".

AMENDMENT NUMBER FIVE.

On page 6, line 4, strike out the word "judge" and insert the word "justice".

AMENDMENT NUMBER SIX.

On page 1, line 14, after the comma after the word "assessment" insert the word "toll" and a comma.

AMENDMENT NUMBER SEVEN.

On page 2, lines 2 and 3, strike out the word "occasions" and insert in lieu thereof the word "questions".

AMENDMENT NUMBER EIGHT.

On page 3, line 32, after the word "also" insert a comma.

Amendments rejected.

The question being on the adoption of the resolution.

The roll was called, and Senate Constitutional Amendment No. 45 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kelsoe, Luce, Lyon, Nealon, Rigdon, Rominger, Rush, Scott, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—Senator Duncan—1.

Title read and approved.

Resolution ordered transmitted to the Assembly.

SENATE CONSTITUTIONAL AMENDMENT No. 46.

A resolution proposing to the people of the State of California an amendment to section 11 of Article VI of the Constitution of the State of California, relating to courts, and providing for the creation of and fixing the jurisdiction of inferior courts, and regulating appeals therefrom.

The Legislature of the State of California, at its regular session commencing on the eighth day of January, 1917, two-thirds of the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes an amendment to the Constitution of the State of California amending section 11 of Article VI thereof so as to read as follows:

Sec. 11. The legislature shall determine the name and number of each of the inferior courts in townships, counties, cities and counties, incorporated cities and in towns, according to the population thereof, and the number and qualification of judges or justices thereof, and fix by law the powers, duties and responsibilities of such courts and the judges or justices thereof, provided such powers shall not trench upon the jurisdiction of the several courts of record, except that the legislature may, notwithstanding anything to the contrary contained in this constitution, or in any amendment thereto adopted contemporaneously with this section, provide by law that said inferior courts established in cities, or cities and counties, or counties having a population of one hundred fifty thousand or over, as determined by the federal census last preceding the enactment of such law, may have exclusive original jurisdiction, or jurisdiction concurrent with the superior court in all or any of the following cases:

1. Actions of forcible entry, forcible detainer and unlawful detainer, where the rent or rental value claimed does not exceed one hundred dollars per month, and where the whole amount of damages claimed does not exceed one thousand dollars.

2. Actions arising on contract for the recovery of money only if the sum claimed, exclusive of interest, does not exceed one thousand dollars.

3. Actions for damages for injury to the person or for taking, detaining, or injuring personal property, or for injury to real property where no issue is raised by the verified answer of the defendant involving the title to or right of possession of the same, if the damages claimed does not exceed one thousand dollars.

4. Actions to recover the possession of personal property, if the value of such property does not exceed one thousand dollars.

5. Actions for a fine, penalty, or forfeiture not exceeding one thousand dollars, given by statute or the ordinance of any county, incorporated city and county, city or town, where no issue is raised by the answer involving the legality of any tax, impost, assessment, toll, or municipal fine.

6. Actions upon bonds or undertakings conditioned for the payment of money, if the sum claimed does not exceed one thousand dollars, though the penalty may exceed that sum.

7. Actions to enforce and foreclose liens on personal property where the amount of the obligation secured, exclusive of interest, does not exceed one thousand dollars.

8. Actions to take and enter judgment for the recovery of money on the confession of the defendant where the amount confessed, exclusive of interest, does not exceed one thousand dollars.

And the legislature shall provide that in such inferior courts in townships, counties, cities and counties, incorporated cities and in towns, of a population less than one hundred fifty thousand such inferior courts shall have concurrent jurisdiction with the superior courts:

1. In actions of forcible entry, forcible detainer and unlawful detainer where the rent or rental value of the property claimed does not exceed twenty-five dollars per month and the whole amount of damages claimed does not exceed two hundred dollars.

2. In actions to enforce and foreclose liens on personal property where the amount of the obligation secured, exclusive of interest, does not exceed three hundred dollars.

In all cases commenced in inferior courts in which appeals to the superior court may be prescribed by law, the judgment therein shall be final and conclusive, subject, however, to a motion for a new trial where the same may be provided by law.

Resolution read.

COMMITTEE AMENDMENTS.

During reading of resolution, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 4, strike out the word "or".

AMENDMENT NUMBER TWO.

On page 2, line 5, strike out the word "or" and insert in lieu thereof the word "and".

AMENDMENT NUMBER THREE.

On page 2, line 7, strike out the word "may" and insert in lieu thereof the word "shall".

AMENDMENT NUMBER FOUR.

On page 2, lines 8 and 9, strike out the comma and the following: "an jurisdiction concurrent with the superior court".

AMENDMENT NUMBER FIVE.

On page 3, line 21, strike out the period and insert in lieu thereof a semicolon, and the following: "*provided*, that nothing herein shall be construed to authorize the legislature to limit the establishment, constitution, regulation, government and jurisdiction, of police or municipal courts as the same are or may hereafter be authorized by charter provisions under this constitution."

Amendments rejected.

The question being on the adoption of the resolution,

The roll was called, and Senate Constitutional Amendment No. 46 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Caminetti, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Slater, Stockenbruck, Thompson, and Tyrrell—31.

NOES—None.

Title read and approved.

Resolution ordered transmitted to the Assembly.

MINUTE CLERK JOSEPH A. BEEK AT THE DESK.

SENATE CONSTITUTIONAL AMENDMENT No. 47.

A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California to be known as section 26 of Article VI thereof, relating to the adoption of rules of pleading and practice in the courts of the State of California.

The Legislature of the State of California at its regular session commencing on the eighth day of January, 1917, two-thirds of the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes an amendment to the Constitution of the State of California, to be known as section 26 of Article VI thereof, to read as follows:

SEC. 26. The supreme court shall have power to prescribe from time to time the forms of writs and other process; the mode and manner of framing and filing

pleadings and proceedings, the time, mode and manner of taking and prosecuting appeals to the supreme court, the district courts of appeal and the superior court; the mode and manner of giving notice and serving process and writs of all kinds; the mode and manner of production of evidence, and generally to prescribe and regulate by rule the mode and manner of pleading and practice to be used in all civil actions and proceedings of whatever nature in the courts of this state. In prescribing such rules, the supreme court shall have regard to the simplification of the system of pleadings and practice in said courts so as to promote the speedy and inexpensive determination of litigation on the merits. When and as the rules of court herein authorized shall be adopted and go into effect, all laws in conflict therewith shall be and become of no further effect. Nothing herein contained shall be construed as conferring on the supreme court the power to prescribe any rules, the effect of which will be to deprive any person of the right to any writ or remedy now or hereafter provided by law, or to enlarge or curtail the right to such writ or remedy. The district courts of appeal, the superior court and inferior courts may adopt rules for their own government not inconsistent with the rules prescribed by the supreme court or with law.

All rules adopted by the supreme court in accordance with the provisions hereof shall go into effect ninety days after their adoption. A certified copy of such rules shall within ten days after such adoption be filed with the secretary of state and with the county clerk of each county of the state. The supreme court may cause such further notice of the adoption of such rules to be given in such manner as it may deem proper.

Resolution read.

The question being on the adoption of the resolution,

The roll was called, and Senate Constitutional Amendment No. 47 refused adoption by the following vote:

AYES—Senators Ballard, Breed, Carr, W. J., Chandler, Johnson, Luce, Nealon, and Tyrrell—8.

NOES—Senators Benson, Canepa, Carr, F. M., Duncan, Flaherty, Hans, Ingram, Irwin, Jones, Kehoe, King, McDonald, Perkett, Rigdon, Slater, Stuckenbruck, and Thompson—17.

NOTICE OF MOTION TO RECONSIDER.

Senator Kehoe gave notice that on the next legislative day he would move to reconsider the vote by which Senate Constitutional Amendment No. 47 was refused adoption.

SENATE CONSTITUTIONAL AMENDMENT No. 48.

A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, to be known as section 27 of Article VI thereof, providing for the appointment of a commissioner of justice, and prescribing his duties and responsibilities.

The Legislature of the State of California, at its regular session commencing on the eighth day of January, 1917, two-thirds of the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes an amendment to the Constitution of the State of California, to be known as section 27 of Article VI thereof, to read as follows:

SEC. 27. There shall be a commissioner of justice, who shall be appointed by the governor and chief justice of the supreme court.

It shall be his duty to investigate the entire judicial system of the state and the operations and procedure of the courts, and to recommend such changes in the organization and jurisdiction of the courts, in the rules of practice and procedure and in the number and duties of judicial officers as in his judgment shall be necessary; to collect and preserve information and statistics respecting the business of the courts and the conditions of their calendars; to report the same to the governor annually on or before the first day of July in each year; to recommend to the legislature the removal of judges for neglect of duty, inefficiency or incapacity; to make recommendations for the assignment of judges to fill temporary vacancies in any court; and generally, to do and perform all of the duties other than judicial, necessary and convenient in connection with the administration of the judicial department of the state and as may be imposed upon him by law. He shall be an attorney duly licensed to practice in all of the courts of the state for a period of at least ten years before the date of his appointment and shall devote his entire time to the duties of his office. He shall receive the same salary as a justice of a district

court of appeal, and shall not be a candidate for any other office during his term or within one year after the expiration thereof.

Resolution read.

The question being on the adoption of the resolution,

The roll was called, and Senate Constitutional Amendment No. 48 was refused adoption by the following vote:

Ayes—Senators Carr, W. J. Chandler, and Rush—3.

Noes—Senators Beban, Benson, Birdsall, Cartwright, Cogdill, F. M. Dennett, Gerlach, Hans, Inman, Irwin, Johnson, Lewis, Kehoe, Kent, Lark, McDonald, Nelson, Parker, Rigdon, Scott, Shaw, Stephens, Thomas, and Trinkler—18.

NOTICE OF MOTION TO RECONSIDER.

Senator Kehoe gave notice that on the next legislative day he would move to reconsider the vote by which Senate Constitutional Amendment No. 48 was refused adoption.

MESSAGES FROM THE ASSEMBLY—ORDER OF BUSINESS.

On motion of Senator Benson, the following messages from the Assembly were taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Joint Resolution No. 16—Relative to the Universal Military Training Bill before the United States Congress.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Joint Resolution No. 14 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1066—An act to amend section 4271 of the Political Code, relating to salaries of officers of counties of the thirty-second class.

Also: To Assembly Bill No. 284—An act to amend section 1667 of the Political Code, relating to the licensing of insurance agents;

Also: To Assembly Bill No. 390—An act appropriating money for new buildings on the old buildings and grounds at the Southern California State Hospital;

Also: To Assembly Bill No. 392—An act appropriating money for the installation of pumps, motor and connections in connection with the new well, at the Southern California State Hospital.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

SENATOR BENSON IN THE CHAIR.

At twelve o'clock and ten minutes p.m. Senator Benson of the Twenty-seventh District was called to the chair.

THIRD READING OF SENATE BILLS, ETC.—(CONSUMED).

Senate Bill No. 176—An act adding a new section to the Political Code to be numbered 3245a, relating to hours of labor of females employed in state hospitals.

On motion of Senator Flaherty, Senate Bill No. 176 was passed on file.

Senate Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by adding a new article thereto, to be numbered XXIV.

establishing a State Athletic Commission and regulating boxing and sparring in the State.

On motion of Senator Scott, Senate Constitutional Amendment No. 19 was passed on file.

Senate Bill No. 816—An act to amend section 3 of an act entitled "An act relating to explosives and prescribing regulations for the transportation, storage and selling of explosives, and providing penalties for the violation of this act," in effect March 21, 1911, and known as Chapter 213, Statutes of 1911, and to repeal section 11 of said act.

On motion of Senator Luce, Senate Bill No. 816 was ordered to unfinished business.

Senate Bill No. 811—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications.

On motion of Senator Ballard, Senate Bill No. 811 was passed on file.

Senate Bill No. 1134—An act to amend section 131 of the Civil Code, relating to judgment in an action for divorce, and repealing section 132 of said Civil Code.

On motion of Senator Scott, Senate Bill No. 1134 was passed on file.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., the hour of recess was extended until twelve o'clock and fifty-five minutes p.m.

Senate Bill No. 261—An act to amend section 1920 of the Civil Code of the State of California, relating to interest on judgments.

Bill read third time.

CALL OF THE SENATE.

The roll was called on the passage of Senate Bill No. 261.

Pending the announcement of the vote, Senator Luce moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

The Secretary announced the absentees.

Time, twelve o'clock and thirty minutes p.m.

The Acting President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At twelve o'clock and fifty minutes p.m., Senators Brown, Johnson, Rominger and Rush were brought to the bar of the Senate, and, on motion of Senator Luce, were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At twelve o'clock and fifty-two minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Luce.

The Secretary was directed to call the roll on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Senate Bill No. 261 finally passed by the following vote:

AYES—Senators Benson, Brown, Canepa, Carr, W. J. Carter, Evans, Finnegan, Gates, Ingram, Inman, Johnson, Jones, King, Lee, Lion, McDonald, Rosenberg, Rush, Scott, Sharkey, Stockenstack and Leavell—22.

NOES—Senators Ballard, Breed, Carr, E. M. Dennis, Hans, Irwin, Kenny, Nealon, Purkitt, Rigdon, Slater and Thompson—12.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1106—An act appropriating money to pay the claim of _____ covering the funeral expenses of John M. Eshleman.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Breed moved to refer Senate Bill No. 1106 to Senator Hans, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On line 4 of the printed bill after the word "of" strike out the dotted line and insert the following name—"Irwin J. Manna." And on page 1, line 2 of the title insert the name "Irwin J. Manna" in blank space.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 17, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 1106, with instructions to amend, respectfully reports the same back amended as per instructions.

HANS, Special Committee.

Report read, and, on motion of Senator Breed, adopted.

Bill ordered to print, and re-engrossment.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

SENATE CHAMBER, SACRAMENTO, April 17, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 670—An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities, providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of Commissioner of Corporations;

Also: Senate Bill No. 476—An act to add a new section to the Penal Code to be numbered 817a, relating to the duties of peace officers;

Also: Senate Bill No. 893—An act to amend section 1388 of the Code of Civil Procedure, relating to bonds of administrators;

Also: Senate Bill No. 894—An act to amend section 1754 of the Code of Civil Procedure, relating to the bonds of guardians;

Also: Senate Bill No. 906—An act to authorize the organization of conservancy districts for the following purposes, namely: to construct improvements for the purpose of preventing floods and facilitating drainage of flooded areas; to protect cities, towns, lands, improvements and highways against damage from flood waters; to store and to dispose of flood waters; to provide for the issuance, sale and hypothecation of district bonds to pay the costs and expenses incurred in relation thereto, and to provide for the retirement of such bonds; to provide for

the levying and collection of taxes to pay the annual installment of principal and interest on said bonds; to provide for levying and collecting special assessments for special benefits and to issue improvement warrants to represent such special assessments for special benefits; to provide for the effect and enforcement of such improvement warrants and the application of moneys derived from the enforcement thereof; and to provide a method of dissolving such districts;

Also: Senate Bill No. 732—An act to amend section 4300b of the Political Code, relating to sheriff's fees;

Also: Senate Bill No. 869—An act to amend section 4 of an act entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled 'An act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the board of regents of the University of California, and to provide penalties for violation thereof,'" approved June 12, 1913, as amended;

Also: Senate Bill No. 440—An act requiring all buildings which are required to be equipped with fire escapes to have attached thereto counterbalanced stairways, counterbalanced ladders, or drop ladders;

Also: Senate Bill No. 921—An act to amend the Vehicle Act, approved May 10, 1915, by repealing sections 10, 18, 23, 33, and 42 thereof, and by amending sections 1, 3, 4, 5, 6, 7, 8, 9, 11, 13, 15, 17, 20, 22, 24, 26, 27, 28, 32, 34, 35 and 37 thereof, said amendments to provide for the regulation of the use and occupation of the public highways by vehicles and otherwise, for the registration and identification of motor and other vehicles, and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles, and for the payment of license fees therefor; to prohibit the operation of any motor vehicle without the consent of the owner thereof; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the organization and conduct of the motor vehicle department created by said act, and to provide for the disposition of registration and license fees, fines and forfeitures collected under the provisions of said act; to provide for carrying out the objects of said act and of said amendments thereto, and to make appropriation therefor; to provide for the printing and distribution of said act as amended, and to provide for the time that said amendments shall go into effect;

Also: Senate Bill No. 491—An act declaring and establishing a state highway from the city of San Bernardino, by way of Arrowhead avenue, Waterman canyon, the "Crest Drive" and Mill Creek to the city of Redlands;

Also: Senate Bill No. 954—An act to provide compensation for state employees on certain legal holidays;

Also: Senate Bill No. 853—An act to regulate and limit the amount that may be produced by tax levies in the aggregate by political subdivisions of this State, and repealing all acts and parts of acts in conflict with this act;

Also: Senate Bill No. 147—An act to amend section 1 of an act entitled "An act to fix the salaries of the State Forester, Deputy Forester and Assistant Forester," approved March 22, 1909, and repealing all acts and parts of acts inconsistent herewith;

Also: Senate Bill No. 242—An act appropriating money for necessary buildings, equipment and live stock for animal husbandry department at the University of California Farm School at Davis;

Also: Senate Bill No. 259—An act appropriating money to cover the cost of grading and filling ground on farm of Stockton State Hospital;

Also: Senate Bill No. 584—An act creating a State Land Settlement Board and defining its powers and duties and appropriating the sum of two hundred sixty thousand dollars in aid of its operations;

Also: Senate Bill No. 682—An act appropriating money for the purpose of financing the scientific investigation and search for certain beneficial insects;

Also: Senate Bill No. 786—An act to appropriate money to cover the cost of installing a new heating distribution system in the administration and ward buildings at the Mendocino State Hospital;

Also: Senate Bill No. 788—An act to appropriate money to cover the cost of the construction of a nurses' home at the Mendocino State Hospital;

Also: Senate Bill No. 930—An act to amend sections 9 and 10 of an act entitled "An act to establish and support a bureau of labor statistics," approved March 3, 1883;

Also: Senate Bill No. 1002—An act making an appropriation for the purchase by the State Agricultural Society of a large tent and movable seats therefor;

Also: Senate Bill No. 1013—An act to appropriate money to pay the claim of Geo. F. Gray against the State of California;

Also: Senate Bill No. 1036—An act appropriating money to pay the claim of Annie Paul against the State of California;

Also: Senate Bill No. 1037—An act appropriating money to pay the claim of Frank B. Perfield against the State of California;

Also: Senate Bill No. 1038—An act appropriating money to pay the claim of William A. Anderson against the State of California;

Also: Senate Bill No. 1039—An act appropriating money to pay the claim of Patrick Sullivan against the State of California;

Also: Senate Bill No. 1040—An act appropriating money to pay the claim of C. D. Christoffersen against the State of California;

Also: Senate Bill No. 1041—An act appropriating money to pay the claim of C. Schandt Bredeson against the State of California;

Also: Senate Bill No. 1042—An act appropriating money to pay the claim of Thomas J. Stewart against the State of California;

Also: Senate Bill No. 1043—An act appropriating money to pay the claim of S. I. Cozad against the State of California;

Also: Senate Bill No. 1044—An act appropriating money to pay the claim of Bela Friedman against the State of California;

Also: Senate Bill No. 1045—An act appropriating money to pay the claim of Fred Thonhoff against the State of California;

Also: Senate Bill No. 1046—An act appropriating money to pay the claim of Harland Wehr against the State of California;

Also: Senate Bill No. 1047—An act appropriating money to pay the claim of Nicholas Biser against the State of California;

Also: Senate Bill No. 1048—An act appropriating money to pay the claim of Frank De La Fuente against the State of California;

Also: Senate Bill No. 1049—An act appropriating money to pay the claim of Michael Smith against the State of California;

Also: Senate Bill No. 1050—An act appropriating money to pay the claim of A. P. Prather against the State of California;

Also: Senate Bill No. 1051—An act appropriating money to pay the claim of J. A. Cochran against the State of California;

Also: Senate Bill No. 1052—An act appropriating money to pay the claim of Louisa Nichols against the State of California;

Also: Senate Bill No. 1053—An act appropriating money to pay the claim of I. J. Hoover against the State of California;

Also: Senate Bill No. 1054—An act appropriating money to pay the claim of Wm. H. Boswell against the State of California;

Also: Senate Bill No. 1055—An act appropriating money to pay the claim of Clarence Hall against the State of California;

Also: Senate Bill No. 1056—An act appropriating money to pay the claim of George T. Makley against the State of California;

Also: Senate Bill No. 1057—An act appropriating money to pay the claim of Joseph Fox against the State of California;

Also: Senate Bill No. 1058—An act appropriating money to pay the claim of Mathilde da Conceicao D'Abreu against the State of California;

Also: Senate Bill No. 1059—An act appropriating money to pay the claim of J. R. Summers against the State of California;

Also: Senate Bill No. 1060—An act appropriating money to pay the claim of Matilda J. Osborn against the State of California;

Also: Senate Bill No. 1061—An act appropriating money to pay the claim of W. H. Long against the State of California;

Also: Senate Bill No. 1062—An act appropriating money to pay the claim of Robert A. Thomas against the State of California;

Also: Senate Bill No. 1063—An act appropriating money to pay the claim of Louise J. Maier against the State of California;

Also: Senate Bill No. 1064—An act appropriating money to pay the claim of William Bottini against the State of California;

Also: Senate Bill No. 1065—An act appropriating money to pay the claim of Julius Keller against the State of California;

Also: Senate Bill No. 1066—An act appropriating money to pay the claim of J. W. Arbulich against the State of California;

Also: Senate Bill No. 1067—An act appropriating money to pay the claim of Melquiades Moreno against the State of California;

Also: Senate Bill No. 1068—An act appropriating money to pay the claim of Julius W. Sands against the State of California;

Also: Senate Bill No. 1069—An act appropriating money to pay the claim of H. C. Young against the State of California;

Also: Senate Bill No. 1070—An act appropriating money to pay the claim of Alina Waara against the State of California;

Also: Senate Bill No. 1071—An act appropriating money to pay the claim of Henry Behre against the State of California;

Also: Senate Bill No. 1072—An act appropriating money to pay the claim of Simon Ilhero against the State of California;

Also: Senate Bill No. 1073—An act appropriating money to pay the claim of I. Lutz against the State of California;

Also: Senate Bill No. 1074—An act appropriating money to pay the claim of Manuel Da Silva against the State of California;

Also: Senate Bill No. 1075—An act appropriating money to pay the claim of Ben Oswald against the State of California;

Also: Senate Bill No. 1080—An act to make an appropriation for repairing the buildings of the California Polytechnic School, situated at San Luis Obispo, California;

Also: Senate Bill No. 1118—An act to appropriate money for electrification and rewiring at San Quentin State Prison;

Also: Senate Bill No. 1166—An act appropriating money for the construction and equipment of two cottages at the Napa State Hospital;

Also: Senate Bill No. 1183—An act to amend section 1 of an act entitled "An act making an appropriation for the use of the creamery department of the California Polytechnic School and making provision for the return of said appropriation to the state treasury," approved March 14, 1911, by providing for a cash revolving fund for the use of the California Polytechnic School;

And reports that the same have been correctly engrossed.

CANEPA, Chairman.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER.)

The following report of standing committee was received and read:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 16, 1917.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 566—An act to amend section 4233 of the Political Code, relating to officers and salaries in counties of the fourth class—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

INMAN, Chairman.

Senate Bill No. 566 ordered on file for second reading.

RECESS.

At twelve o'clock and fifty-five minutes p.m., on motion of Senator Breed, the Acting President declared the Senate at recess until the hour of two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 470—An act to provide for the extermination of ground squirrels in supervisorial districts; authorizing the filing of petitions with boards of supervisors, praying for the establishment of districts for the extermination of such squirrels; making the charges and expenses of such extermination primarily a county charge; and providing for the assessment and collection of certain charges therefor against certain property owners; and for the dissolution of the district.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 759—An act to amend an act entitled "An act to divide the State of California into six fish and game districts," approved March 21, 1911.

COMMITTEE AMENDMENTS

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, as amended April 6, strike out lines 2, 3 and 4 of the title and insert in lieu thereof the following: "to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 19, 1915."

Amendment adopted.

AMENDMENT NUMBER TWO

Strike out all of line 1 of the printed bill after "Section 1," all of lines 2, 3 and 4, and "Sec. 1." on line 5.

Amendment adopted.

AMENDMENT NUMBER THREE

On page 2 of the printed bill, strike out all of line 14 to and including "A."

Amendment adopted.

AMENDMENT NUMBER FOUR

On page 2 of the printed bill, in line 22, strike out the comma after "Madera" and the words "Mono, Inyo."

Amendment adopted.

AMENDMENT NUMBER FIVE

On page 3 of the printed bill, in line 3, strike out the words "Nevada counties" and insert in lieu thereof the following: "those portions of Sierra and Nevada counties."

Amendment adopted.

AMENDMENT NUMBER SIX

On page 12 of the printed bill, in line 28, strike out the comma after the word "include" and insert in lieu thereof the following: "the counties of Mono and Inyo and".

Amendment adopted.

AMENDMENT NUMBER SEVEN

On page 13 of the printed bill, strike out all of line 6 after the comma and all of lines 7 to 23, inclusive, and insert in lieu thereof the following: "All that tract of land situate, lying and being within the following boundary:

Beginning at a point in the Angeles forest reserve in San Bernardino county where the ravine of the Mohave river crosses the north line of township two north range four west, thence due east along the township lines to a point where the ravine of Deep creek crosses such township line, thence easterly following the ravine of said Deep creek to a point marking the confluence of the ravines of Deep creek and Holcomb creek; thence east and north following the ravine of Holcomb creek to Holcomb valley; thence easterly along the public road to the junction thereof with a public road leading southeasterly to the Rose mine, thence following the aforesaid road to Rose mine in a southeasterly direction to a point where it crosses the east line of township two north range two east, thence south along the easterly lines of township two north range two east, township one north range two east and township one south range two east to the southeast quarter of township one south range two east; thence due west along the township line to the southwest corner of township one south range one east; thence due north along the west line of township one south range one east to the ravine of Mill creek; thence west along the ravine of Mill creek to a point where Mill creek crosses the west line of township one south range one west; thence north along the west line of township one south range one west and township one north range one west to the southeast corner of section twenty-four, township one north range two west; thence due west along the southerly line of

sections twenty-four, twenty-three, twenty-two, twenty-one, twenty and nineteen of township one north range two west and the southerly line of sections twenty-four, twenty-three, twenty-two and twenty-one, township one north range three west to the line of the Angeles forest reserve; thence in a general northwesterly direction to a point where the ravine of Devil's canyon crosses the said Angeles forest reserve line; thence northerly along the ravines of Devil's canyon and Sawpit canyon to the place of beginning, all of said described area being within the boundaries of the Angeles forest reserve."

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 59—An act providing for the establishment and maintenance of sewer districts outside of municipal corporations.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the word "state" and insert in lieu thereof the word "county".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 717—An act to amend section 4256 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-seventh class.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 32, of the printed bill, strike out the word "two" and insert in lieu thereof the word "one".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 33, of the printed bill, strike out the word "deputies" and insert in lieu thereof the word "deputy".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 35, of the printed bill, strike out the word "deputies" and insert in lieu thereof the word "deputy".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 37, of the printed bill, strike out the word "deputies" and insert in lieu thereof the word "deputy".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 29, of the printed bill, strike out the words "four hun-" and on page 3, line 30, of the printed bill, strike out the word "dred".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 5, line 23, of the printed bill, strike out the word "fifteen" and insert in lieu thereof the word "eight".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 5, line 27, of the printed bill, strike out the word "twenty".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 876.—An act to add a new section, to be numbered 9½, to an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 611.—An act to add a new section to the Political Code, to be numbered 4052c, relating to the powers of the board of supervisors.

Bill read second time, and ordered on file for third reading.

SECOND READING OF SENATE BILLS.

Senate Bill No. 448.—An act to amend section 626s of the Penal Code, relating to the protection of game.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 928.—An act to amend an act entitled "An act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement thereof by the Commissioner of the Bureau of Labor Statistics, and providing penalties for the violation hereof," approved February 20, 1905, as amended by an act approved April 14, 1911, as further amended by an act approved June 2, 1913, as further amended by an act approved June 5, 1915.

AMENDMENTS FROM THE FLOOR.

During second reading of bill, the following amendments were offered and their adoption moved by Senator Lyon:

AMENDMENT NUMBER ONE.

On line 1 of the printed bill, strike out the word "two" and insert in lieu thereof the word "fourteen".

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all the printed bill after line 9 and insert in lieu thereof the following:

SEC. 14. Nothing in this act shall be construed to prohibit the employment of minors sixteen years of age or over at agricultural, horticultural, or viticultural, or domestic labor. Nor shall anything in this act be construed to prohibit the employment of minors at agricultural, horticultural, or viticultural, or domestic labor, during the time the public schools are not in session, or during other than school hours. For the purpose of this act, horticultural shall be understood to mean the curing and drying, but not the canning of all varieties of fruit. Nor shall anything in this act be construed to prohibit any minor between the ages of fifteen and

eighteen years, who is by any statute or statutes of the State of California, now or hereafter in force, permitted to be employed as an actor, or actress, or performer in a theatre, or other place of amusement, previous to the hour of ten o'clock p.m., in the presentation of a performance, play or drama, continuing from an earlier hour till after the hour of ten o'clock p.m., from performing his or her part in such presentation as such employee between the hours of ten and twelve o'clock p.m.: *provided*, the written consent of the commissioner of the bureau of labor statistics is first obtained. Nor shall anything in this act prevent, or be construed to prohibit, the employment of any minor, whether resident or nonresident, in the presentation of a drama, play, performance, concert or entertainment, with the written consent of the commissioner of the bureau of labor statistics, but no such consent shall be given unless the officer giving it is satisfied that the environment in which the drama, play, performance, concert or entertainment is to be produced is a proper environment for the minor, and that the conditions of such employment are not detrimental to the health of such minor, and that the minor's education will not be neglected or hampered by its participation in such drama, play, performance, concert or entertainment, and the commissioner may require the person charged with the issuance of age and schooling certificates to make the necessary investigation into such conditions, and every such written consent shall specify the name and age of the minor together with such other facts as may be necessary for the proper identification of such minor, and the dates when, and the theatres or other places of amusement in which such drama, play, performance, concert or entertainment is to be produced, and shall specify the drama, play, performance, concert or entertainment in which the minor is permitted to participate, and every such consent shall be revocable at the will of the officer giving it. Dramas and plays shall include the production of motion picture plays.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 754—An act to amend section 1 of an act entitled "An act creating an advisory pardon board; defining and prescribing the powers and duties thereof; and making an appropriation therefor," approved May 18, 1915.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 338—An act to amend section 4238 of the Political Code, relating to the compensation of county and township officers of counties of the ninth class, and to the number, appointment and salaries of their assistants and deputies.

Bill read second time, ordered engrossed, and on file for third reading.

REPORT OF STANDING COMMITTEE—OUT OF ORDER.

The following report of standing committee was received and read:

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 17, 1917.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 551—An act to add to the Political Code a new section to be numbered 1617*i*, relating to the duty of school trustees and boards of education to provide flags of the United States—has had the same under consideration, and respectfully reports the same back with amendments and recommends that same do pass, as amended.

GATES, Chairman.

Senate Bill No. 551 ordered on file for second reading.

REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were presented:

By Senator Irwin:

SENATE CHAMBER, SACRAMENTO, April 17, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2, Article IV, of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act creating a cash revolving fund for the use of the Contra Costa Irrigation Board and making an appropriation therefor.

Request referred to Committee on Rules.

Also:

By Senator Hans:

SENATE CHAMBER, SACRAMENTO, April 17, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2, Article IV, of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

To add a new section to the Civil Code to be numbered 320, relating to liability for unpaid par value of capital stock of corporations.

Request referred to Committee on Rules.

Also:

By Senator Kehoe:

SENATE CHAMBER, SACRAMENTO, April 17, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2, Article IV, of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act making an appropriation for repairs and improvements at the San Francisco State Normal School.

Request referred to Committee on Rules.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 705—An act to amend sections 1664, 1771 and 1775 of the Political Code, relating to the classification of schools, the powers of county boards of education and the granting of teachers' certificates.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SEVEN HUNDRED FIVE.

AMENDMENT NUMBER ONE.

On page 2, line 32, immediately following the word "technical" and the comma, insert the following words, "vocational guidance,".

AMENDMENT NUMBER TWO.

On page 4, line 21, strike out the period after the word "education," in said line, and insert in lieu of said period, a semicolon, and the following: "provided that nothing herein shall be construed as prohibiting the county board of education from issuing diplomas of graduation without examination to the pupils in any school which has been accredited by the said county board of education."

AMENDMENT NUMBER THREE.

On page 2, line 37, insert after the word "Spanish" the words "vocational guidance" and strike out the words "vocational guidance" following the word "technical".

AMENDMENT NUMBER FOUR.

On page 6, line 20, beginning with the word "subdivision" strike out everything down to and including the word "code" in line 21 and insert in lieu thereof the following: "the provisions of this code".

AMENDMENT NUMBER FIVE.

On page 6, line 22, beginning with the word "with" strike out the remainder of the paragraph and insert in lieu thereof the following: "with the provisions of this code".

AMENDMENT NUMBER SIX.

On page 5, line 13, beginning with the word "of" following the word "holders", strike out everything down to and including the word "code" in line 16, and insert in lieu thereof the following: "of high school credentials approved by the state board of education in accordance with the provisions of this code".

AMENDMENT NUMBER SEVEN.

On page 5, line 17, beginning with the word "subdivision" strike out everything down to and including the word "code" in line 19 and insert in lieu thereof the following: "the provisions of this code".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 705?

CALL OF THE SENATE.

The roll was called on concurrence in Assembly amendments to Senate Bill No. 705.

Pending the announcement of the vote, Senator Carr, F. M., moved a call of the Senate.

Motion carried.

The Secretary announced the absentees.

Time, two o'clock and twenty-five minutes p.m.

The President pro tempore directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At two o'clock and twenty-seven minutes p.m., Senators Ballard, Benson, Jones, Nealon, Slater, and King were brought to the bar of the Senate, and, on motion of Senator Carr, F. M., were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At two o'clock and thirty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Carr, F. M.

The Secretary was directed to call the roll, on concurrence in Assembly amendments to Senate Bill No. 705, of the Senators who had not answered to their names.

The roll was called, and Assembly amendments to Senate Bill No. 705 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Chandler, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—None.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 17, 1917.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 191—An act to amend section 1768 of the Political Code, relating to the composition, qualifications, term of office and organization of members of county boards of education;

Also: Assembly Bill No. 1364—An act relating to the employment of janitors and employees of certain school districts.
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

GATES, Chairman.

Assembly Bills Nos. 191 and 1364 ordered on file for second reading.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 17, 1917.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 1185—An act appropriating money for the purchase of additional lands for the Folsom State Prison—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

CHANDLER, Chairman.

Senate Bill No. 1185 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which were referred Senate Bill No. 378—An act to establish a state normal school in the city and county of San Francisco, State of California, to be known as the San Francisco State Normal School, and making an appropriation for the maintenance of said school;

Also: Senate Bill No. 810—An act providing for the enlargement of the California Redwood Park, making an appropriation for the purchase of additional land thereto, and granting power to the California Redwood Park Commission to condemn the same;
Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended.

CHANDLER, Chairman.

Senate Bills Nos. 378 and 810 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 17, 1917.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 1159—An act to amend section 2 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

TYRRELL, Chairman.

Senate Bill No. 1159 ordered on file for second reading.

ON UNIVERSITIES.

SENATE CHAMBER, SACRAMENTO, April 17, 1917.

MR. PRESIDENT: Your Committee on Universities, to which was referred Senate Bill No. 556—An act to provide for experiment and research work in the drying, canning and preservation of fruits, the handling, preparation and manufacture of fruit products and by-products—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

EVANS, Chairman.

Senate Bill No. 556 ordered on file for second reading.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 17, 1917.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 1190—An act to amend section 326o of the Penal Code, relating to the protection of game—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

SLATER, Chairman.

Senate Bill No. 1190 ordered on file for second reading.

SECOND READING OF SENATE BILLS—(OUT OF ORDER).

Senator Tyrrell moved that the Senate take up for second reading Senate bills previously reported from committees this day.

Senate Bill No. 208—An act to appropriate money to construct an assembly hall at the San Jose Normal School.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 251—An act appropriating money for the reconstruction of ward seven, Mendocino State Hospital.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 441—An act making an appropriation for the purchase of additional lands adjoining Agricultural Park in the city of Sacramento.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 646—An act to amend section 718 of the Political Code, relating to employees of the Superintendent of the Capitol Building and Grounds.

Bill read second time, ordered engrossed, and on file for third reading

Senate Bill No. 765—An act to appropriate money to reimburse the Fish and Game Preservation Fund for compensation benefits paid out of said fund to the officers and employees of the fish and game commission, while performing services accruing out of and incidental to their employment.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 772—An act appropriating money for the purpose of acquiring an additional watershed for the use of the California Polytechnic School at San Luis Obispo.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 899—An act to add a new section to the Political Code, to be numbered 3700*a*, relating to salary of the Secretary of the State Board of Equalization.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1004—An act to amend sections 2, 4, 5, 9, 13, and to repeal section 11 of an act entitled "An act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California, to the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a state home for the United States soldiers, sailors and marines, and to provide for the government thereof by the State," approved March 11, 1897.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1163—An act to appropriate money to pay the claim of Associated Oil Company against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1165—An act appropriating money to pay the claim of Mr. Albert Lindley.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1168—An act appropriating money for the purchase of kitchen equipment for the Sonoma State Home.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 93—An act to amend sections 2, 6, 17, 32 and 43 of an act entitled "An act to establish a standard of weights and

measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof, to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery, to prevent the sale of goods, wares and merchandise by false weights and measures, to provide penalties for the violation of the provisions of this act, for the admission in evidence of copies of the state's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a state superintendent of weights and measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, and known as the "Weights and Measures Act," and amended June 8, 1915, and to add a new section thereto to be designated 32 *a*, regulating sales and providing penalties.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE-HALF.

On page 2 of the printed bill, in line 26, strike out the word "five" and insert in lieu thereof the word "four".

Amendment adopted.

AMENDMENT NUMBER ONE.

On page 3, section 6, line 24, after the word "article" insert the following: "except any manufactured commodity consisting of four or more staple ingredients".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, section 17, line 31, after the word "the" strike out the word "twenty-fifth" and in lieu thereof insert the following: "thirty-fifth".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, section 17, line 37, after the word "of" strike out the following: "not less than five dollars per day for each day actually employed in the service", and in lieu thereof insert the following: "one hundred and fifty dollars per month, or at the rate of one hundred and fifty dollars per month for each month or part thereof actually employed in the service."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4, section 17, line 2, after the word "town" insert the following: "He shall be allowed his traveling expenses actually and necessarily incurred in the performance of his duties."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 4, section 17, line 5, after the word "town" insert the following: "They shall be allowed their traveling expenses actually and necessarily incurred in the performance of their duties."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 4, section 17, line 17, after the word "the" strike out the word "twenty-fifth" and in lieu thereof insert the word "thirty-fifth".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 4, section 17, line 34, after the word "the" strike out the word "twenty-fifth" and in lieu thereof insert the word "thirty-fifth".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 5 of the printed bill, in line 32, between the words "by" and "as" insert a comma; and between the words "as" and "of" insert a comma.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 399—An act appropriating money to complete the construction of the trail in the Sierra Nevada Mountains known as the "John Muir trail" and laterals therefrom.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 1, strike out the word "thirty" and insert in lieu thereof the word "ten".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, in line 11, strike out the word "fifteen" and insert in lieu thereof the word "five".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, in line 13, strike out the word "fifteen" and insert in lieu thereof the word "five".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 905—An act to add three new sections to an act entitled "An act relating to immigrants and immigration, creating a commission of immigrating and housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, providing for the investigation by said commission of all things affecting immigrants, and for the care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof," approved June 12, 1913, to be numbered 15, 16 and 17, and making an appropriation to carry out the provisions hereof.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE

On page 1, lines 3 and 4 of the title, strike out the word "immigrating" and insert in lieu thereof the word "immigration".

Amendment adopted.

AMENDMENT NUMBER TWO

In line 11 of the title, after the figures "1913," insert the words "as amended."

Amendment adopted.

AMENDMENT NUMBER THREE

On page 2, line 2, after the figures "1913," insert the words "as amended,".

Amendment adopted.

AMENDMENT NUMBER FOUR

On page 3 of the printed bill, strike out all of lines 17 to 22 inclusive.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 966—An act to amend section 456 of the Political Code, relating to employees in the office of the State Treasurer.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE

On page 1, in line 8, of the printed bill, strike out the word "five" and insert in lieu thereof the word "seven".

Amendment adopted.

AMENDMENT NUMBER TWO

On page 1 in line 10, of the printed bill, strike out the word "three" and insert in lieu thereof the word "five".

Amendment adopted.

AMENDMENT NUMBER THREE

On page 1, in line 12, of the printed bill, strike out the word "four" and insert in lieu thereof the word "five".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1184—An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for the payment of claims and judgments together with costs and interest upon such judgments.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 551—An act to add to the Political Code a new section to be numbered 1617f, relating to the duty of school trustees and boards of education to provide flags of the United States.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In lines 4 and 5 of the title insert a period after the word "education" and strike out the words "to provide flags of the United States."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 4, strike out all reading matter following section number "1617f.", and insert in lieu thereof the following:

First—Boards of school trustees, and boards of education of school districts not included in a high school district offering supervision, employing a total of ten or more teachers may, with the approval of the county superintendent of schools, enter into an agreement to employ a district superintendent whose salary shall be paid by the districts in the ratio of the number of teachers employed by each.

Second—Such district superintendent shall be a regularly qualified teacher and shall have had at least two years of experience as a principal of schools.

Third—There shall be allowed to the districts employing district superintendents and to such city districts as reported less than seven hundred units of average daily attendance for the preceding year, one additional teacher for every ten and for every major fraction of ten teachers allowed them under the provisions of the Political Code. These additional teachers shall be included in the annual report of the superintendent of schools to the superintendent of public instruction.

Fourth—The superintendent of schools shall apportion the funds provided for each additional teacher allowed under the provisions of this act, as follows: He shall apportion to each district that part of the total amount which bears the same relation to the whole as the number of teachers allowed in each district bears to the total number of teachers allowed in the districts organized for supervision purposes under the provisions of this section.

Amendments adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 566—An act to amend section 4233 of the Political Code, relating to officers and salaries in counties of the fourth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of the bill after the enacting clause and insert in lieu thereof the following:

SECTION 1. Section four thousand two hundred thirty-three of the Political Code of the State of California is hereby amended to read as follows:

4233. In counties of the fourth class county officers shall receive as compensation for the services required of them by law, or by virtue of their office, the following salaries, to wit:

1. The county clerk, thirty-six hundred dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the county clerk one deputy county clerk who shall act as clerk of the probate department, who shall receive a salary of eighteen hundred dollars per annum; also one deputy county clerk to act as clerk to the board of supervisors, who shall receive a salary of eighteen hundred dollars per annum; also one deputy county clerk who shall be the registrar of voters and who shall receive a salary of sixteen hundred twenty dollars per annum; also one deputy county clerk who shall serve as general office clerk who shall receive a salary of eighteen hundred dollars per annum; also three deputy county clerks who shall serve as clerks of the several departments of the superior court who shall receive a salary of fifteen hundred dollars per annum each; also one deputy county clerk who shall serve as desk clerk, who shall receive a salary of thirteen hundred eighty dollars per annum; *provided, however*, that the county clerk shall not be allowed the additional deputy provided by section 4290 of the Political Code of the State of California; also one deputy county clerk who shall be "copyist in the probate department," who shall receive a salary of twelve hundred dollars per annum; the deputies herein provided for shall be appointed by the clerk of said county and their salaries shall be paid by said county in equal monthly installments at the same time and in the same manner and out of the same funds as the salary of the county clerk; *provided, further*, that in such years as the compilation of a great register of voters is required by law to be made the said clerk may appoint two deputies

who shall serve for a term of twelve months, who shall each receive a salary of eighty five dollars per month, to be paid as are other deputies herein provided for; two deputies who shall serve for a term of eight months who shall each receive a salary of eighty five dollars per month, to be paid as are other deputies herein provided for; and two deputies who shall serve for a period of six months who shall each receive a salary of eighty-five dollars per month, to be paid as are other deputies herein provided for; also one additional deputy in each county represented in the county, outside of the corporate limits of municipalities containing twenty-five thousand or more inhabitants, for the purpose of registering voters in each precinct, who shall be paid ten cents per name for each voter legally registered by them; provided that said county clerk may be allowed the actual and necessary expenses incurred by him in the performance of his official duties, and shall pay into the county treasury all fees received by him in his official capacity from whatever source they may be derived.

2. The sheriff, four thousand dollars per annum; provided that there shall be and there hereby is allowed to the sheriff, in addition to said salary, an amount fixed at the sum of one thousand eight hundred dollars per annum; also two deputies who shall each receive a salary of one thousand five hundred dollars per annum; also seven deputies who shall each receive a salary of one thousand three hundred twenty dollars per annum, one of whom shall be a female, qualified and shall be competent to act as an Indian interpreter; also one deputy who shall act as jailer of the county jail who shall receive a salary of one thousand twenty dollars per annum. The under-sheriff and deputies herein provided for shall be appointed by the sheriff and paid at the same time and in the same manner and place, and out of the same funds as is the salary of the sheriff; provided, that said sheriff shall be allowed the actual and necessary expenses incurred in the performance of his official duties. He shall pay into the county treasury all fees and mileage collected by him for the service of papers or process issued by any court of this state.

3. The county recorder, three thousand six hundred dollars per annum; and said recorder may appoint one deputy recorder who shall receive a salary of one thousand eight hundred dollars per annum. Also chief deputy recorder, who shall have and receive a salary of one thousand two hundred dollars per annum; also two deputy recorders who shall each receive a salary of one hundred dollars per annum. The deputies herein provided for shall be paid at the same time and in the same manner and out of the same funds as the county recorder; provided, that said recorder may be allowed the actual and necessary expenses incurred by him in the performance of his official duties and shall pay into the county treasury all fees received by him in his official capacity from whatever source they may be derived.

4. The county auditor, three thousand six hundred dollars per annum; said county auditor may appoint one deputy auditor who shall receive a salary of one thousand eight hundred dollars per annum. Also one deputy auditor who shall receive a salary of one thousand five hundred dollars per annum; also one deputy auditor who shall receive a salary of one thousand three hundred eighty dollars per annum; also two additional deputies for a period of six months in each year, who shall each receive a salary of one hundred dollars per month; provided, that for the purpose of performing the work imposed upon him in connection with the annual assessment and collection of property taxes, the auditor may be allowed six additional deputies for a period of one month who shall each receive a salary of one hundred dollars per month; and five additional deputies for a period of two months who shall each receive a salary of one hundred dollars per month. The deputies herein provided for shall be paid at the same time and in the same manner as is the county auditor; provided, that said auditor shall pay into the county treasury all fees received by him by his official capacity.

5. The county treasurer, three thousand six hundred dollars per annum; said treasurer may appoint one deputy treasurer, who shall receive a salary of one thousand eight hundred dollars per annum. The expenses on the bond of said deputy treasurer shall be paid by the county. All fees and commissions collected by him in his official capacity shall be paid into the county treasury; provided, that the county treasurer shall be entitled to retain for his own use the fees which are now or which may hereafter be allowed by the state law for the collection and payment to the state treasurer of inheritance taxes. Whenever the fees received at account of any one estate paying inheritance taxes shall exceed the sum of two hundred dollars such excess shall be by the county treasurer paid into the county treasury as in the case of fees received by him from other sources. The deputy herein provided for shall be paid at the same time and in the same manner and out of the same funds as is the county treasurer.

6. The tax collector, three thousand six hundred dollars per annum, and said tax collector may appoint one deputy tax collector who shall receive a salary of one thousand eight hundred dollars per annum; one additional deputy tax collector who shall receive a salary of one thousand five hundred dollars per annum; also twelve additional deputy tax collectors to serve as such only for a period of two and one-half months in each year, and who shall receive a salary of one hundred dollars each per month; also three additional deputy tax collectors who shall serve as such only during two months of each year and who shall receive a salary of

one hundred dollars each per month; also eleven copyists who shall serve only during one and one-half months of each year, and shall each receive a salary of eighty-five dollars per month. The deputies and copyists herein provided for shall be paid at the same time and in the same manner and out of the same funds as is the salary of the tax collector; *provided*, that said tax collector shall be allowed the actual and necessary expenses incurred by him in the performance of his official duties, including the making and compiling of the necessary indices to the assessment roll, and shall pay into the county treasury all fees received by him in his official capacity from whatever source they may be derived.

7. The license collector, fifteen per cent of the whole amount of license collected by him; *provided*, that the entire compensation of said license collector shall not exceed the sum of one thousand five hundred dollars per annum.

8. The county assessor, three thousand six hundred dollars per annum; and said assessor may appoint one chief deputy assessor who shall receive a salary of one thousand eight hundred dollars per annum; one supervising deputy assessor who shall receive a salary of one thousand six hundred dollars per annum; one office deputy assessor who shall receive a salary of one thousand five hundred dollars per annum; one searcher of records and office deputy to serve as such at a salary of one thousand five hundred dollars per annum, also twenty deputy assessors who shall serve as such during the months of March, April, May and June of each year, who shall each receive a salary of one hundred dollars per month, also five additional deputy assessors who shall serve as such only during the months of March, April, May, June and July of each year who shall each receive a salary of one hundred dollars per month; two copyists who shall each receive a salary of one thousand two hundred dollars per annum, and also five copyists to serve as such only during four months of each year who shall receive a salary of one hundred dollars each per month; *provided*, that the above salaries and compensations shall be in full for all services rendered by him as such assessor and that no commission for the collection of state or ordinary poll taxes or personal property taxes shall be retained by him but that all such commissions shall be paid into the county treasury. The deputies and copyists herein provided for shall be paid at the same time and in the same manner and out of the same fund as is the county assessor; *provided*, that the assessor shall be allowed the actual and necessary expenses incurred by him in the performance of his official duties.

9. The district attorney, three thousand six hundred dollars per annum; he may appoint a chief deputy at a salary of two thousand seven hundred dollars per annum; one assistant district attorney at a salary of two thousand one hundred dollars per annum; one assistant district attorney at a salary of one thousand eight hundred dollars per annum; and a deputy district attorney at a salary of one thousand six hundred twenty dollars per annum; one detective who shall serve at a salary of one thousand five hundred dollars per annum; *provided, however*, that no further or additional amounts shall be allowed for detective services without the previous consent and authority of the board of supervisors, and a clerk at a salary of one thousand two hundred dollars per annum, all of whom shall be paid in the same manner as said district attorney; *provided*, that said district attorney shall be allowed the actual and necessary expenses incurred by him in the performance of his official duties. All fees and commissions collected by him shall be paid into the county treasury.

10. The coroner and public administrator such fees as are now or may hereafter be allowed by law. Said coroner may appoint a deputy coroner to serve in the absence from the county or inability of the coroner to act; *provided*, that said deputy coroner shall receive only such fees as the coroner would receive if acting.

11. The county superintendent of schools, three thousand dollars per annum, and the said superintendent of schools may appoint a deputy superintendent of schools who shall receive a salary of one thousand three hundred twenty dollars per annum and the said superintendent of schools shall also be paid his actual traveling expenses when visiting the schools of the county. The deputy herein provided for shall be paid at the same time and in the same manner and out of the same fund as is the superintendent of schools.

12. The county surveyor, the sum of three thousand dollars per annum. Said surveyor may appoint the chief deputy surveyor who shall receive a salary of one thousand eight hundred dollars per annum, also one deputy who shall receive a salary of one thousand three hundred eighty dollars per annum; and one deputy who shall be a draftsman whose duties shall include the preparation of maps for the county assessor at a salary of one thousand three hundred twenty dollars per annum; one deputy at a salary of one thousand two hundred dollars per annum and one deputy at a salary of one thousand eighty dollars per annum; and one deputy at nine hundred dollars per annum. Such compensation and salaries as above set forth shall be in full for all services as such county surveyor, and all fees and compensation received or collected by him for surveying other than for the county, shall be paid into the county treasury; *provided*, that said county surveyor shall be allowed all necessary transportation and expenses incurred by himself or deputies for work performed in the field, and in the official discharge

of his duties, including inspection of roads and bridges under construction or other work performed by him or his representatives, such salaries to be paid at the same time and in the same manner as the salaries of other county officers are paid.

13. The fish and game warden, one thousand two hundred dollars per annum and the actual and necessary expenses incurred by him in the performance of his official duties, not to exceed fifty dollars for any one month.

14. The board of supervisors may at any time grant such additional assistance or pay for such additional employees as serious as it deems necessary to continue any service required by or in connection with any of the foregoing county offices in counties of this class.

15. In counties of this class, justices of the peace shall be compensated as follows, and all salaries shall be payable monthly in the same manner as the salaries of county officers are paid, viz:

(1) In townships having a population of twenty thousand or more, justices of the peace shall each receive a salary of two hundred fifty dollars per month as full compensation for all services rendered by them, except as hereinafter provided: *provided, however*, that in all such townships having a population of twenty thousand or more, there shall be two necessary justices of the peace, and for the each township, and said justices shall each be allowed a clerk to be appointed by the justices of the peace at a salary of one hundred dollars per month, each payable monthly in the same manner as salaries of county officers are paid, and shall be furnished with offices and necessary supplies by the board of supervisors.

(2) In townships having a population of ten thousand and less than twenty thousand, justices of the peace shall each receive a salary of one hundred thirty-seven dollars and fifty cents per month for all services rendered by them, except as hereinafter provided.

(3) In townships having a population of four thousand four hundred and less than five thousand, justices of the peace shall each receive a salary of one hundred thirty-five dollars per month as full compensation for all services rendered by them, except as hereinafter provided.

(4) In townships having a population of two thousand five hundred and less than four thousand four hundred, justices of the peace shall each receive a salary of seventy-five dollars per month as full compensation for all services rendered by them except as hereinafter provided.

(5) In townships having a population of two thousand two hundred fifty and less than two thousand five hundred, justices of the peace shall each receive the sum of sixty dollars per month as salary for all services rendered in both civil and criminal cases. All fees collected by them shall be paid monthly to them into the county treasury.

(6) In townships having a population of one thousand and less than two thousand five hundred, justices of the peace shall each receive a salary of fifty dollars per month as full compensation for all services rendered by them except as hereinafter provided.

(7) In townships having a population of less than one thousand, justices of the peace shall each receive a salary of thirty dollars per month as full compensation for all services rendered by them, except as hereinafter provided.

Justices of the peace in all townships in counties of the fourth class shall be permitted to receive and retain for their own use, fees for celebrating marriages and returning certificates thereof, but all other fees shall be collected by them and by them paid into the county treasury at least once a month.

16. In counties of this class constables shall be compensated as follows, and all salaries herein provided shall be paid in the same manner as the salaries of county officers are paid, viz:

(1) In townships having a population of twenty thousand or more, constables shall each receive a salary of one hundred dollars per month for all services rendered by them in criminal cases. As compensation for all services rendered in civil cases and all other matters wherein they may charge fees for their services, a constable may collect and retain for his own use as his compensation such fees as are now, or may hereafter be allowed by law.

(2) In townships having a population of five thousand and less than twenty thousand, constables shall each receive the sum of seventy-seven dollars and fifty cents per month as a salary for all services rendered by them in criminal cases. As compensation for all services rendered by them in civil cases and in all other matters wherein they may charge fees for their services, a constable may collect and retain for his own use as his compensation such fees as are now or may hereafter be allowed by law.

(3) In townships having a population of four thousand four hundred and less than five thousand, constables shall each receive the sum of seventy-seven dollars and fifty cents per month as a salary for all services rendered by them in criminal cases, civil cases and in the performance of all other duties imposed upon them by law. All fees chargeable and collectible in both criminal cases, civil cases, and in all other cases wherein fees are chargeable by constables, they shall collect in advance and pay monthly into the county treasury.

(4) In townships having a population of two thousand five hundred and less than four thousand four hundred, constables shall each receive the sum of sixty dollars per month as a salary for all services rendered by them in both civil and criminal cases. All fees collected by them in civil and criminal cases shall be paid monthly by them into the county treasury. For all services performed by them, they may charge and retain for their own use such fees as are chargeable at law.

(5) In townships having a population of two thousand two hundred fifty and less than two thousand five hundred, constables shall each receive the sum of sixty dollars per month as salary for all services rendered in both civil and criminal cases. All fees collected by them shall be paid monthly by them into the county treasury.

(6) In townships having a population of one thousand and less than twenty-two hundred and fifty, constables shall each receive the sum of forty dollars per month as salary for all services rendered in criminal cases. All fees collected by them in criminal cases shall be paid monthly by them into the county treasury. For all other services performed by them they may charge and collect for their own use such fees as are allowed by law.

(7) In townships having a population of less than one thousand, constables shall each receive the sum of thirty dollars per month as a salary for all services rendered by them in criminal cases. All fees collected by them in criminal cases shall be paid monthly into the county treasury. For all other services performed by them they may charge and collect for their own use such fees as are allowed by law.

Constables shall be allowed all necessary expenses incurred in conveying prisoners.

The population herein referred to in classifying townships for the purpose of regulating the compensation of justices of the peace and constables shall be the population found and determined by the federal census taken in the year 1910; *provided, however*, that a township census may be taken for the purpose of establishing the official census of such township in the manner hereinafter specified and when so taken, such census shall be known as and shall become the official census of such township in which it is taken and the population therein determined shall be and become the official population of such township. Whenever there shall be presented to the board of supervisors of the county a petition signed by the qualified electors of any township or townships in number equal to twenty-five per cent of the votes cast at the preceding general election, praying that said township or townships may be allowed to take the census of said township or townships for the purpose of ascertaining the population therein contained, the board of supervisors may order such census to be taken by one or more suitable persons appointed therefor by the board of supervisors and such census shall be taken by such persons so appointed, of all of the inhabitants of such township or townships. The full name of each person shall be plainly written, the names alphabetically arranged and regularly numbered in one complete series and when completed, shall be verified by the proper official authorized to administer oaths and be filed with the county clerk and thereupon, the same shall be known and shall be the official census of said township or townships.

17. Each supervisor, two thousand four hundred dollars per annum and mileage of ten cents per mile for each mile actually traveled in going to and from their residence to the county seat or in the performance of the duties required of them by law or by virtue of their office; *provided*, that in attending sessions of the board only four mileages shall be allowed for each month and that the total mileage allowed shall not exceed five hundred dollars in any one calendar year; *provided*, that nothing in this subdivision shall be deemed to affect the compensation or mileage of any incumbent supervisor, but said incumbent shall be paid such compensation and allowed such mileage as is now provided and allowed by law.

18. The fees of grand jurors and trial jurors in the superior courts of said counties of the fourth class, in civil and criminal cases shall be three dollars, in lawful money of the United States, for each day's attendance, and mileage to be computed at the rate of fifteen cents per mile for each mile necessarily traveled in attending court, in going only. In criminal cases such fees and mileage of said trial jurors in the superior court shall be paid by the treasurer of the county out of the general fund of said county upon warrants drawn by the county auditor upon the written order of the judge of the court in which said juror was in attendance, and the treasurer of said county shall pay said warrants. The board of supervisors of said county is hereby directed to make suitable appropriation for the payment of the fees herein provided for.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1185—An act appropriating money for the purchase of additional dairy cows for the Folsom State Prison.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 378—An act to establish a state normal school in the city and county of San Francisco, State of California, to be known as the San Francisco State Normal School, and making an appropriation for the maintenance of said school.

COMMITTEE AMENDMENTS.

During second reading of bill the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 2, of title, commencing with the word "To" strike out all down to and including the word "and" in line 4 of the title.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 5, of title, strike out the words "maintenance of said school" and in lieu thereof insert the following: "construction and equipment of buildings for the San Francisco state normal school, upon the real property heretofore acquired and now owned by the state as a site for said normal school."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, commencing with the word "that" strike out all down to and including the word "and" at the end of line 9 and in lieu thereof insert the following: "is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of three hundred thousand dollars, or so much thereof as may be necessary, to be used in accordance with law for the construction and equipment of buildings for the San Francisco state normal school, to be located and constructed upon that certain real property heretofore acquired and now owned by the state as and for a site for said school, situate and being in the city and county of San Francisco, State of California, and".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 9, commencing with the word "The" strike out all down to and including the word "same" in line 37, and in lieu thereof insert the following: "Of the total amount hereby appropriated, the sum of one hundred fifty thousand dollars shall be available for expenditure during the sixty-ninth and seventieth fiscal years, or during either of such years, and the remaining one hundred fifty thousand dollars shall be available for expenditure during the seventy-first and seventy-second fiscal years, or during either of such years."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 810—An act providing for the enlargement of the California Redwood Park, making an appropriation for the purchase of additional land therefor, and granting power to the California Redwood Park Commission to purchase the same.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, after the period following the word "park" insert the following: "Said appropriation shall be available at the rate of fifteen thousand dollars a year."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 1159—An act to amend section 2 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 556—An act to provide for experiment and research work in the drying, canning and preservation of fruits, the handling, preparation and manufacture of fruit products and by-products.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 14, after the word "work" strike out the comma and insert a period and strike out the balance of the line.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, commencing with line 15, strike out down to and including the period on line 18.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 1190—An act to amend section 626*a* of the Penal Code, relating to the protection of game.

Bill read second time, ordered engrossed, and on file for third reading.

SECOND READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Senator Tyrrell moved that the Senate take up, for second reading, Assembly bills previously reported from committees this day.

Assembly Bill No. 145—An act to establish standards for the packing and marketing of apples, forbidding the sale of certain infected and diseased apples, providing for its enforcement, fixing penalties for its violation, and making an appropriation to carry into effect the provisions thereof, and repealing an act entitled "An act to establish a standard for the packing and marketing of apples, fixing penalties for the violation of its provisions, and providing for its enforcement and making an appropriation to carry into effect the provisions hereof," approved June 10, 1915.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 439—An act appropriating money for university extension.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 647—An act to authorize the State Board of Control to sell certain lands.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1193—An act to amend section 589 of the Political Code, relating to the annual salary of the Insurance Commissioner.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1235—An act to make an appropriation for improvements on the Marshall monument grounds in El Dorado County.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1251—An act to appropriate money for electrification and rewiring at San Quentin State Prison.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1433—An act making an appropriation for the preservation and protection of the Pio Pico mansion property.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1462—An act to appropriate money to be expended under the direction of the State Board of Control in cooperation with the federal government to carry out the project adopted by congress for the protection of the navigability of Los Angeles and Long Beach harbors, and providing for the future completion of the entire project.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 792—An act to amend the title and sections 4, 5, 6, 12, 13, 14, 15 and 15a of an act entitled "An act to be known as 'the California Irrigation Act,' providing for cooperation between the State of California and the United States and independent proceedings in the storage and diversion of water, the distribution thereof for irrigation, the manufacture of power and for domestic purposes, creating an irrigation board to form water districts, make contracts, construct reservoirs, divert and distribute water, generate, lease and sell electric current, lease water power, levy assessments, issue bonds of water districts; providing for the management, control and supervision of such water districts and of the works constructed pursuant to this act; directing the State Department of Engineering relative to such works; authorizing irrigation districts to reorganize under this act and generally providing a policy relating to storage, diversion and use of water, and adopting a plan for providing revenues therefor," approved June 4, 1915.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 7, line 31, of the printed bill, strike out the word "certified".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 7, line 32, of the printed bill, after the word "district" insert the following: "certified by such secretary".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 7, line 33, of the printed bill, before the word "certified" insert the word "similarly".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 10 of the printed bill, strike out lines 23 and 24 and insert in lieu thereof the following: "locate and estimate the cost of the works necessary for the improvement of the lands of the district by irrigation, reclamation and drainage and thereafter subject to".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 10, line 34, of the printed bill, after the word "irrigation" insert the words "reclamation and drainage".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 18, line 11, of the printed bill, after the word "such" insert the word "conservation".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 18, line 14, of the printed bill, after the word "said" insert the word "constituent".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 18, line 15, of the printed bill, after the word "any" insert the word "constituent".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 20, line 7, of the printed bill, after the word "such" insert the word "constituent".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 24, line 7, of the printed bill, after the word "project" insert the following: "and may issue warrants therefor and same shall bear interest from date of issue at the rate of six per cent per annum until paid".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 30, line 26, of the printed bill, after the word "raised" strike out the word "for" and insert in lieu thereof the word "by".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 34, line 4, of the printed bill, after the period insert the following: "For the purposes of such hearing the board may by subpoena, signed by the secretary, under its seal, compel the attendance of witnesses and the production of evidence. Disobedience of such subpoena or of any lawful order of the board in the premises shall constitute a contempt of the authority of the board punishable by the board in accordance with Title V of Part III of the Code of Civil Procedure, and shall also constitute a misdemeanor under section 166 of the Penal Code."

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 35, line 18, of the printed bill, strike out the word "denomination".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN

On page 36, line 34 of the printed bill, strike out the words "irrigation board" and insert in lieu thereof "state treasurer".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 36, line 35, of the printed bill after the word "and" insert the words "the irrigation board".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN

On page 37, line 28 of the printed bill, strike out the word "are" and insert in lieu thereof the following: "when sold will be".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN

On page 38 of the printed bill, strike out line 20 and on line 21 strike out the words "this act" and insert in lieu thereof the following:

Bonds of any district issued pursuant to the provisions of this act which are investigated and approved by any commission or officer now or hereafter authorized by the laws of this state to conduct such investigation and give such approval and the authority of which approval said bonds are declared to be legal investments for savings banks.

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN

On page 39, line 19, of the printed bill, after the word "project" insert the following: "and may issue warrants therefor and same shall bear interest from date of issue at the rate of six per cent per annum until paid".

Amendment adopted.

AMENDMENT NUMBER NINETEEN

On page 40, line 7, of the printed bill, after the word "accrue", strike out in line 7 and 8, the following: "to each unit within said irrigation district, and separately as".

Amendment adopted.

AMENDMENT NUMBER TWENTY

On page 40, line 9, of the printed bill, strike out the period and insert a comma after the word "district".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 46, line 3, of the printed bill, after the word "raised" strike out the word "for" and insert in lieu thereof the word "by".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 49, line 19, after the period, insert the following:

For the purposes of such hearing the board may by subpoena signed by the secretary under its seal compel the attendance of witnesses and the production of evidence. Disobedience of such subpoena or of any lawful order of the board in the premises shall constitute a contempt of the authority of the board punishable by the board in accordance with Title V of Part III of the Code of Civil Procedure, and shall also constitute a misdemeanor under section 166 of the Penal Code.

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 50, line 34, of the printed bill, strike out the word "denomination".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 52, line 19, of the printed bill, strike out the words "irrigation board" and insert in lieu thereof "state treasurer".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 52, line 20, of the printed bill, after the word "and" insert the words "the irrigation board".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 53, line 14, of the printed bill, strike out the word "are" and insert in lieu thereof the following: "when sold will be".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 54, of the printed bill, strike out line 5 and the words "vision of this act" in line 6, and insert in lieu thereof the following: "Bonds of any irrigation district issued pursuant to the provisions of this act which are investigated and approved by any commission or officer now or hereafter authorized by a law of this state to conduct such approval and by authority of which approval said bonds are declared to be legal investments for savings banks".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 54, line 28, of the printed bill, strike out the word "effect" and insert in lieu thereof the word "affect".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 722—An act to provide for cooperation in acquisition, construction and management of irrigation and drainage works between irrigation districts organized or existing under or by virtue of an act entitled "An act to provide for organization and government of irrigation districts and to provide for the acquisition thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, and contiguous or adjoining districts in or organized under the laws of other states.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1391—An act to amend section 15 of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended.

Bill read second time, and ordered on file for third reading.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 1158—An act to amend section 1557 of the Penal Code, relating to the accounts of persons employed to bring back fugitives from the State.

On motion of Senator Duncan, Senate Bill No. 1158 was passed on file.

Senate Bill No. 476—An act to add a new section to the Penal Code to be numbered 817*a*, relating to the duties of peace officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 476 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Chandler, Duncan, Evans, Flaherty, Gates, Ingram, Johnson, Jones, Kehoe, King, Luce, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, and Stockenbruck—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR SHARKEY IN THE CHAIR.

At three o'clock p.m., Senator Sharkey of the Ninth District was called to the chair.

Senate Bill No. 670—An act to amend an act entitled "An act to define investment companies, investment brokers and agents; to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation thereof; to create the office of commissioner of corporations, and making an appropriation therefor," approved May 28, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 670 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Duncan, Evans, Flaherty, Gates, Hans, Johnson, Jones, Kehoe, King, Luce, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, and Stone—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At three o'clock and five minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Senate Bill No. 906—An act to prevent floods, to protect cities, towns, lands, farms and highways from damage from flood waters, and to authorize the organization of drainage and conservation districts therefor, and to levy assessments and issue bonds for the costs.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 906 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rominger, Scott, Slater, and Thompson—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECRETARY CLIFTON E. BROOKS AT THE DESK.

Senate Bill No. 893—An act to amend section 1388 of the Code of Civil Procedure of the State of California, relating to bonds of administrators.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 893 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Purkitt, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 894—An act to amend section 1754 of the Code of Civil Procedure of the State of California, relating to the bonds of guardians.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 894 passed by the following vote:

AYES—Senators Benson, Breed, Canepa, Carr, F. M., Chandler, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 869—An act to amend section 4 of an act entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled 'An act to promote the better education and practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the board of regents of the University of California, and to provide penalties for violation thereof,'" approved June 12, 1913, as amended.

On motion of Senator Sharkey, Senate Bill No. 869 was passed on file.

Senate Bill No. 440—An act requiring all buildings which are required to be equipped with fire escapes to have attached thereto counterbalanced stairways, counterbalanced ladders, or drop ladders.

Bill read third time.

CALL OF THE SENATE.

The roll was called on the passage of Senate Bill No. 440.

Pending the announcement of the vote, Senator Lyon moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Canepa, Chandler, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, King, Lee, Lyon, M. Donald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At three o'clock and twenty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Lyon.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Senate Bill No. 440 refused passage by the following vote:

AYES—Senators Ballard, Benson, Breed, Chandler, Duncan, Evans, Flaherty, Ingram, Jones, King, Lee, Nealon, Rominger and Scott—14.

NOES—Senators Canepa, Gates, Hans, Johnson, Lyon, Maddux, Purkitt, Rigdon, Sharkey, Slater, Stuckenbruck, and Thompson—12.

NOTICE OF MOTION TO RECONSIDER.

Senator Lyon gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 440 was refused passage.

THIRD READING OF SENATE BILLS—[RESUMED].

Senate Bill No. 921—An act to amend the Vehicle Act, approved May 11, 1915, by repealing sections 10, 18, 23 and 33 thereof and by amending sections 1, 3, 4, 5, 6, 7, 8, 9, 11, 13, 15, 17, 20, 22, 24, 26, 27, 28, 32, 34, 35 and 37 thereof, said amendments providing for the regulation of the use and occupation of the public highways by vehicles and otherwise, for the registration and identification of motor and other vehicles, for the payment of registration fees therefor, and also relating to other matters provided for in said act so amended.

On motion of Senator Johnson, Senate Bill No. 921 was passed on file.

Senate Bill No. 491—An act declaring and establishing a state highway from the city of San Bernardino, by way of Arrowhead avenue, Waterman Canyon, the "Crest Drive" and Mill Creek to the city of Redlands.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 491 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Chandler, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kelso, King, Lee, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Stuckenbruck, and Thompson—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 954—An act to provide compensation for state employees on certain legal holidays.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 954 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Kehoe, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Thompson—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 732—An act to amend section 4200*b* of the Political Code, relating to sheriff's fees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 732 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Flaherty, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 853—An act to regulate and limit the amount that may be produced by tax levies in the aggregate by political subdivisions of this State, and repealing all acts and parts of acts in conflict with this act.

On motion of Senator Benson, Senate Bill No. 853 was passed on file.

Senate Bill No. 1090—An act to amend sections 1, 2, 3, 6, 7, 12, 15 and 16 of an act entitled "An act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911, as amended.

On motion of Senator Scott, Senate Bill No. 1090 was passed on file.

Senate Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding thereto a new section to be known as section 5 of Article XIII, providing for the exemption of certain property from taxation.

In the absence of the author, Senate Constitutional Amendment No. 27 was ordered passed, to retain its place on the file.

Senate Bill No. 147—An act to amend section 1 of an act entitled "An act to fix the salaries of the State Forester, Deputy Forester and Assistant Forester," approved March 22, 1909, and repealing all acts and parts of acts inconsistent herewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 147 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Flaherty, Hans, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Rigdon, Rominger, Rush, Scott, and Slater—24.

NOES—Senators Duncan, Inman, Purkitt, and Stuckenbruck—4.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 242—An act appropriating money for necessary buildings, equipment and live stock for animal husbandry department at the University of California Farm School at Davis.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 242 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, King, Luce, Lyon, McDonald, Maddux, Nealon, Parkes, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stockenbruck, and Thompson—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR ROMINGER IN THE CHAIR.

At three o'clock and thirty five minutes p. m., Senator Rominger of the Thirty-third District was called to the chair.

Senate Bill No. 259—An act appropriating money to cover the cost of grading and filling ground on farm of Stockton State Hospital.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 259 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, Luce, Lyon, McDonald, Maddux, Nealon, Parkes, Rigdon, Rominger, Rush, Scott, Slater, Stockenbruck, Thompson, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 584—An act creating a state land settlement board and defining its powers and duties and appropriating the sum of $260,000 in aid of its operations.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Breed moved to refer Senate Bill No. 584 to Senator Hans, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On lines 3 and 4 of the title, strike out the words "appropriating the sum of two hundred sixty thousand dollars", and insert in lieu thereof after the word "and" the following words: "making an appropriation".

AMENDMENT NUMBER TWO.

On page 4, line 20 of the act, after the words and figures "Sec. 10." strike out "(Alternative.) ;".

AMENDMENT NUMBER THREE.

On pages 4 and 5, strike out all of section 10, starting on line 26, of page 4, and extending to line 11, of page 5.

AMENDMENT NUMBER FOUR.

On page 7, line 8, after the words "United States," strike out the words "between the ages of twenty-one and thirty-five".

AMENDMENT NUMBER FIVE.

On page 7, line 36, strike out the words "assessments and taxes and".

AMENDMENT NUMBER SIX.

On page 8, line 3, after the words "public purposes" strike out period and add a comma and the following words: "and also such sum as shall be deemed necessary to meet unforeseen contingencies."

AMENDMENT NUMBER SEVEN.

On page 8, line 26, after the words "not exceeding" strike out the word "ten" and insert in lieu thereof the word "five".

AMENDMENT NUMBER EIGHT.

On page 8, strike out, on lines 30 and 31, after the word "unpaid", the following words: "but shall not be entitled to a deed to the property prior to ten years from the date of the approval of the application."

AMENDMENT NUMBER NINE.

On page 10, strike out all of section 24.

AMENDMENT NUMBER TEN.

On page 10, strike out, on line 22, after "Sec.", the figures "25" and insert in lieu thereof the figures "24".

AMENDMENT NUMBER ELEVEN.

On pages 10 and 11 of the act, strike out all of section 26.

AMENDMENT NUMBER TWELVE.

On page 11 of the act, strike out the figures "27", on line 8, and insert in lieu thereof the figures "25".

AMENDMENT NUMBER THIRTEEN.

On page 11 of the act, strike out the figures "28" and insert in lieu thereof the figures "26".

AMENDMENT NUMBER FOURTEEN.

On page 11 of the act, strike out the figures "29" and insert in lieu thereof the figures "27".

AMENDMENT NUMBER FIFTEEN.

On page 12 of the act, strike out the figures "30", on line 7, and insert in lieu thereof the figures "28".

AMENDMENT NUMBER SIXTEEN.

On page 12 of the act, strike out the figures "31", on line 10, and insert in lieu thereof the figures "29".

AMENDMENT NUMBER SEVENTEEN.

On page 12 of the act, strike out the figures "32", on line 14, and insert in lieu thereof the figures "30".

AMENDMENT NUMBER EIGHTEEN.

On page 12, line 17, of the act, strike out the figures "33" and insert in lieu thereof the figures "31".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 17, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 584, with instructions to amend, respectfully reports the same back, amended as per instructions.

HANS, Special Committee.

Report read, and, on motion of Senator Hans, adopted.
Bill ordered to print, and re-engrossment.

Senate Bill No. 682—An act appropriating money for the purpose of financing the scientific investigation and search for certain beneficial insects.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 682 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Breyer, Canepa, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 786—An act to appropriate money to cover the cost of installing a new heating distribution system in the administration and ward buildings at the Mendocino State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 786 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 788—An act to appropriate money to cover the cost of the construction of a nurses' home at the Mendocino State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 788 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Chandler, Duncan, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 930—An act to amend sections 9 and 10 of an act entitled "An act to establish and support a Bureau of Labor Statistics," approved March 3, 1883.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 930 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1002—An act making an appropriation for the purchase by the State Agricultural Society, of a large tent and movable seats therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1002 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, King, Lace, Lyon, McDonald, Maddox, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Thompson, and Tyrrell—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1013—An act to appropriate money to pay the claim of Geo. F. Gray against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1013 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Kehoe, King, Lace, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stockenbruck, Thompson, and Tyrrell—30.

NOES—Senator Purkitt—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1036—An act appropriating money to pay the claim of Annie Paul against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1036 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, King, Lace, Lyon, McDonald, Nealon, Rominger, Rush, Scott, Sharkey, Slater, and Tyrrell—28.

NOES—Senator Purkitt—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1037—An act appropriating money to pay the claim of Frank B. Perfield against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1037 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Chandler, Evans, Flaherty, Gates, Ingram, Inman, Johnson, King, Lace, Lyon, Nealon, Rominger, Rush, Scott, Sharkey, Slater, and Thompson—23.

NOES—Senators Duncan, Maddox, and Purkitt—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1038—An act appropriating money to pay the claim of William A. Anderson against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1038 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, King, Luce, McDonald, Nealon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, Thompson, and Tyrrell—26.

NOES—Senators Duncan and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1039—An act appropriating money to pay the claim of Patrick Sullivan against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1039 passed by the following vote:

AYES—Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, King, Luce, Lyon, McDonald, Nealon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—25.

NOES—Senator Purkitt—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1040—An act appropriating money to pay the claim of C. D. Christoffersen against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1040 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, King, Luce, Lyon, McDonald, Nealon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—25.

NOES—Senator Purkitt—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1041—An act appropriating money to pay the claim of C. Schmidt Broderson against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1041 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, King, Luce, Lyon, McDonald, Nealon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—26.

NOES—Senators Duncan and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1042—An act appropriating money to pay the claim of Thomas J. Stewart against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1042 passed by the following vote:

AYES—Senators Ballard, Benson, Breed Brown, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, King, Luce, Lyon, McDonald, Nealon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—26.

NOES—Senators Duncan and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1043—An act appropriating money to pay the claim of S. I. Cozad against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1043 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—28.

NOES—Senators Duncan, and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1044—An act appropriating money to pay the claim of Bela Friedman against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1044 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Johnson, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—26.

NOES—Senators Duncan, and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1045—An act appropriating money to pay the claim of Fred Thonhoff against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1045 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—26.

NOES—Senators Duncan, and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1046—An act appropriating money to pay the claim of Harland Wehr against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1046 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck and Thompson—26.

NOES—Senators Duncan, and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1047—An act appropriating money to pay the claim of Nicholas Brier against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1047 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—26.

NOES—Senators Duncan, and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1048—An act appropriating money to pay the claim of Frank De La Piedra against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1048 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—27.

NOES—Senators Duncan, and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1049—An act appropriating money to pay the claim of Michael Smith against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1049 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—27.

NOES—Senators Duncan, and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1050—An act appropriating money to pay the claim of A. P. Prather against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1050 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—27.

NOES—Senators Duncan, and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1051—An act appropriating money to pay the claim of J. A. Cochran against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1051 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—27.

NOES—Senators Duncan and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1052—An act appropriating money to pay the claim of Louisa Nichols against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1052 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—27.

NOES—Senators Duncan and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1053—An act appropriating money to pay the claim of I. J. Hoover against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1053 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—27.

NOES—Senators Duncan and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1054—An act appropriating money to pay the claim of Wm. H. Boswell against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1054 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—28.

NOES—Senators Duncan and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1055—An act appropriating money to pay the claim of Clarence Hall against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1055 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—27.

NOES—Senators Duncan and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1056—An act appropriating money to pay the claim of George L. Makley against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1056 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—27.

NOES—Senators Duncan and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1057—An act appropriating money to pay the claim of Joseph Fox against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1057 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—27.

NOES—Senators Duncan and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1058—An act appropriating money to pay the claim of Mathilde da Conceidao D'Abreau Chulata against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1058 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—27.

NOES—Senators Duncan and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1059—An act appropriating money to pay the claim of J. R. Summers against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1059 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—27.

NOES—Senators Duncan, and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1060—An act appropriating money to pay the claim of Matilda J. Osborn against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1060 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—28.

NOES—Senators Duncan, and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1061—An act appropriating money to pay the claim of W. H. Long against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1061 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—28.

NOES—Senators Duncan, and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1062—An act appropriating money to pay the claim of Robert A. Thomas against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1062 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—28.

NOES—Senators Duncan, and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1063—An act appropriating money to pay the claim of Louise J. Maier against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1063 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—28.

NOES—Senators Duncan and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1064—An act appropriating money to pay the claim of William Bottini against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 1064 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—28.

NOES—Senators Duncan and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1065—An act appropriating money to pay the claim of Julius Keller against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1065 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—28.

NOES—Senators Duncan and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1066—An act appropriating money to pay the claim of J. W. Arbulich against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1066 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—28.

NOES—Senators Duncan and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1067—An act appropriating money to pay the claim of Melquiades Moreno against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1067 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—28.

NOES—Senators Duncan, and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1068—An act appropriating money to pay the claim of Julius W. Sands against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1068 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—28.

NOES—Senators Duncan, and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1069—An act appropriating money to pay the claim of H. C. Young against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1069 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—28.

NOES—Senators Duncan, and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1070—An act appropriating money to pay the claim of Alina Waara against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1070 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—28.

NOES—Senators Duncan, and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1071—An act appropriating money to pay the claim of Henry Behre against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1071 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—28.

NOES—Senators Duncan, and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1072—An act appropriating money to pay the claim of Simon Ilhero against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1072 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—28.

NOES—Senators Duncan, and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1073—An act appropriating money to pay the claim of I. Lutz against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1073 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—28.

NOES—Senators Duncan, and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1074—An act appropriating money to pay the claim of Manuel Da Silva against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1074 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—28.

NOES—Senators Duncan, and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1075—An act appropriating money to pay the claim of Ben Oswald against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1075 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Thompson—28.

NOES—Senators Duncan, and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1080—An act to make an appropriation for repairing the buildings of the California Polytechnic School situated at San Luis Obispo, California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1080 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Thompson—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

STATEMENT.

On request of Senator Purkitt, the following statement was ordered printed in the Journal:

MR. PRESIDENT: In voting against Senate Bills 1013, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, and 1075, I desire to explain my vote as voting "No" for the reason that the author of the bills has stated in explaining these bills that they are to reimburse certain injured workingmen who cannot recover from the Commonwealth Bonding Company on account of the failure of that company.

In other words, it brings these claims clearly within the prohibition of the State Constitution, Article IV, section 31, and while I would be only too glad to allow the reimbursement of these poor, unfortunate and maimed workers for their injuries, if I could legally do so, but I don't feel that I can conscientiously set aside the

constitution of this state and vote for claims that are clearly unconstitutional, in view of my oath as a State Senator to uphold the Constitution of the United States and the Constitution of the State of California.

CLAUDE F. PURKITT, Senator of the Fourth District.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1118—An act to appropriate money for electrification and rewiring at San Quentin State Prison.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1118 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, W. J., Gates, Ingram, Johnson, Kehoe, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rominger, Rush, Sharkey, Slater, Stuckenbruck, and Thompson—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1166—An act appropriating money for the construction of two cottages at the Napa State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1166 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, W. J., Chandler, Flaherty, Gates, Ingram, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rominger, Rush, Sharkey, Slater, Stuckenbruck, and Thompson—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1183—An act to amend section 1 of an act entitled "An act making an appropriation for the use of the creamery department of the California Polytechnic School and making provision for the return of said appropriation to the state treasury," approved March 14, 1911, by providing for a cash revolving fund for the use of the California Polytechnic School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1183 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, W. J., Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Sharkey, Slater, Stuckenbruck, and Thompson—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At five o'clock and five minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Senate Bill No. 749—An act authorizing the Governor to appoint a commission to investigate and advise the Legislature concerning the

adoption of a system of social insurance, and to make a report to the forty-third session of the Legislature and making an appropriation therefor.

Bill read third time.

CALL OF THE SENATE.

The roll was called upon the passage of Senate Bill No. 749.

Pending the announcement of the vote, Senator Kehoe moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Carr, F. M., Carr, W. J., Chandler, Flaherty, Gates, Ingram, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rominger, Rush, Scott, Slater, Stuckenbruck, and Thompson—24.

The Secretary announced the absentees.

Time, five o'clock and ten minutes p.m.

The President pro tempore directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At five o'clock and twenty minutes p.m., Senators Brown, Canepa, Duncan, Inman, McDonald and Rigdon were brought to the bar of the Senate, and, on motion of Senator Kehoe, were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At five o'clock and twenty-two minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Kehoe.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Senate Bill No. 749 finally passed by the following vote:

AYES—Senators Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Flaherty, Gates, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Rominger, Rush, Scott, and Sharkey—22.

NOES—Senators Ballard, Brown, Duncan, Ingram, Purkitt, Slater, Stuckenbruck, and Thompson—8.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, April 17, 1917.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Assembly Concurrent Resolution No. 16—Relative to Orange Day—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

KING, Chairman.

Assembly Concurrent Resolution No. 16 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Assembly Bill No. 212—An act to promote the development of the California fresh fruit industry in state and interstate markets, and to protect the State's reputation in these markets by establishing a standard for the packing of certain fresh fruits specified therein, and to prevent deception in the packing, prescribing penalties for violation of the provisions hereof, and repealing all acts inconsistent herewith;

Also: Assembly Bill No. 632—An act declaring gophers and ground squirrels a public nuisance; providing for the manner and means of the abatement of such nuisance; providing that the expense incurred by reason of such abatement shall be a lien on the property, and empowering the board of supervisors in each county to employ persons to carry out the provisions hereof;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KING, Chairman.

Assembly Bills Nos. 212 and 632 ordered on file for second reading.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 17, 1917.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 458—An act to amend section 20 of the act known as the "Water Commission Act," approved June 16, 1913—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

MADDUX, Chairman.

Assembly Bill No. 458 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 17, 1917.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 628—An act creating the office of State Superintendent of the Registration of Land Titles, providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of the Registration of Land Titles and his deputy and the employment of attorneys, defining the powers and duties of such officers and making an appropriation to carry this act into effect—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

KEHOE, Chairman.

Senate Bill No. 628 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 70—An act to be known as the Usury Law relating to the rate of interest which may be charged for the loan or forbearance of money, goods or things in action, or on accounts after demand, or on judgments, providing penalties for the violation of the provisions hereof, and repealing sections 1917, 1918, 1919, and 1920 of the Civil Code and all acts or parts of acts in conflict with this act—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do not pass, as amended.

KEHOE, Chairman.

Senate Bill No. 70 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 1170—An act to amend sections 1, 4 and 5 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the bay of San Francisco and the bay of San Pablo to the city of Richmond in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved June 11, 1913;

Also: Senate Bill No. 1182—An act empowering cities, cities and counties and counties in the State of California to grant bounties to certain persons in the service of the United States, and to incur an indebtedness therefor, and to issue bonds in payment thereof;

Also: Senate Bill No. 1153—An act providing for the qualifications of sureties on bonds and undertakings accompanying bids and contracts for public work or for materials therefor;

Also: Senate Bill No. 808—An act to amend section 2924 of the Civil Code, relating to mortgages and deeds of trust;

Also: Assembly Bill No. 1218—An act to amend section 241 of the Civil Code, relating to appointment of guardians by will or by deed;
Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

KEHOE, Chairman.

Senate Bills Nos. 1170, 1182, 1153 and 808 and Assembly Bill No. 1218 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 19—An act to add a new section to the Code of Civil Procedure to be numbered 274c, relating to compensation of phonographic reporters—has had the same under consideration, and respectfully reports the same back and recommends that it do not pass.

KEHOE, Chairman.

Assembly Bill No. 19 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 780—An act to amend section 1313 of the Civil Code, relating to restrictions on devises or bequests for charitable uses;

Also: Assembly Bill No. 1394—An act to regulate the moving, transporting, and conveying of certain buildings, houses, structures, derricks, cranes, towers and vehicles and requiring a permit for the same and providing a penalty for the violation thereof;
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

Minority report that they do not pass.

KEHOE, Chairman.

Senate Bill No. 780 and Assembly Bill No. 1394 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 606—An act to amend section 3818 of the Political Code, relating to redemption from tax sale;

Also: Assembly Bill No. 215—An act to validate bonds of the Los Angeles County Flood Control District and all proceedings relating thereto, and making final and conclusive, except as therein provided, the official canvass of election returns of the election at which said bonds were voted;

Also: Assembly Bill No. 573—An act to amend section 604a of the Civil Code, relating to religious corporations;

Also: Assembly Bill No. 1358—An act to add a new section to the Code of Civil Procedure, to be numbered 67c, relating to the appointment of an official court interpreter of the Spanish language by the judges of the superior court in counties of the first class, prescribing his duties and providing for the appointment of such interpreter;

Also: Assembly Bill No. 735—An act to amend section 343 of the Political Code, relative to the designation and number of civil executive officers;

Also: Assembly Bill No. 1113—An act to revise and amend an act entitled "An act to define the duties of and to license land surveyors, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 31, 1891," approved March 16, 1907, so as to constitute the Surveyor General, the State Engineer and the dean of the College of Civil Engineering, University of California, ex officio, a state board of land surveyors to examine persons applying to become licensed land surveyors; to prescribe the powers and duties of such board; to provide for the issuance, suspension, or revocation of licenses; to provide penalties for violations hereof; and to provide for paying the actual necessary expenses of such board;

Also: Assembly Bill No. 1434—An act to amend sections 853, 996 and 4313 of the Political Code, relating to absence of officers from the State and vacancies in public office;

Also: Assembly Bill No. 584—An act to repeal section 1324 of the Penal Code, relating to the testimony of a witness refusing to answer on the ground that such answer will incriminate himself;

Also: Assembly Bill No. 246—An act to amend section 1580 of the Code of Civil Procedure, relating to the procedure for the sale of mining property belonging to an estate;

Also: Assembly Bill No. 701. An act to definitely establish and permanently locate a portion of the boundary line between the county of Lake and the county of Mendocino, State of California;

Also: Assembly Bill No. 702. An act to definitely establish and permanently locate the boundary line between the counties of Mendocino and Sonoma, State of California;

Also: **Assembly Bill No. 1332—An act to cure defects in maps or plats filed for record prior to January 1, 1917, and in deeds or conveyances referring to such maps;**

Also: **Senate Bill No. 582—An act to amend section 678 of the Political Code, relating to notice to State Board of Control and State Treasurer of bond sales by city, county and district authorities;**

Has had the same under consideration, and respectfully reports the same back and **recommends that they do pass.**

KEHOE, Chairman.

Assembly Bills Nos. 606, 215, 573, 1358, 735, 1113, 1434, 584, 246, 701, 702, 1332 and 582 ordered on file for second reading.

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 17, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of **Senator Hans to introduce a bill entitled: "An act to add a new section to the Civil** Code to be numbered 330, relating to liability for unpaid par value of unissued stock of corporations"—has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following **vote:**

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chandler, Duncan, Flaherty, Gates, Hans, Ingram, Inman, Jones, Kehoe, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Thompson—30.

NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Kehoe to introduce a bill entitled: "An act making an appropriation for repairs and improvements on the San Francisco State Normal School"—has had the same under consideration, and respectfully reports the same back and recommends **that his request be granted.**

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following **vote:**

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chandler, Duncan, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, **Sharkey, Slater, Stuckenbruck, and Thompson—31.**

NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Irwin to introduce a bill entitled: "An act creating a cash revolving fund for the use of the California Irrigation Board and making an appropriation therefor"—has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

Ayes—Senators [illegible] Breed, Brown, Chandler, Cogswell, F. M. Cook, W. J. Cook, Dennison, Engelhard, Gates, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Lane, Lyon, McIlhiney, Nourse, Rigdon, Rominger, Rush, Scott, Shearer, Stevens, Stewart, Thompson—30.

Noes—None.

Also:

Mr. President: Your Committee on Rules, to which was referred the request of Senator [illegible] for an opinion, has instructed me to report, in reply, that it is the opinion of this committee that a member who is unavoidably absent from the Senate is not entitled to be paid his salary for such absence. He has the same right of consideration and consideration as the same have with respect to other members who may be absent.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

Ayes—Senators Engelhard, Brown, Breed, Brown, Chandler, Cogswell, F. M. Cook, W. J. Cook, Dennison, Gates, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Lane, Lyon, McIlhiney, Nourse, Rigdon, Rominger, Rush, Scott, Shearer, Slater, Stuckenbruck, and Thompson—30.

Noes—None.

INTRODUCTION AND FIRST READING OF BILLS.

The following bills were introduced in accordance with the above reports:

By Senator Hans: Senate Bill No. 1193—An act to add a new section to the Civil Code to be numbered 330, relating to liability for unpaid par value of capital stock of corporations.

Bill read first time, and referred to Committee on Judiciary.

By Senator Kehoe: Senate Bill No. 1194—An act making an appropriation for repairs and improvements on the San Francisco State Normal School.

Bill read first time, and referred to Committee on Finance.

By Senator Irwin: Senate Bill No. 1195—An act creating a cash revolving fund for the use of the State of California Irrigation Board and making an appropriation therefor.

Bill read first time, and referred to Committee on Finance.

By Senator Thompson: Senate Bill No. 1196—An act relating to outdoor advertising as in this act defined, and granting to municipalities the power to regulate or prohibit such advertising.

Bill read first time, and referred to Committee on Municipal Corporations.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

To the Senate of the State of California:

In accordance with section 16 of Article IV of the Constitution, I return to you herewith without my approval Senate Bill No. 562.

This bill attempts to amend measures to secure increased salary increases to employees. Under the provisions of section 16 of Article XI of the Constitution, the compensation of county officers shall not be increased during their terms of office. Consequently, the bill seeks to do that which is expressly prohibited by the Constitution.

For this reason I, therefore, veto this bill.

WM. D. STEPHENS, Governor.

Dated: SACRAMENTO, CALIFORNIA, April 17, 1917.

The message from the Governor was ordered to unfinished business.

MOTION TO RECONSIDER.

Senator Kehoe moved to reconsider the vote whereby Senate Bill No. 1138 was refused passage.

On motion of Senator Kehoe, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 1138 was refused passage, was continued until the next legislative day.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 17, 1917.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 473—An act fixing the compensation of grand and trial jurors in counties of the seventh class;

Also: Assembly Bill No. 1198—An act amending section 4231 of the Political Code, relating to salaries and fees of officers and jurors in counties of the fifth class;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

INMAN, Chairman.

Assembly Bills Nos. 473 and 1198 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1094—An act to amend section 4242 of the Political Code, relating to salaries and fees of officers of counties of the thirteenth class;

Also: Assembly Bill No. 919—An act to amend section 4049 of the Political Code, relating to the publication of the proceedings of boards of supervisors;

Also: Assembly Bill No. 674—An act to amend section 3793 of the Political Code, relating to the manner of publication of the delinquent tax list;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

INMAN, Chairman.

Assembly Bills Nos. 1094, 919, and 674 ordered on file for second reading.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 17, 1917.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 349—An act to make an appropriation for the encouragement of county fairs and providing for the distribution of the moneys hereby appropriated—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

CHANDLER, Chairman.

Senate Bill No. 349 ordered on file for second reading.

SECOND READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 716—An act relating to the regulation of real estate brokers, agents, salesmen and dealers in the State of California.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of the title after the words "An act" and insert in lieu thereof the following: "to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision, and licensing thereof; to create the office of real estate commissioner and making an appropriation therefor."

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all of the printed bill after the enacting clause and insert in lieu thereof the following:

SECTION 1. It shall be unlawful for any person, copartnership, or corporation to engage in the business of a real estate broker or a real estate salesman within this state without first obtaining a license therefor.

SEC. 2. A real estate broker within the meaning of this act is a person, copartnership or corporation who for a compensation sells or offers for sale, buys or offers to buy or negotiates the purchase or sale or exchange of real estate, or who, for compensation negotiates loans on real estate, leases or offers to lease, rents or places for rent or collects rent from real estate or improvements thereon for others as a business or occupation.

A real estate salesman within the meaning of this act is one who is employed by a licensed broker to sell or offer for sale, or to buy or offer to buy, or to negotiate the purchase or sale or exchange of real estate, or to negotiate a loan on real estate, or to lease or offer to lease, rent or place for rent any real estate as a whole or partial vocation.

The provisions of this act shall not apply to any person, copartnership or corporation who shall perform any of the acts aforesaid with reference to the buying, selling or exchanging of property owned by such person, copartnership or corporation, or renting, collecting rents, or negotiating a loan on such property; nor shall the provisions of this act apply to salaried employees other than salesmen or solicitors of a licensed real estate broker; *and provided, further*, that the provisions of this act shall not apply to persons holding a duly executed power of attorney from the owner for the sale of real estate, nor shall this act be construed to interfere in any way with services rendered in any real estate transaction by an attorney at law, nor shall it be held to include a receiver, trustee in bankruptcy, or any person selling real estate under order of any court, nor to a trustee selling under a deed of trust, nor apply to any corporations, associations, copartnerships, companies, firms and individuals now or hereafter subject to the jurisdiction or authority of the railroad commission, nor to corporations now or hereafter organized under the laws of this state for the purpose of conducting the business of banking within this state, nor to corporations, associations, copartnerships, companies, firms and individuals after they have secured from the insurance commissioner or the bureau of building and loan supervision a certificate of authority or license to do business within this state, nor to corporations, associations, copartnerships or companies, subject to federal regulation or not organized for profit, nor to mutual water companies and irrigation districts.

SEC. 3. There is hereby created a state real estate commissioner's department. The chief officer of such department shall be the commissioner. He shall be appointed by the governor and hold office at the pleasure of the governor. He shall receive an annual salary of five thousand dollars, to be paid monthly out of the state treasury upon a warrant of the controller. He shall within fifteen days from the time of notice of his appointment take and subscribe to the constitutional oath of office and file the same in the office of the secretary of state and execute to the people of the state a bond in the penal sum of ten thousand dollars with corporate security or two or more sureties, to be approved by the governor of the state, for the faithful discharge of the duties of his office.

The real estate commissioner shall employ such clerks and deputies as he may need to discharge in proper manner the duties imposed upon him by law. Neither the real estate commissioner nor any of his clerks or deputies shall be interested in any real estate company, or real estate broker, as director, stockholder, officer, member, agent or employee. Such clerks and deputies shall perform such duties as the real estate commissioner shall assign to them. He shall fix the compensation of such clerks and deputies which compensation shall be paid monthly on the certificate of the real estate commissioner, and on the warrant of the controller out of the state treasury; *provided, however*, that the total expenditures provided for in this act shall not exceed fifty thousand dollars per annum. Each deputy shall after his appointment take and subscribe to the constitutional oath of office and file the same in the office of the secretary of state.

The real estate commissioner shall have his office in the city of Sacramento and he shall from time to time obtain the necessary furniture, stationery, fuel, light and other proper conveniences for the transaction of business, the expenses of which shall be paid out of the state treasury on the certificate of the real estate commissioner and the warrant of the controller, drawn upon the real estate commissioner's fund hereinafter provided.

A fund is hereby created to be known as the "real estate commissioner's fund," and out of said fund shall be paid all the expenses incurred in and about the conduct of the business of the real estate commissioner, including the salary of the commissioner and his clerks and deputies, traveling expenses, furnishing rooms and rent. All moneys collected or received by the real estate commissioner under and by virtue of the provisions of this act shall be delivered by him to the treasurer of the state, who shall deposit the same to the credit of said real estate commissioner's fund.

And all such funds so deposited or such part thereof as may be necessary for the purposes of this act are hereby appropriated to the use of the real estate commissioner's fund for the purpose of carrying out the provisions of this act. It shall be the duty of the real estate commissioner semiannually to certify under oath to the state treasurer and secretary of state the total amount of receipts and expenditures of the real estate commissioner's department for the six months preceding. All fees and payments of every description required by this act to be paid to the real estate commissioner shall be paid by him to the state treasurer on the first day of each week following their receipt.

The real estate commissioner shall adopt a seal with the words "Real estate commissioner, State of California," and such other device as the commissioner may desire engraved thereon, by which he shall authenticate the proceedings of his office. Copies of all records and papers in the office of the real estate commissioner's department shall be received in evidence in all cases equally and with like effect as the originals.

SEC. 4. Said commissioner shall have the advice and assistance of one assistant attorney general whenever he shall require the same in the prosecution of matters pertaining to this act, and the commissioner shall have full power to regulate and control the issuance and revocation, both temporary and permanent, of licenses, and to perform all other acts and duties under the provisions of this act.

SEC. 5. No real estate license shall give authority to do any act in connection with the real estate business to any person, copartnership or corporation other than those to whom said license is issued, and to the regular employees of said person, copartnership or corporation; *provided, however*, that when a license is issued to a corporation the officers thereof other than the president shall be required to obtain a license if engaged in the real estate business as a whole or partial vocation; *and provided, further*, that when a license is granted to a copartnership the members of said firm or association shall each be required to obtain a separate license, except as provided in section eight hereof.

SEC. 6. Applications for such licenses shall be made in writing to the real estate commissioner, which application shall be accompanied by the recommendation of two real estate owners of the county in which such applicant resides certifying that the applicant is honest, truthful and of good moral character and recommending that a license be granted the applicant. If the applicant shall have resided less than one year in the county from which the application is made, then he shall be required to give satisfactory proof that his standing is above reproach and that his record for honesty and fair dealing is clear in his former place or places of business. The real estate commissioner may require such other sufficient and satisfactory proof as to him may seem desirable in reference to the character of any applicant for license, or of the officers of any corporation, or the members of any firm making such application before authorizing the issuance of a license. Every such application shall state the name of the person, firm or corporation, and the location of the place or places of business for which such license is desired.

Application for licenses as salesmen shall be made in writing to the real estate commissioner, signed by the applicant, setting forth the period of time during which he has been engaged in the business, stating the name of his last employer and the name of the firm then employing him or in whose employ he is to enter. The application shall be accompanied by the recommendation of his employer, if employed, certifying that the applicant is honest, truthful and of good moral character, and recommending that the license be granted to the applicant. The real estate commissioner may require such other sufficient and satisfactory proof as to him may seem desirable in reference to the character of any applicant for license.

SEC. 7. All applicants for a broker's license shall, in addition to such recommendation, file with the said real estate commissioner a satisfactory bond to the people of the State of California, duly executed by a sufficient surety or sureties, to be approved by said commissioner, in the amount of one thousand dollars conditioned for the faithful performance by such broker of any undertaking as a licensed real estate broker under this act, and on application of any person injured by the failure of a real estate broker to perform his duties or comply with the provisions of this act, the real estate commissioner may grant to such applicant, in his discretion, the right to prosecute such bond in the name of said real estate commissioner. It shall be the duty of the real estate commissioner to see that such bond remains and is kept good.

When any salesman or solicitor shall be discharged by his employer for dishonest dealing, a written statement of the facts in reference thereto shall be filed forthwith with the real estate commissioner, by the employer. Any person injured by dishonest dealing on the part of any salesman or solicitor, or who has personal knowledge of dishonest practice on the part of any salesman or solicitor, may communicate the facts in reference thereto to the real estate commissioner. If, after notifying such salesman or solicitor thereof and affording him an opportunity to be heard concerning the same, it appears to the real estate commissioner that said salesman or solicitor is guilty as charged, said real estate commissioner shall at once revoke his license and he shall not be entitled to receive any license as salesman or broker for a period of two years thereafter.

SEC. 8. The fees for license shall be as follows:

(1) For a broker's license, an annual fee of ten dollars.

(2) For a corporation, the annual fee shall be ten dollars and said license shall entitle the president of said corporation to engage in the real estate business within the meaning of this act. For officers other than the president of a corporation, who shall engage in the real estate business within the meaning of this act, the annual fee shall be two dollars.

(3) For a copartnership, the annual fee shall be ten dollars, and the license issued to said copartnership shall entitle one member of said copartnership to engage in the real estate business within the meaning of this act. For each other member of such copartnership the annual fee shall be two dollars.

(4) For salesmen and solicitors, the annual fee shall be two dollars.

Said license fee shall accompany the application and bond herein provided for, and no license shall be issued for a less period than one year

It shall be unlawful for any licensed broker to pay a commission for performing any of the acts herein specified to any person who is not a licensed broker, except a licensed salesman or solicitor directly in the employ of a licensed broker, who shall then receive the same only through or from his employer, and except to a regular salaried employee who has been employed for not less than six months by such broker.

SEC. 9. The real estate commissioner shall have the power to temporarily suspend or permanently revoke licenses issued under the provisions of this act at any time where the holder thereof in performing or attempting to perform any of the acts mentioned in section two hereof is guilty of:

(a) Making any substantial misrepresentation, or

(b) Making any false promises of a character likely to influence, persuade or induce, or

(c) A continued and flagrant course of misrepresentation or making of false promises through agents, salesmen, or solicitors, or

(d) Acting for more than one party in the transaction without the knowledge or consent of all parties thereto, or

(e) Any other conduct, whether of the same or a different character than herein above specified, which in the opinion of said commissioner is contrary to good business morals.

Also, the real estate commissioner shall have the power to temporarily suspend or permanently revoke any license issued under the provisions of this act at any time where the holder thereof is guilty of using any means of fraudulent or misleading advertising.

Before suspending or revoking any license the said commissioner shall notify, in writing, the holder of such license of the charges against such holder of such license and afford an opportunity to be heard in person or by counsel in reference thereto. The decision of the said commissioner in revoking any license under this act shall be subject to review, however, as follows:

An appeal may be taken from any decision of the real estate commissioner under this act by filing with the clerk of the superior court of the State of California, in and for the county in which the person affected by this decision resides or has his place of business under the terms of this act, a certified transcript of all papers in the office of the commissioner relating to such decision, and all evidence taken on the hearing. It shall be the duty of the said commissioner to make and certify to said transcript upon payment to him of a fee of ten cents for each folio and one dollar for the certification. The court shall, upon such appeal, be limited to a consideration of the question whether there has been abuse of discretion on the part of the real estate commissioner in making such decision.

SEC. 10. If, after the issuance and delivery of a license to any broker under the provisions of this act, any change shall be made in the place or places of business covered thereby, no such business shall be carried on in any other location until notice of change of location shall be given in writing to the commissioner, and each person, firm or corporation so licensed under the provisions of this act shall be required to have and maintain an office in the state for the transaction of business.

SEC. 11. Any person or corporation violating any of the provisions of this act shall, upon conviction thereof, if a person, be punished by a fine of not to exceed the sum of two thousand dollars, or by imprisonment in the county jail or state prison for a term not to exceed two years, or by both such fine and imprisonment in the discretion of the court, or if a corporation, be punished by a fine of not to exceed five thousand dollars.

SEC. 12. The said commissioner shall receive, consider and investigate all verified complaints made in writing as to the action of any person, copartnership, corporation, or salesman or solicitor engaged in the real estate business, whether licensed or unlicensed. If such person, copartnership, corporation, or salesman or solicitor engaged in the real estate business shall not be licensed, then such commissioner shall cause such person, copartnership, corporation, or salesman or solicitor to be prosecuted under the terms of this act; or, if any person shall prove to be a licensed broker or salesman or solicitor under the terms of this act, and be found guilty of improper dealing, the said commissioner shall have the power to discipline

[illegible] said broker or salesman or solicitor either by a temporary suspension of the license, or by the revocation thereof as hereinbefore provided. The said commissioner shall have the power to subpoena and bring before him any person within the state for the purpose of his investigation, or take the testimony of any such person by deposition in the same manner as prescribed by law in judicial proceedings in the courts of this state in civil cases.

No unlawful act or violation of any of the provisions of this act on the part of any salesman, solicitor or employee of any licensed broker in this state shall cause the revocation of the license pertaining to otherwise of the employer of said salesman, solicitor or employee, unless it shall appear to the satisfaction of said commissioner that said employer had guilty knowledge thereof, except as otherwise provided in section nine.

SEC. 13. The licenses herein provided for when issued shall be prominently displayed in the office of the real estate broker and no license issued hereunder shall authorize the licensee to do business at a place from the location specified in the license and the change of business location without application to the commissioner and the issuance by him of a new license (which shall be without additional charge) shall automatically cancel the license theretofore issued.

SEC. 14. The governor may appoint the state real estate commissioner as hereinbefore provided, or he may, from time to time, designate and appoint the commissioner of corporations to act as said real estate commissioner, and in that case, all the powers and duties by this act provided for said real estate commissioner shall devolve and be imposed upon said commissioner of corporations, except that no additional salary shall be paid to said commissioner of corporations for performing any duties or exercising any powers herein mentioned, and otherwise, the other provisions of this act shall remain of full force and effect.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 555—An act to provide for the formation, government, operation and dissolution of forest fire districts in any part of the State of California, to prevent and extinguish forest, brush and grass fires therein, and protect persons and property from injury, loss or damage resulting from any such fire; and to provide for the assessment, levy, collection and disbursement of taxes and revenues therein, and the contribution or payment of public funds therefor.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 555 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Caspar, Carr, F. M., Chandler, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, Lee, Regan, Rominger, Rush, Sharkey, Slater, Stuckenbruck, and Thompson—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

THIRD READING ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 697—An act to amend section 863 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Bill read third time, previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Sharkey moved to refer Assembly Bill No. 697 to Senator Carr, F. M., as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On line 8, page 1 of the printed bill, insert after the word "trustees" the word "and".

AMENDMENT NUMBER TWO.

Strike out all of lines 9, 10 and 11, page 1 of the printed bill, and insert in lieu thereof the words "the clerk and must be published by".

AMENDMENT NUMBER THREE.

On line 12, page 1 of the printed bill, strike out the word "twice" and insert in lieu thereof the word "once".

AMENDMENT NUMBER FOUR.

On line 13, page 1 of the printed bill, strike out the words "whereas all".

AMENDMENT NUMBER FIVE.

Strike out all of line 1, page 2, of the printed bill.

AMENDMENT NUMBER SIX.

On line 2, page 2 of the printed bill, strike out the word "newspaper".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 17, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 697, with instructions to amend, respectfully reports the same back, amended as per instructions.

CARR, F. M., Special Committee.

Report read, and, on motion of Senator Sharkey, adopted.

Bill ordered to print.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 816—An act to amend section 3 of an act entitled "An act relating to explosives and prescribing regulations for the transportation, storage and selling of explosives, and providing penalties for the violation of this act," in effect March 21, 1911, and known as Chapter 213, Statutes of 1911, and to repeal section 11 of said act.

Bill read third time, previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Luce moved to refer Senate Bill No. 816 to Senator Sharkey, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 27 of the printed bill, after the letter "(b)" insert the words "On and after January 1, 1919,".

AMENDMENT NUMBER TWO.

On page 2, line 27 of the printed bill, strike out the word "The" and insert in lieu thereof the word "the".

AMENDMENT NUMBER THREE

On page 3 of the printed bill, strike out all of line 9 and all of the [illegible] figures between lines 9 and 10, and insert in lieu thereof the following:

"QUANTITY AND DISTANCE TABLE.

Column 1 — Quantity that may be lawfully kept in closely [illegible] [illegible] building, magazine or [illegible]				Column 2	Column 3	Column 4
Blasting caps		Other explosives		Distance from nearest [illegible] building feet	Distance from nearest [illegible] feet	Distance from nearest [illegible] feet
Number over	Number not over	Pounds over	Pounds not over			
1,000	5,000	------	------	[illegible]	20	[illegible]
5,000	10,000	------	------	60	40	[illegible]
10,000	20,000			[illegible]	[illegible]	[illegible]
20,000	25,000		[illegible]	[illegible]	[illegible]	45
25,000	50,000	50	100	[illegible]	[illegible]	[illegible]
50,000	100,000	100	[illegible]	[illegible]	[illegible]	[illegible]
100,000	[illegible]	[illegible]	[illegible]	[illegible]	450	[illegible]
150,000	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
200,000	[illegible]	400	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	500	[illegible]	[illegible]	[illegible]	[illegible]
300,000	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
400,000	[illegible]	800	[illegible]	[illegible]	[illegible]	[illegible]
450,000	[illegible]	900	1,000	[illegible]	[illegible]	[illegible]
500,000	[illegible]	1,000	[illegible]	[illegible]	[illegible]	[illegible]
750,000	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1,000,000	[illegible]	2,000	[illegible]	[illegible]	[illegible]	[illegible]
1,500,000	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	4,000	[illegible]	[illegible]	[illegible]	[illegible]
		[illegible]	[illegible]	[illegible]	[illegible]	450
		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
		7,000	[illegible]	[illegible]	[illegible]	[illegible]
		8,000	[illegible]	[illegible]	[illegible]	[illegible]
		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
		[illegible]	40,000	[illegible]	[illegible]	[illegible]
		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
		[illegible]	[illegible]	[illegible]	[illegible]	880
		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
		[illegible]	80,000	[illegible]	[illegible]	1,000
		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
		[illegible]	100,000	[illegible]	[illegible]	1,080
		100,000	[illegible]	[illegible]	[illegible]	1,140
		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

AMENDMENT NUMBER FOUR

On page 4, line 32 of the printed bill after the word "mining" insert the words "or quarrying".

AMENDMENT NUMBER FIVE

On page 4, line 32 of the printed bill after the period insert the following: "Nothing contained in this subsection (b) shall be held to prohibit the keeping or storing of explosives at any explosive manufacturing plant which was actually used in manufacturing explosives prior to the fifteenth day of April, 1917."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 17, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 816, with instructions to amend, respectfully reports the same back, amended as per instructions.

SHARKEY, Special Committee.

Report read, and, on motion of Senator Luce, adopted.

Bill ordered to print, engrossment, and bottom of third reading file.

MESSAGES FROM THE GOVERNOR — GIFT OF [illegible]

The message of Governor Dewey was the following message from the Governor with leave to lay that part of the regular order:

EXECUTIVE CHAMBER, POUGHKEEPSIE, April 17, 1947

To the Legislature: I have approved or signed and herewith deliver to the Secretary of State the general Assembly Bill No. [illegible] and accompanying a joint resolution [illegible] and appropriating [illegible] for the expenditure and delivery of the [illegible] and [illegible] and [illegible] for [illegible] and the [illegible] [illegible]

[illegible] Chief Clerk of Assembly
By M. Fraser, Assistant Clerk.

Assembly Bill No. 1[illegible] read first time, and referred to Committee on [illegible]

Also,

POUGHKEEPSIE, April 17, 1947

To the Legislature: I have approved or signed and herewith deliver to the Secretary of State the general Assembly Bill No. [illegible] and accompanying money to pay the [illegible] of [illegible]

Also, Assembly Bill No. [illegible] and accompanying money to pay the [illegible] of [illegible]

Also, Assembly Bill No. [illegible] and a joint resolution of the Legislature [illegible] relating to the [illegible] of [illegible] and [illegible]

[illegible] Chief Clerk of Assembly
By M. Fraser, Assistant Clerk.

Assembly Bill No. [illegible] read first time, and referred to Committee on [illegible]

Assembly Bill No. [illegible] read first time, and referred to Committee on [illegible]

Assembly Bill No. [illegible] read first time, and referred to Committee on Public Institutions.

POUGHKEEPSIE, April 17, 1947

To the Legislature: I have signed or signed and herewith deliver to the Secretary of State the general Assembly Bill No. [illegible] and a joint resolution [illegible] of the Public Lands relating to the compensation of [illegible] and [illegible] officers and members of the [illegible] and [illegible] to the [illegible] [illegible] and members of [illegible] and [illegible]

Also, Assembly Bill No. [illegible] and accompanying money to pay the [illegible] of the Division [illegible]

Also, Assembly Bill No. [illegible] and accompanying money to [illegible] of the [illegible]

Also, Assembly Bill No. [illegible] and accompanying money to pay the [illegible] of the [illegible] and [illegible]

Also, Assembly Bill No. [illegible] and accompanying money to pay the costs of [illegible]

Also, Assembly Bill No. [illegible] and an appropriation money to pay the costs of the [illegible] and [illegible]

[illegible] Chief Clerk of Assembly
By M. Fraser, Assistant Clerk.

Assembly Bill No. [illegible] read first time, and referred to Committee on [illegible]

Assembly Bill No. [illegible] read first time, and referred to Committee on Finance.

Assembly Bill No. [illegible] read first time, and referred to Committee on Finance.

Assembly Bill No. [illegible] read first time, and referred to Committee on Finance.

Assembly Bill No. 1081 read first time, and referred to Committee on Finance.

Assembly Bill No. 1087 read first time, and referred to Committee on Finance.

Assembly Bill No. 1096 read first time, and referred to Committee on Finance.

Also:

SACRAMENTO, April 17, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1149—An act to provide for the payment of the expenses of the State in the matter of the establishment of irrigation districts upon any part of the second portion of the public lands ceded to the State of California and paid to the United States pursuant to and for the purposes of all acts of congress pertaining thereto, providing for bonds, providing for the issuance of bonds thereof, providing collateral inheritance taxes and taxes on corporations for the payment of the same.

Also: Assembly Bill No. 266—An act to amend section 4200 of the Penal Code, relating to the time of county courts.

Also: Assembly Bill No. 191—An act to amend section 1000 of the Penal Code, relating to appearance of defendant at commencement of trial.

Also: Assembly Bill No. 1[illegible]—An act to amend section [illegible] of the Penal Code, relating to the salaries and fees of officers in counties of the seventeenth class.

Also: Assembly Bill No. 1[illegible]—An act to amend section [illegible] of the Penal Code, relating to the salaries and fees of officers in counties of the [illegible] class.

Also: Assembly Bill No. 1149—An act authorizing money for expenses and improvements on buildings, grounds and equipment of the Lincoln School of Industry.

Also: Assembly Bill No. 87—An act to amend section [illegible] of the Penal Code, relating to the salaries, fees and expenses of officers in counties of the thirty-eighth class.

Also: Assembly Bill No. 1007—An act to amend section 4249 of the Political Code, relating to county clerks, and their assistants and deputies, by adjusting salaries and their compensation, and to the compensation of county and county judges in counties of the twenty-ninth class.

E. C. BOWDITCH, Chief Clerk of Assembly.
By M. SNOW, Assistant Clerk.

Assembly Bill No. 1110 read first time, and referred to Committee on Finance.

Assembly Bill No. 699 read first time, and referred to Committee on County Government.

Assembly Bill No. 134 read first time, and referred to Committee on County Government.

Assembly Bill No. 782 read first time, and referred to Committee on County Government.

Assembly Bill No. 1253 read first time, and referred to Committee on County Government.

Assembly Bill No. 1446 read first time, and referred to Committee on Finance.

Assembly Bill No. 875 read first time, and referred to Committee on County Government.

Assembly Bill No. 1097 read first time, and referred to Committee on County Government.

Also:

SACRAMENTO, April 17, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 870—An act to amend section 4276 of the Political Code, relating to salaries and fees of officers in counties of the forty-seventh class.

Also: Assembly Bill No. 871—An act to amend the Political Code by adding a new section thereto, to be numbered 4276*a*, relating to fees and mileage of jurors and witnesses in counties of the forty-seventh class.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

ADJOURNMENT.

At five o'clock and fifty-five minutes p.m., on motion of Senator Benson, the President pro tempore declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Wednesday, April 18, 1917.

The Senate met at ten o'clock a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—37.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, April 17, 1917, its further reading was dispensed with, on motion of Senator Slater.

LEAVE OF ABSENCE.

Senator Chamberlin was, on motion of Senator Lyon, granted leave of absence for this day.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1240—An act requiring the labeling of articles offered for sale and intended for personal wear, manufactured in state penitentiaries, reform schools or other institutions supported at public expense, and requiring that notice that such goods are on sale, shall be conspicuously posted in places where said goods are offered for sale;

Also: Assembly Bill No. 576—An act to amend section 1750*a* of the Political Code, relating to the organization of intermediate school courses;

Also: Assembly Bill No. 1463—An act to amend an act entitled "An act to regulate the issuance of licenses for resale to hunters and anglers," approved May 20, 1915, relating to the sale of hunting and fishing licenses, and providing for the execution of bonds by the persons selling the same and the payment of the premiums thereon;

Also: Assembly Bill No. 731—An act to amend section 302 of the Civil Code, relating to the amendment of articles of association.

Also: Assembly Bill No. 1181—An act to add a new section to the Penal Code, to be numbered section 1662a, relating to the sale of goods as commercial substitutes.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1240 read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bill No. 576 read first time, and referred to Committee on Education.

Assembly Bill No. 1463 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 731 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1181 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 16th passed:

Assembly Bill No. 159—An act to repeal sections 1411, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421 and 1422 of the Civil Code, relating to berry rights.

Also: Assembly Bill No. 1431—An act to amend section 172 of the Political Code, relating to the duties of the Attorney General and the appointment of assistants and deputies on such office.

Also: Assembly Bill No. 985—An act to amend an act entitled "An act to create for the State of California a department of engineering, to provide for the employment of the officers and employees thereof, defining the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year, making certain acts a felony, and repealing an act entitled 'An act creating a commissioner of public works, defining his duties and powers, and fixing his compensation,' approved February 17, 1900, and all acts or parts of acts relating thereto," approved April 1, 1907, also amending an act entitled "An act to create a department of engineering for the State of California, defining its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year," approved April 4, 1907, also amending an act entitled "An act providing for the appointment of an auditing board to the commissioner of public works, authorizing him and them to perform certain duties relating to drainage, to purchase necessary tools, implements and appliances therefor, to improve and rectify water channels, to erect works necessary and incidental to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this act," approved March 17, 1897, and all acts or parts of acts amendatory thereof, also repealing an act entitled "An act to provide for the appointment, duties and compensation of a debris commissioner, and to make an appropriation to be expended under his direction in the discharge of his duties as such commissioner," approved March 24, 1893, and all acts or parts of acts amendatory thereof, and repealing an act entitled "An act to create the office of Lake Tahoe water and commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenses provided for and authorized by this act," approved April 1, 1897, and all acts or any parts of acts, amendatory thereof," approved March 11, 1907, as amended by adding a new section thereto, to be numbered 9a, relating to the maintenance of state roads, highways and bridges and making certain moneys available therefor.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 159 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 1431 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 985 read first time, and referred to Committee on Roads and Highways.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1123—An act to prevent the sale of impure and unwholesome milk and milk products, to grade milk, to provide rules and regulations therefor, and to empower cities, groups of cities, counties and groups of counties, or cities and counties, to establish inspection service; to provide for the enforcement of this act; to prescribe penalties for violation of the provisions hereof; and to make appropriation therefor;

Also: Assembly Bill No. 748—An act to amend section 1723 of the Code of Civil Procedure, relating to the disposition of life estates or homesteads, on owner's death, in certain cases;

Also: Assembly Bill No. 1124—An act to amend an act entitled "An act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section seventeen of an act approved March 4, 1897, entitled 'An act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor,' and to repeal all acts and parts of acts inconsistent with this act, approved April 21, 1914," and the act amendatory thereof, approved May 4, 1915; by amending sections 29 and 35 thereof, and by adding three new sections thereto, to be numbered sections 30a and 30b, relating to containers of milk and cream and the transportation thereof, and 30c, relating to the manufacture and sale of assembled dairy products; and to repeal all acts and parts of acts inconsistent with this act;

Also: Assembly Bill No. 1397—An act to standardize lime barrels.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1123 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 748 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1124 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1397 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1259—An act to amend section 21 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment for commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915;

Also: Assembly Bill No. 171—An act amending section 4241 of the Political Code, relating to salaries and compensation of officers in counties of the twelfth class;

Also: Assembly Bill No. 1190—An act to amend section 466 of the Penal Code, relating to having in possession any instrument with intention to commit a felony or misdemeanor;

Also: Assembly Bill No. 1421—An act to amend an act entitled "An act to create a reclamation district to be called Reclamation District No. 1001, and providing for

the management and control thereof, and dissolving certain levee districts, swamp land districts and reclamation districts within the boundaries of said Reclamation District No. 1001, and providing for the dissolution and winding up of said dissolved districts," approved April 8, 1911, by amending section 2 thereof so as to change the location of the office of said district;

Also: Assembly Bill No. 672—An act to provide for the recall of grammar school trustees.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1259 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 171 read first time, and referred to Committee on County Government.

Assembly Bill No. 1190 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1421 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 672 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1461—An act appropriating money to meet deficiencies in support expenses of the California Polytechnic School for the balance of the state budget fiscal year.

Also: Assembly Bill No. 981—An act to amend section 2722a of the Political Code, relating to inspection of true bees and eradication of pests.

Also: Assembly Bill No. 442—An act appropriating money for the construction of Agricultural Pavilion at the State Agricultural Park.

Also: Assembly Bill No. 1197—An act amending an act entitled "An act to provide for the incorporation and organization and management of county water districts and to provide for the acquisition of water rights or the construction thereon of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, by adding thereto a new section to be numbered twenty-eight providing for the exclusion from any county water district formed under said act of territory not served by such county water district.

Also: Assembly Bill No. 968—An act to incorporate standard provisions in policies of accident and health insurance, to prevent discriminations in connection therewith, and to prescribe penalties for violations of the provisions hereof.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1461 read first time, and referred to Committee on Finance.

Assembly Bill No. 981 read first time, and referred to Committee on Agriculture.

Assembly Bill No. 442 read first time, and referred to Committee on Finance.

Assembly Bill No. 1197 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 968 read first time, and referred to Committee on Insurance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 1154—An act to add a new section to an act entitled "An act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams and watercourses, for the prevention of the overflow thereof, by widening, deepening,

straightening and otherwise improving the same, and to authorize the boards of supervisors to levy and collect assessments from the property benefited to pay the expenses of the same," approved March 27, 1895, as amended, to be numbered 29½, relating to refund of assessments.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 1154 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 777—An act to amend section 7 of an act entitled "An act to carry into effect the provisions of section 14 of Article XIII of the Constitution of the State of California as said constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the state, all relating to revenue and taxation," approved April 1, 1911, as amended February 3, 1913, and January 28, 1915;

Also: Senate Bill No. 558—An act to amend sections 1 and 2 of an act entitled "An act to prevent the supply of water dangerous to health for domestic purposes and to provide for the installation of sanitary water system," approved June 13, 1913, so as to prevent the supply of water impure, unwholesome, unpotable or polluted for domestic purposes and to compel the furnishing of pure, wholesome and potable water supplies for domestic purposes;

Also: Senate Bill No. 409—An act authorizing the issuance of letters patent to the heirs at law of P. W. Fahey, deceased, for certain swamp and overflowed land in Tuolumne County, California;

Also: Senate Bill No. 1141—An act to add a new section to the Penal Code, to be numbered 1202*a*, relating to imprisonment in the state prison;

Also: Senate Bill No. 663—An act to validate bonds issued and sold, or to be issued and sold for the purpose of the acquisition or construction of any public improvement work or public utility in any portion of a municipality;

Also: Senate Bill No. 1147—An act making an appropriation to defray the expense of legislative printing for the forty-second session of the Legislature of the State of California.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 777, 558, 409, 1141, 663 and 1147 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 20—Relating to the publication of an index of the laws of California;

Also: Senate Constitutional Amendment No. 20—Resolution to propose to the people of the State of California an amendment to section 9 of Article IX of the Constitution of the State of California in relation to the powers of the Board of Regents of the University of California.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Concurrent Resolution No. 20 and Senate Constitutional Amendment No. 20 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 461—An act to amend section 5 of an act entitled "An act to provide for the maintenance and support, in certain cases, of indigent, incompetent, and incapacitated persons (other than persons adjudged insane and confined within the state hospitals) becoming a public charge upon the counties or cities and counties within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons," approved March 23, 1901, and to add thereto a new section, to be numbered 10;

Also: Senate Bill No. 559—An act to amend sections 2 and 3 of an act entitled "An act for the preservation of the public health of the people of the State of California and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907, amended April 1, 1911, June 13, 1913, so as to prevent the maintenance of sewer farms or

the making of any addition or modification in sewage works plant, sewer or manner of disposal without a permit from the State Board of Health and to prevent the creation of nuisance by said works or disposal.

Also: **Senate Bill No. 591—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the Railroad Commission Fund and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, by amending sections 47 and 70 thereof.**

Also: Senate Bill No. 234—An act to amend section 3667 of the Political Code relating to the powers and duties of the State Board of Equalization.

And respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 559 and 234 ordered to unfinished business.

CONSIDERATION OF ASSEMBLY AMENDMENTS

The Senate took up for consideration Assembly amendment to Senate Bill No. 461—An act to amend section 5 of an act entitled "An act to provide for the maintenance and support, in certain cases, of indigent, incompetent, and incapacitated persons, other than persons adjudged insane and confined within the state hospitals, becoming a public charge upon the counties or cities and counties within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons," approved March 23, 1901, and to add thereto a new section to be numbered ten.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FOUR HUNDRED SIXTY-ONE

AMENDMENT NUMBER ONE

On page 2, line 3, strike out the word "monthly" and substitute the word "periodic".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 461?

The roll was called, and Assembly amendment to Senate Bill No. 461 **concurred in by the following vote:**

AYES—Senators Ballard, Benson, Breed, Carr, W. J., Duncan, Evans, Flaherty, Gates, Irwin, Johnson, Jones, Kehoe, Lane, Lyon, McKelvy, Nelson, Pipgin, Rigdon, Rominger, Rush, Sharkey, Shearer, Slater, Stockenbruck, Thompson, and Twedt—26.
NOES—None.

Senate Bill No. 461 ordered to enrollment.

Also:

The Senate took up for consideration Assembly amendment to Senate Bill No. 591—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, by amending sections 47 and 70 thereof.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED NINETY-ONE.

AMENDMENT NUMBER ONE.

[illegible]

The question being "Shall the Senate concur in Assembly amendment to Senate Bill No. 591?"

The roll was called, and Assembly amendment to Senate Bill No. 591 concurred in by the following vote:

AYES—Senators Ballard, Benson, Bond, Carr, F. M., Carr, W. J., Dennett, Evans, Finnerty, Gates, Irwin, Johnson, Kehoe, Kent, Lane, Lewis, Mahoney, Nejedly, Oberdorf, Rhodes, Rigdon, Rush, Sanborn, Sommer, Stern, Stevenson, Thompson, and Tyrrell—27.

NOES—None.

Senate Bill No. 591 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, APRIL 17, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly concurred, with an amendment, in Senate Constitutional Amendment No. 13, A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of the State by adding a new section thereto to be known as section 7½ of Article XI, relating to the consolidation of city and county governments and to the framing of charters therefor and amendments to such charters, and respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of the State by adding a new section thereto to be known as section 7½ of Article XI, relating to the consolidation of city and county governments and to the framing of charters therefor and amendments to such charters.

ASSEMBLY AMENDMENTS TO SENATE CONSTITUTIONAL AMENDMENT NUMBER THIRTEEN.

AMENDMENT NUMBER ONE.

On page 3, line 12, strike out the word "law" and insert the word "laws"; on same page, line 13, strike out the words "by the legislature of this state, or".

AMENDMENT NUMBER TWO.

On page 4, line 22, strike out the word "law", where it occurs; on page 4, line 24, after the word "Article" insert the word "law"; on page 4, line 25, strike out the word "twenty" and insert the word "ninety"; on page 4, line 27, strike out the word "twenty" and insert the word "ninety"; on page 4, line 28, strike out the word "twenty" and insert the word "ninety"; on page 4, line 32, strike out the word "thirty" and insert the words "one hundred fifty".

AMENDMENT NUMBER THREE.

On page 8, line 11, strike out the word "that" and insert the word "then".

AMENDMENT NUMBER FOUR.

On page 10, line 8, strike out the comma after the word "town" and insert the following: "having a population of less than ten thousand inhabitants,".

AMENDMENT NUMBER FIVE.

On page 10, line 11, between the word "the" and the word "remainder" insert the following: "largest area of the".

AMENDMENT NUMBER SIX.

On page 11, line 23, after the word "counties" insert the following: "or of any city and county".

AMENDMENT NUMBER SEVEN.

On page 18, line 7, strike out the word "the" and insert the word "of".

AMENDMENT NUMBER EIGHT.

On page 19, line 11, after the last word "the" insert the following: "largest area of the".

AMENDMENT NUMBER NINE.

On page 19, line 17, strike out the period and insert a semicolon, followed by the following: "*provided, however*, if there be formed and established under the provisions of this section a consolidated city and county government of a lesser area than that of the whole county, and there be any incorporated city having a population of forty thousand inhabitants or over, within the county as ascertained by the last preceding census taken under the authority of the congress of the United States, which is not included therein, or if by the formation and establishment of but lesser area than that of the whole county into a consolidated city and county, any such incorporated city having such population is separated and detached from the largest area of the remainder of the original county, by reason of its exterior boundaries not being contiguous thereto, then such incorporated city, together with any other incorporated cities or towns or unincorporated territory in such original county, which if said new city and county is formed and established would likewise be so separated and detached, and which are contiguous to each other and from one another, area, may organize and establish a consolidated city and county government for the whole of such detached territory under the provisions of section eight of article by adopting a freeholders charter in accordance with the provisions of said section and to have all of the powers conferred by said section, except that for the purpose of the election of the members of the board of freeholders and the organization and establishment of such consolidated city and county government, the whole of such detached area proposed to be formed into such consolidated city and county, shall be treated and considered as a city, within the meaning of section eight of this article and except that all elections thereunder and all proceedings for the adoption of such charter shall be initiated and conducted by the governing body of the incorporated city having the largest population in such detached area. Such charter may be submitted to the electors within the area of the detached territory, for their approval, at any time subsequent to the adoption of the charter proposed by the freeholders elected by the electors of the whole of the original county, but the same shall not be ratified by the legislature of this state until after the ratification by the legislature of the charter adopted in the first instance, which provided for the formation of a lesser territory than that of the whole county into a consolidated city and county government."

AMENDMENT NUMBER TEN.

On page 4, line 1, strike out the first comma.

AMENDMENT NUMBER ELEVEN.

On page 4, line 37, and on page 5, line 1, strike out the words "by the legislature of this state, or".

AMENDMENT NUMBER TWELVE.

On page 5, line 2, strike out the last word of the line; also strike out all of lines 3, 4, 5 and 6; also in line 7, strike out the first word of the line.

AMENDMENT NUMBER THIRTEEN.

On page 8, lines 6 and 7, omit the words "certain contiguous cities and towns", and insert in lieu thereof "each of the incorporated cities"; also in line 8 omit the comma; also in lines 8 and 9 omit the words "and towns"; also in line 13 omit the words "and towns"; also in line 17 before the word "shall" insert a comma.

AMENDMENT NUMBER FOURTEEN.

On page 9, line 25, omit the words "and towns"; also in line 29 omit the words "and towns".

AMENDMENT NUMBER FIFTEEN.

On page 10, line 2, omit the words "and towns"; also in line 8, immediately before the first comma, insert the words: "as ascertained by the last preceding census taken under the authority of the congress of the United States.".

AMENDMENT NUMBER SIXTEEN.

On page 10, line 19, before the word "which" insert the words "each of".

AMENDMENT NUMBER SEVENTEEN.

On page 11, line 23, before the period insert the words "under any of the provisions of this section".

AMENDMENT NUMBER EIGHTEEN.

On page 14, line 16, insert a comma after the word "legislature" and in line 17 omit the comma.

AMENDMENT NUMBER NINETEEN.

On page 19, line 21, omit the first "the", and insert in lieu thereof the word "any".

AMENDMENT NUMBER TWENTY.

On page 1, line 8, of the printed bill strike out the word "determined" and insert in lieu thereof the words "ascertained and appropriations therefor recommended"

AMENDMENT NUMBER TWENTY-ONE.

On page 1, line 11, after the word "report" insert the words "its recommendations".

AMENDMENT NUMBER TWENTY-TWO.

On page 1, line 11, of the printed bill strike out the word "who" and insert in lieu thereof the words "which board".

The question being: Shall the Senate concur in Assembly amendments to Senate Constitutional Amendment No. 13?

The roll was called, and Assembly amendments to Senate Constitutional Amendment No. 13 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, F. M., Carr, W. J., Duncan, Evans, Flaherty, Gates, Irwin, Johnson, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—None.

Senate Constitutional Amendment No. 13 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 18, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Constitutional Amendment No. 45—A resolution proposing to the people of the State of California an amendment to section 4 of Article VI of the constitution of the State of California relating to the Supreme Court and district courts of appeal, and providing for two divisions of the district courts of appeal of the first and second appellate districts;

Also: Senate Constitutional Amendment No. 46—A resolution proposing to the people of the State of California an amendment to section 11 of Article VI of the constitution of the State of California, relating to courts, and providing for the creation of and fixing the jurisdiction of inferior courts, and regulating appeals therefrom:

And reports that the same have been correctly engrossed.

ROMINGER, Acting Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 1035—An act to make lawful certain agreements between employees and laborers, to define the cases in which injunctions may and may not issue, to prescribe the procedure in trials for contempt, to secure the right of jury trial in

all such cases to prescribe the time in which proceedings for enrollment shall be instituted, and to prescribe the manner of [illegible] to be used in such cases, and provide that the same has been correctly reenrolled.

ROMINGER, Acting Chairman.

Also:

Mr. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 148—An act to amend section 626a of the Penal Code, relating to the protection of game.

Also: Senate Bill No. 754—An act to amend section 1 of an act entitled "An act creating an advisory pardon board; defining and prescribing the powers and duties thereof; and making an appropriation therefor," approved MAY 18, 1915.

Also: Senate Bill No. 339—An act to amend section [illegible] of the Political Code, relating to the compensation of county and township officers of counties of the ninth class, and to the number, appointment and salaries of their assistants and deputies;

Also: Senate Bill No. 470—An act to amend an act entitled "An act to provide for the formation and establishment of boulevard districts, the construction, acquisition, maintenance, control and use of boulevards within the same, [illegible] providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and [illegible] of such boulevard; providing for a boulevard commission to have charge of the affairs of boulevard districts, and the construction, maintenance and repair of boulevards [illegible] providing for the election of such commission, their terms of office, and of elections to be held in such districts, and repealing an act entitled "An act to provide for the formation of boulevard districts, and the construction, acquisition, maintenance, control and use of boulevards within the same, and defining the term boulevard, and amendatory thereof, approved April 15, 1907, [illegible] approved May 1, 1911, and all acts amendatory of said act approved May 1, 1911, or of any act or acts amendatory thereof, by amending sections 1, 2, 3, 4, 5, and 6 thereof relating to the formation and establishment of boulevard districts and the repealing sections 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23 thereof, and by adding twenty sections, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26 thereof, relating to the construction, acquisition, maintenance, control and use of boulevards within the same, and defining the term boulevard, the voting, issuing and selling of bonds, and levying of taxes for the acquisition, construction, maintenance and [illegible] of such boulevards, boulevard commissions to have charge of the affairs of such boulevard districts and the construction, maintenance and repair of boulevards within such districts, and the nomination and election of commissioners, their terms of office, elections to be held in such districts, and to the validating of boulevard [illegible] established by boards of supervisors, and legalizing boulevard districts which may hereafter be formed under the provisions of said act [illegible] thereof.

Also: Senate Constitutional Amendment No. [illegible]—A resolution to propose to the people of the State of California an amendment to the constitution of said state, by amending section 1 of Article IV thereof, relating to legislative sessions and [illegible] to the people of the State of California the power to propose laws, statutes and amendments to the constitution and to enact the same at the polls, independent of the legislature, and also reserving to the people of the State of California the power to approve or reject at the polls any act or section or part of any act of the legislature.

Also: Senate Bill No. 208—An act to appropriate money to [illegible] an assembly hall at the San Jose Normal School.

Also: Senate Bill No. 251—An act appropriating money for the preservation of ward seven, Mendocino State Hospital;

Also: Senate Bill No. 441—An act making an appropriation for the purchase of additional lands adjoining Arnold Park in the city of Sacramento.

Also: Senate Bill No. 646—An act to amend section 758 of the Political Code, relating to employees of the Superintendent of the Capitol Building and Grounds.

Also: Senate Bill No. 765—An act to appropriate money to reimburse the fish and game preservation fund for compensation benefits paid out of said fund to the officers and employees of the Fish and Game Commission, while performing services accruing out of and incidental to their employment.

Also: Senate Bill No. 772—An act appropriating money for the purpose of acquiring an additional watershed for the use of the California Polytechnic School at San Luis Obispo.

Also: Senate Bill No. 899—An act to add a new section to the Political Code to be numbered 3700a, relating to salary of the secretary of the State Board of Equalization.

Also: Senate Bill No. 1004—An act to amend sections 2, 4, 5, 9, 13, and to repeal section 11 of an act entitled "An act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California, to the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a state home for the United States soldiers, sailors and marines, and to provide for the government thereof by the State," approved March 11, 1897;

Also: Senate Bill No. 1163—An act to appropriate money to pay the claim of Associated Oil Company against the State of California;

Also: Senate Bill No. 1165—An act appropriating money to pay the claim of Mr. Albert Lindley;

Also: Senate Bill No. 1168—An act appropriating money for the purchase of kitchen equipment for the Sonoma State Home;

Also: Senate Bill No. 1184—An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for the payment of claims and judgments together with costs and interest upon such judgments;

Also: Senate Bill No. 1185—An act appropriating money for the purchase of additional dairy cows for the Folsom State Prison;

Also: Senate Bill No. 1159—An act to amend section 2 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911;

Also: Senate Bill No. 1190—An act to amend section 626*b* of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 31—An act to establish a state hospital for the care, custody and maintenance of inebriates and drug habitues within the State of California, to be known as the California State Hospital and to provide for the government and management thereof, and making an appropriation therefor;

Also: Senate Bill No. 116—An act appropriating money for the construction and equipment of gymnasium building on the property of the Santa Barbara State Normal School at Santa Barbara, California;

Also: Senate Bill No. 645—An act to amend an act entitled "An act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the forty-eighth fiscal year and making certain acts a felony and repealing an act entitled 'An act creating a commissioner of public works, defining his duties and powers and fixing his compensation,' approved February 9, 1900, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897; also repealing an act entitled 'An act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this act,' approved March 17, 1897, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to provide for the appointment, duties and compensation of a debris commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such commissioner,' approved March 24, 1893, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this act,' approved April 1, 1897, and all acts or parts of acts amendatory thereof," approved March 11, 1907, and all acts or parts of acts amendatory thereof, by amending sections 1, 9, 10, 13 and 16 thereof, relating to the officers and employees of the Department of Engineering, their powers, duties and salaries, and by repealing section 12 thereof;

Also: Senate Bill No. 567—An act to appropriate money for the improvement, support and maintenance of the California Redwood Park;

Also: Senate Bill No. 571—An act appropriating money for the construction and equipment of a cottage for females at the Agnews State Hospital;

And reports that the same have been correctly engrossed.

ROMINGER, Acting Chairman.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 18, 1917

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 752—An act to amend section 626*a* of the Penal Code of the State of California, relating to hunting of game in certain districts;

Also: Assembly Bill No. 758—An act to amend section 636 of the Penal Code, relating to the protection of fish and game;

Also: Assembly Bill No. 737—An act to add a new section to the Penal Code, to be numbered 628b, relating to the protection of fish and game, and providing for and fixing penalties for the violation of the same (relating thereto).

Also: Assembly Bill No. 405—An act to provide for a license fee to engage in hunting fur-bearing mammals for profit, defining [illegible] and requiring reports to be filed with the Fish and Game Commission.

Also: Assembly Bill No. 768—An act to amend section 628 of the Penal Code, relating to fish and game.

Also: Assembly Bill No. 1423—An act to amend section 634 of the Penal Code, relating to the protection of fish.

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

SLATER, Chairman.

Assembly Bills Nos. 752, 758, 737, 405, 768 and 1423 ordered on file for second reading.

Also:

Mr. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 73—An act to regulate the taking and harvesting of kelp and other aquatic plants of the State of California by [illegible] and providing for the collection and disbursement of the revenues derived therefrom, and providing for a certain tax upon all kelp taken on the waters of this State, and providing for the prosecution of such [illegible] for the purpose of taking kelp and other aquatic plants, and providing for licenses by the Fish and Game Commission, and providing penalties for the violation of this act.

Also: Senate Bill No. 579—An act to amend section 634 of the Penal Code, relating to the protection of fish.

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass, as amended.

SLATER, Chairman.

Assembly Bill No. 73 and Senate Bill No. 579 ordered on file for second reading.

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, April 18, 1917.

Mr. PRESIDENT: Your Committee on Public Utilities, to which was referred Assembly Bill No. 942—An act to amend the [illegible] with automatic bell-ringing devices, [illegible] respectfully reports the same back with recommendation and recommends that it do pass as amended.

CARR, W. J., Chairman.

Assembly Bill No. 942 ordered on file for second reading.

Also:

Mr. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 680—An act to amend section 36 of an act entitled "An act providing for the incorporation of public utility districts [illegible] operated territory, authorizing such districts to issue bonds [illegible] purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and [illegible] in connection with such districts upon certain county officers," approved May 27, 1915, has had the same under consideration, and respectfully reports the same back with recommendation and recommends that it do pass, as amended.

CARR, W. J., Chairman.

Senate Bill No. 680 ordered on file for second reading.

SPECIAL ORDER RESET.

At eleven o'clock a.m., on motion of Senator Purkitt, the consideration of Senate Bill No. 126, heretofore set as a special order for this time, was reset as special order for consideration at eleven o'clock and thirty minutes a.m.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 1035—An act to make lawful certain agreements between employees and laborers, to define the cases in which injunctions may and may not issue, to prescribe the procedure in trials for contempt and to secure the right of jury trial in all such cases.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1035 passed by the following vote:

AYES—Senators Benson, Canepa, Carr, F. M., Duncan, Evans, Flaherty, Hans, Ingram, Inman, Kehoe, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rush, Scott, Sharkey, Slater, and Tyrrell—21.

NOES—Senators Ballard, Breed, Brown, Carr, W. J., Chandler, Gates, Irwin, Johnson, Jones, Maddux, Purkitt, Rominger, Stuckenbruck, and Thompson—14.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER.

Senator Lyon moved to reconsider the vote whereby Senate Bill No. 440 was refused passage.

The roll was called, and the motion to reconsider the vote on Senate Bill No. 440 carried by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, W. J., Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, King, Lyon, McDonald, Nealon, Purkitt, Rominger, Rush, Thompson, and Tyrrell—22.

NOES—None.

Senate Bill No. 440—An act requiring all buildings which are required to be equipped with fire escapes to have attached thereto counterbalanced stairways, counterbalanced ladders, or drop ladders.

Bill read third time, previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Lyon moved to refer Senate Bill No. 440 to Senator Gates, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of line 3 of the title after the word "have", and all of line 4, and insert in lieu thereof the following: "Ladders or drop ladders attached thereto."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 2 to 6, inclusive, and insert in lieu thereof the following: "this state, every building that is required to be equipped with fire escapes shall have attached to at least one such fire escape a ladder or drop ladder or other reasonable means of descent from the lower fire escape balcony."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 18, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 440, with instructions to amend, respectfully reports the same back, amended as per instructions.

GATES, Special Committee.

Report read, and, on motion of Senator Lyon, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 645—An act to amend an act entitled "An act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain acts a felony and repealing an act entitled 'An act creating a commissioner of public works, defining his duties and powers and fixing his compensation,' approved February 9, 1900, and all acts or parts of acts amendatory thereof, also repealing an act entitled 'An act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897, also repealing an act entitled 'An act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to do such work necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this act,' approved March 17, 1897, and all acts or parts of acts amendatory thereof, also repealing an act entitled 'An act to provide for the appointment, duties and compensation of a debris commissioner, and to make an appropriation to be expended under his direction in the discharge of his duties as such commissioner,' approved March 24, 1893, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and compensation for such commissioner, defining his duties and making an appropriation for the salary and expenditures provided for and authorized by this act,' approved April 1, 1897, and all acts or parts of acts amendatory thereof," approved March 11, 1907, and all acts or parts of acts amendatory thereof, by amending sections 1, 9, 10, 13, 16 and 17 thereof, relating to the officers and employees of the Department of Engineering, their powers, duties and salaries, and by repealing section 1½ thereof.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE

During third reading of bill, Senator Johnson moved to refer Senate Bill No. 645 to Senator Carr, F. M., as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 6, line 5, insert after the word "county" a comma and the following: "road or boulevard district or division".

AMENDMENT NUMBER TWO

On page 6, line 6, insert after the word "county" a comma and the following: "road or boulevard district or division".

AMENDMENT NUMBER THREE.

On page 6, line 14, insert after the word "bridges" a comma and the following: "and in its discretion, also act as the consulting engineer for any county, road or boulevard district or division, or municipal authorities,".

AMENDMENT NUMBER FOUR.

On page 6, line 14, insert after the word "county" a comma and the following: "road or boulevard district or division,".

AMENDMENT NUMBER FIVE.

On page 6, line 15, after the word "authorities" strike out the period and insert a colon and the following: "and said commission may, in its discretion, and upon the request of the governing board of any county, permanent road division, road or boulevard district or division, accept the funds of any such political subdivision for deposit in the state treasury, said funds to be deposited in such state fund or funds as said commission may designate, and the state department of engineering shall use and expend the funds so deposited for the construction of bridges, roads or boulevards situated within such political subdivision, in accordance with the plans and specifications and other terms as are mutually agreed upon by said commission, on behalf of the State of California, and such governing board; *provided, however*, that any bridge, road or boulevard constructed under the provisions of this section by and under the jurisdiction of said state department of engineering shall revert to the original jurisdiction and control immediately upon the completion thereof, unless such bridge, road or boulevard shall, in the opinion of said commission, be and constitute an integral part of the state highway system as contemplated by the 'State Highways Act' and the 'State Highways Act of 1915' or as otherwise provided by law; and, further, the governing board of any county, permanent road division, or road or boulevard district or division may pay into the state treasury, as provided herein, for the purposes hereof, any funds under its jurisdiction and control subject to use for bridge, road or boulevard purposes, created by tax levy or issuance of the bonds of any such political subdivision or otherwise".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 17, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 645, with instructions to amend, respectfully reports the same back, amended as per instructions.

CARR, F. M., Special Committee.

Report read, and, on motion of Senator Johnson, adopted.

Bill ordered to print, and re-engrossment.

SENATOR BENSON IN THE CHAIR.

At eleven o'clock and thirty minutes a.m., Senator Benson of the Twenty-seventh District was called to the chair.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Senate Bill No. 126, heretofore set as a special order for eleven o'clock and thirty minutes a.m., the same was taken up for consideration.

Senate Bill No. 126—An act to amend the title and sections 2, 4, 5, 7, 9, 12, 18, 20 and 26 of an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and to provide for the distribution, and sale of water by said districts," approved June 10, 1913, and to add thereto a new section to be numbered 28.

Bill read third time, previously.

CALL OF THE SENATE.

The roll was called, on the passage of Senate Bill No. 126.

Pending the announcement of the vote, Senator Purkitt moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, Kelso, King, Lace, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Sharkey, Shearer, Slater, Stockton, and Thompson—27.

The Secretary announced the absentees.

Time, eleven o'clock and fifty minutes a.m.

The Acting President directed the Sergeant at Arms to close the doors.

The Sergeant at Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At twelve o'clock and five minutes p.m., Senators Tyrrell, Sharkey, Lyon, Duncan, Scott and Rush were brought to the bar of the Senate and, on motion of Senator Flaherty, were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At twelve o'clock and twenty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Purkitt.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Senate Bill No. 126 refused passage by the following vote:

AYES—Senators Ballard, Chandler, Carr, F. M., Carr, W. J., Chandler, Hans, Ingram, Johnson, McDonald, Rigdon, Shearer, Slater, Stockton, and Thompson—14.

NOES—Senators Benson, Brown, Duncan, Evans, Flaherty, Gates, Irwin, Jones, Kelso, King, Lace, Lyon, Maddux, Nealon, Purkitt, Rominger, Scott, Sharkey, and Tyrrell—20.

NOTICE OF MOTION TO RECONSIDER.

Senator Purkitt gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 126 was refused passage.

SUSTAINING GOVERNOR'S VETO.

Message from the Governor announcing his objections to Senate Bill No. 562 read previously.

The question being: Shall Senate Bill No. 562 become a law, notwithstanding the objections of the Governor?

The roll was called, and the objections of the Governor sustained by the following vote:

AYES—None.

NOES—Senators Ballard, Benson, Brown, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Kelso, King, Lace, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Sharkey, Shearer, Slater, and Thompson—26.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 18, 1917.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 675—An act to add a new section to the Code of Civil Procedure, to be numbered 1764*a*, providing a rule for the selection and designation of guardians of the person and estate, or person or estate, of insane or incompetent persons;

Also: Senate Bill No. 669—An act to amend section 268 of the Political Code, relating to salaries of officers and attaches of Senate and Assembly;

Also: Senate Bill No. 1192—An act to amend section 1475 of the Code of Civil Procedure, relating to the setting off of the recorded homestead and the presentation of claims against said homestead and the estate of the homestead claimant;

Also: Assembly Bill No. 992—An act to amend section 3658*a* of the Political Code of the State of California, and to add a new section to said Political Code, to be numbered section 3658*b*, relating to official maps and assessment maps, and assessment by reference to said maps;

Also: Assembly Bill No. 1289—An act defining industrial loan companies, providing for their incorporation, powers and supervision;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

KEHOE, Chairman.

Senate Bills Nos. 675, 669, 1192 and Assembly Bills Nos. 992 and 1289 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 398—An act to amend section 737 of the Political Code, relating to the salary of superior judges;

Also: Senate Bill No. 504—An act to amend section 737 of the Political Code, relating to the salary of superior judges;

Also: Assembly Bill No. 971—An act to amend sections 1, 2, 3, 4, 5, 6 and 9 of an act entitled "An act to establish a legislative counsel bureau and making an appropriation therefor," approved May 26, 1913, as amended;

Has had the same under consideration, and respectfully reports the same back and recommends that they be re-referred to Committee on Finance.

KEHOE, Chairman.

Senate Bills Nos. 398 and 504 and Assembly Bill No. 971 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 311—An act to repeal section 280*a* and section 280*b* of the Code of Civil Procedure, and section 1483 of the Political Code, all relating to the admission of attorneys to practice law;

Also: Assembly Bill No. 396—An act to amend sections 323 and 325 of the Code of Civil Procedure, relating to the adverse possession of land;

Also: Senate Bill No. 677—An act to add a new section to the Civil Code, to be numbered 242, providing in certain cases for the appointment by will or deed of guardians for the person and estate, or person or estate, of insane or incompetent persons;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Assembly Bills Nos. 311 and 396 and Senate Bill No. 677 ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 18, 1917.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 180—An act validating the formation and organization of drainage districts under the provisions of an act of the legislature of the State of California, approved March 21, 1903, as amended May 7, 1915, and entitled as amended "An act to promote the drainage of wet, swamp and overflowed lands, and to promote the public health in the communities in which they lie,

providing for the issuance of bonds and levying of assessments on lands benefited, to pay the costs and expenses thereof, [illegible] that the same [illegible] and respectfully reports the same back with [illegible] and recommends that it do pass, as amended.

JONES, Chairman.

Senate Bill No. 180 ordered on file for second reading.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, April 18, 1917.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 1243—**An act to amend sections 1071, 1116, 1121, 1195a, 1203, 1204, 1257, 1259, 1261, 1262, 1263, 1264 and 1980, of the Political Code, relating to elections, registration of electors, electors, [illegible] and [illegible] the vote, and enumerating the pictures of [illegible] and respectfully reports the same back with [illegible] and recommends that it do pass, as amended.**

FLAHERTY, Chairman.

Assembly Bill No. 1243 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 950—**An act to amend section 1416 of the Political Code, relating to the index to registration books;**

Also: Assembly Bill No. 1248—**An act to amend sections [illegible] of the Political Code, relating to the nomination of candidates [illegible] election, and to the [illegible] ballots;**

Also: Assembly Bill No. 1334—**An act to provide for [illegible] elections in cities of the fifth and sixth class;**

Also: Assembly Bill No. 1340—**An act to amend section 1007 of the Political Code, relating to registration of electors;**

Also: Assembly Bill No. 1341—**An act to amend sections 1, 2, 3 and 11 of an act entitled "An act to regulate the conduct of elections, [illegible] and [illegible] entitled 'An act to promote the purity of elections by regulating the conduct thereof, and to [illegible] practices in relation thereto, and providing for the punishment thereof,' approved February 28, 1893," approved March 10, 1893, as [illegible] June 6, 1913;**

Also: Assembly Bill No. 1342—**An act to amend an act [illegible] provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and [illegible] of party county central committees, and to repeal the act [illegible] known as the direct primary law, and also to repeal all [illegible] 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 18, 22, 23, and 24 of the said [illegible] primary law and also to repeal all other acts in [illegible] conflict with the provisions of this act, approved June 16, 1913, by [illegible] sections 1, 2, 4, 5, 7, 19, 21, 22, 23, 24, 25, 28, 30, and 33 thereof;**

Has had the same under consideration and respectfully reports the same back and recommends that they do pass.

FLAHERTY, Chairman.

Assembly Bills Nos. 950, 1248, 1334, 1340, 1341 and 1342 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 18, 1917.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1424—**An act to provide for the formation, government, organization, creation and dissolution of local health districts in any part of the state and for changing the boundaries thereof, the appointment and compensation of local district health officers, their deputies and assistants, defining the qualifications, powers and duties of such officers; and to provide for the assessment, levy, collection, custody and disbursement of taxes therein,** has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

CARR, F. M., Chairman.

Assembly Bill No. 1424 ordered on file for second reading.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Senator Luce:

Resolved, That the following named persons be stricken from the list of Senate attaches and that their names be forthwith stricken from the pay roll of the Senate: Joseph Moore, J. W. Westphal, J. Zimmerman, Assistant Sergeants-at-Arms; B. J. Cohn, Joseph Courtney, Committee Clerks.

Resolution read.

Senator Luce moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Brown, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Gates, Hans, Ingram, Inman, Johnson, Jones, King, Luce, McDonald, Maddux, Sharkey, Slater, and Tyrrell—21.

NOES—Senators Purkitt and Scott—2.

POSTPONEMENT OF CONSIDERATION.

On motion of Senator Duncan, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 1079 was refused passage, was continued until the next legislative day.

On motion of Senator Lyon, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 765 was refused passage, was continued until the next legislative day.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS, ETC.—RESUMED.

Senate Bill No. 640—An act to amend section 9 of an act entitled "An act relating to hotels, defining the same, providing regulations in connection therewith, providing for the sanitation of the rooms of such hotels, providing for the sanitary method and manner of keeping, handling and using bedclothes or bed covering in such hotels, repealing all acts or parts of acts in conflict with this act, providing for its enforcement by the State Board of Health, and providing a penalty for the violation of any of its provisions," approved April 26, 1915.

In the absence of the author, Senate Bill No. 640 was ordered passed, to retain its place on the file.

Senate Bill No. 1106—An act appropriating money to pay the claim of ——— covering the funeral expenses of John M. Eshleman.

In the absence of the author, Senate Bill No. 1106 was ordered passed, to retain its place on the file.

Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the Constitution by adding a new section 15 to Article XIII, relating to revenue and taxation.

On motion of Senator Benson, Senate Constitutional Amendment No. 31 was passed on file.

Senate Bill No. 49—An act to repeal section 55*a* of the Penal Code, relative to soliciting, demanding, or pledging votes for or against any particular bill or measure.

On motion of Senator Duncan, Senate Bill No. 49 was passed on file.

Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending section 1 of Article IV thereof, relating to

legislative powers, and reserving to the people of the State of California the power to propose laws, statutes and amendments to the Constitution and to enact the same at the polls independent of the Legislature, and also reserving to the people of the State of California the power to approve or reject at the polls any act or section or part of any act of the Legislature.

On motion of Senator Duncan, Senate Constitutional Amendment No. 5 was passed on file.

Senate Bill No. 692—An act to amend section 1548 of the Political Code of the State of California, relating to postage, expressage, printing and binding of documents and other incidental expenses of the county, or city and county, superintendent of schools.

In the absence of the author, Senate Bill No. 692 was ordered passed, to retain its place on the file.

Senate Bill No. 693—An act to amend sections 1712 and 1714 of the Political Code of the State of California, relating to school libraries, what books and apparatus may be bought, how and when they may be purchased, and providing a library fund in cities, and cities and counties.

In the absence of the author, Senate Bill No. 693 was ordered passed, to retain its place on the file.

Senate Bill No. 505—An act relating to the liability in damages of the officers of towns, cities, cities and counties, counties and of the State of California for injuries to person or property resulting from defects and dangers in public streets, highways, bridges, buildings, work, or property, and repealing acts in conflict herewith.

In the absence of the author, Senate Bill No. 505 was ordered passed, to retain its place on the file.

Senate Bill No. 176—An act adding a new section to the Political Code to be numbered 3245a, relating to hours of labor of females employed in State hospitals.

On motion of Senator Flaherty, Senate Bill No. 176 was passed on file.

Senate Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by adding a new article thereto, to be numbered XXIV, establishing a State Athletic Commission and regulating boxing and sparring in the State.

On motion of Senator Scott, Senate Constitutional Amendment No. 19 was passed on file.

Senate Bill No. 811—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications.

On motion of Senator Ballard, Senate Bill No. 811 was passed on file.

Senate Bill No. 1134—An act to amend section 131 of the Civil Code, relating to judgment in an action for divorce, and repealing section 132 of said Civil Code.

On motion of Senator Scott, Senate Bill No. 1134 was passed on file.

Senate Bill No. 1158—An act to amend section 1557 of the Penal Code, relating to the accounts of persons employed to bring back fugitives from the State.

On motion of Senator Duncan, Senate Bill No. 1158 was passed on file.

Senate Bill No. 869—An act to amend section 4 of an act entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the

issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled "An act to promote the better education and practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the board of regents of the University of California, and to provide penalties for violation thereof," approved June 12, 1913, as amended.

In the absence of the author, Senate Bill No. 869 was ordered passed, to retain its place on the file.

Senate Bill No. 921—An act to amend the Vehicle Act, approved May 11, 1915, by repealing sections 10, 18, 23 and 33 thereof and by amending sections 1, 3, 4, 5, 6, 7, 8, 9, 11, 13, 15, 17, 20, 22, 24, 26, 27, 28, 32, 34, 35 and 37 thereof, said amendments providing for the regulation of the use and occupation of the public highways by vehicles and otherwise, for the registration and identification of motor and other vehicles, for the payment of registration fees therefor, and also relating to other matters provided for in said act so amended.

On motion of Senator Johnson, Senate Bill No. 921 was passed on file.

Senate Bill No. 1090—An act to amend sections 1, 2, 3, 6, 7, 12, 15 and 16 of an act entitled "An act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911, as amended.

On motion of Senator Scott, Senate Bill No. 1090 was passed on file.

Senate Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding thereto a new section to be known as section 5 of Article XIII, providing for the exemption of certain property from taxation.

On motion of Senator Kehoe, Senate Constitutional Amendment No. 27 was ordered to unfinished business.

Senate Bill No. 31—An act to establish a state hospital for the care, custody and maintenance of inebriates and drug habitues within the State of California, to be known as the California State Hospital, and to provide for the government and management thereof, and making an appropriation therefor.

In the absence of the author, Senate Bill No. 31 was ordered passed, to retain its place on the file.

Senate Bill No. 116—An act appropriating money for the construction and equipment of buildings on the property of the Santa Barbara State Normal School at Santa Barbara, California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 116 passed by the following vote:

AYES—Senators Ballard, Benson, Caccpa, Carr, W. J., Chandler, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Madden, Nealon, Peckham, Rigdon, Rominger, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 567—An act to appropriate money for the construction of trails, fire trails and telephone lines to and into California Redwood Park, and for the removal of dead and fallen timber in said park.

Bill read third time.

The question being on the passage of the bill,

The roll was called, and Senate Bill No. 567 passed by the following vote:

Ayes—Senators Ballard, Beban, Chandler, Cory, W. J. Connolly, Dennett, Evans, Flaherty, Gates, Hans, Inman, Jacobs, Johnson, Kehoe, Kent, Lane, Lipe, McDonald, Machado, Nielsen, Perkins, Rigdon, Rominger, Rush, Sims, Simpson, Stevens, Strobridge and Thompson—29.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

The hour of twelve o'clock and thirty minutes p.m., having arrived, the Acting President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 191—An act to amend section 1768 of the Political Code of the State of California, relating to the composition, qualifications, term of office and organization of members of county boards of education.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1364—An act relating to the employment of janitors and employees of certain school districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 212—An act to promote the development of the California fruit industry and to protect the State's reputation in outside markets by establishing a standard for the packing of certain fresh fruits specified herein, prescribing penalties for violations of the provisions hereof, and repealing all acts inconsistent herewith.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 632—An act declaring rats, mice, gophers and ground squirrels a public nuisance; providing for the manner and means of the abatement of such nuisance; providing that the expense incurred by reason of such abatement shall be a lien on the property and empowering the board of supervisors in each county to carry out the provisions hereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 458—An act to amend section 20 of the act known as the "Water Commission Act," approved June 16, 1913.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 3 of the title, strike out the period following the figures "1913" and insert in lieu thereof a semicolon followed by: "and to add a new section thereto to be numbered twenty *a*, relating to abandonment."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, beginning with the semicolon after the word "act" in line 29, strike out everything up to and including the word "abandoned" in line 32.

Amendment adopted.

AMENDMENT NUMBER THREE.

Beginning on line 18, of page 4, of the printed bill, add the following:

SEC. 2. A new section is hereby added to the act known as the "water commission act," approved June 16, 1913, to be numbered twenty *a*, and to read as follows:

SEC. 20*a*. When the party entitled to the use of water fails to beneficially use all or any part of the water claimed by him, for which a right of use has vested, for the purpose for which it was appropriated or adjudicated, for a period of three years, such unused water shall revert to the public and shall be regarded as unappropriated public water.

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 1218—An act to amend section 241 of the Civil Code, relating to appointment of guardians by will or by deed.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 9, after the word "to" strike out the word "acknowledge" and insert in lieu thereof the following: "take and certify to acknowledgment of".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 19—An act to add a new section to the Code of Civil Procedure, to be numbered 274*c*, relating to compensation of phonographic reporters.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1394—An act to regulate the moving, transporting, and conveying of certain buildings, houses, structures, derricks, cranes, towers and vehicles and requiring a permit for the same and providing a penalty for the violation thereof.

AMENDMENTS FROM FLOOR.

During second reading of bill, the following amendments were offered and their adoption moved by Senator Carr, F. M.:

AMENDMENT NUMBER ONE.

On page 2, of the printed bill, strike out lines 1 to 6 inclusive.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 7, strike out the figure "4" and insert in lieu thereof the figure "3".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 14, strike out the figure "5" and insert in lieu thereof the figure "4".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 17, strike out the figure "6" and insert in lieu thereof the figure "5".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 23, strike out the figure "7" and insert in lieu thereof the figure "6".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 24, strike out the period after the word "repaired" and insert in lieu thereof a semicolon and the following: "provided, however, that this act shall not be construed as limiting or affecting the control and jurisdiction of the state department of engineering of the erecting of a building, house, structure, derrick, crane, tower or which is less than twenty feet from the surface of the ground or that over a state road or highway and the issuance of permits therefor by said department of engineering, as now or hereafter provided by law; but this act shall apply to state roads and highways and the state department of engineering shall in case a building, house, structure, derrick, crane, tower or which is less than twenty feet from the surface of the ground.

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill strike out all of lines 7 to 13 inclusive and insert in lieu thereof the following:

Sec. 4. It shall be the duty of the person, firm or corporation moving, transporting or conveying any building, house, structure, derrick, crane, tower or vehicle to notify the party or parties lawfully maintaining electric, telephone or telegraph wires along said route, at least twenty-four hours in advance, that a clearance is desired for such object to be moved and said parties desiring such clearance must compensate said party or parties lawfully maintaining such electric, telephone or telegraph wires for such necessary work or actual expense as may be incurred in making such clearance. It shall be the duty of the party or parties maintaining such electric, telephone or telegraph wires on receipt of the notice herein provided to arrange said clearance as requested. Nothing herein shall be construed to prevent said party or parties maintaining such wires to require the party demanding a clearance to deposit the estimated reasonable expense of such clearance before said work is done or clearance made.

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 606—An act to amend section 3818 of the Political Code, relating to redemption from tax sale.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 215—An act to legalize bonds to be issued and sold by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 573—An act to amend section 604*a* of the Civil Code, relating to religious corporations.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1358—An act to add a new section to the Code of Civil Procedure of California to be designated as section 67*c*, relating to the appointment of an official court interpreter of the Spanish language by the judges of the superior court in counties of the first class, prescribing his duties and providing for the appointment of such interpreter.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 735—An act to amend section 343 of the Political Code, relative to the designation and number of civil executive officers.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1113—An act to amend an act entitled "An act to define the duties of and to license land surveyors, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 31, 1891," approved March 16, 1907, by amending sections 1, 2, 3, 11 and 14 thereof, so as to constitute the Surveyor General, the State Engineer and the Highway Engineer, ex officio, a State Board of Land Surveyors to examine persons applying to become licensed land surveyors; to prescribe the powers and duties of such board; to provide for the issuance, suspension or revocation of licenses; to provide penalties for violations hereof; and to provide for paying the actual necessary expenses of such board.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1434—An act to amend sections 853, 996 and 4313 of the Political Code, relating to absence of officers from the State and vacancies in public office.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 584—An act to repeal section 1324 of the Penal Code, relating to the testimony of witnesses refusing to answer on the ground that such answer will incriminate himself.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 246—An act to amend section 1580 of the Code of Civil Procedure, relating to the procedure for the sale of mining property belonging to an estate.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 701—An act to definitely establish and permanently locate a portion of the boundary line between the county of Lake and the county of Mendocino, State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 702—An act to definitely establish and permanently locate the boundary line between the counties of Mendocino and Sonoma, State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1332—An act to cure defects in maps or plats filed for record prior to January 1, 1917, and in deeds or conveyances referring to such maps.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 473—An act fixing the compensation of grand and trial jurors in counties of the seventh class.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 2, of the printed bill, after the word "[illegible]" insert the words "filed in the superior court."

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 1198—An act to amend section 4234 of the Political Code, relating to salaries and fees of officers in counties of the fifth class.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 9, of the printed bill as [illegible] in Assembly, March 14, 1917, after the word "director" insert the word "[illegible]."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 18, of the said bill, after the word "[illegible]" insert the words "per diem."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 34, of the said bill, after the word "dollars" insert the word "each."

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 1094—An act to amend section 4242 of the Political Code, relating to salaries and fees of officers of counties of the thirteenth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 919—An act to amend section 4049 of the Political Code, relating to the publication of the proceedings of the board of supervisors.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 674—An act to amend section 3766 of the Political Code, relating to the manner of publication of the delinquent tax list.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 628—An act creating the office of state superintendent of land titles, providing for the appointment of officers to enforce and carry into effect the provisions of this act including a state superintendent of the registration of land titles and his deputy and the employment of attorneys, defining the powers and duties of such officers and making an appropriation to carry this act into effect.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of lines 2 to 7 inclusive, of the title, and insert in lieu thereof the following: "Providing for the regulation of land titles, and giving the surveyor general certain powers in respect thereto".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, strike out all of line 1 after the period following the figure "1" and all of lines 2 to 11 inclusive, and all of pages 2 and 3 and insert in lieu thereof the following: "The surveyor general, or a deputy of his department, may at least once in two years, visit the various counties of the state and inspect and investigate conditions in respect to land titles. He shall annually report to the governor and shall, prior to each regular session, report to the legislature, making such recommendations as he shall deem proper and necessary. He is hereby authorized to consult with and to advise county registrars and to make such suggestions and recommendations to the county registrars as he may deem desirable.

SEC. 2. The surveyor general or deputy may prepare and recommend for the use of the county registrars and applicants for registration of land titles and of the courts hearing such applications, uniform blank forms to be used throughout the state."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 70—An act to be known as the Usury Law, relating to the rate of interest which may be charged for the loan or forbearance of money, goods or things in action, or on accounts after demand, or on judgments, providing penalties for the violation of the provisions hereof and repealing sections 1917, 1918, 1919, and 1920 of the Civil Code and all acts or parts of acts in conflict with this act.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 19, strike out the period following the word "elapsed" and insert in lieu thereof the following: "except that where the principal of any debt is repayable in installments, no action shall be maintained for the recovery of such principal or any part thereof until the expiration of six months from the time of default in the paying of any of the installments on said loan."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 37, after the word "except" insert the words "bonds for building purposes,".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, after line 37, add new sections to read as follows:

SEC. 6. Notes or bonds, with or without interest coupons attached, made by individuals or corporations, the payment of which is secured by mortgage or deed of trust upon real property, where the bona fide purpose of such bonds is to procure money to be used in whole or part for the construction and erection of buildings or other permanent improvements upon the real property covered by such mortgage or deed of trust, bonds of corporations, municipal and public bonds are expressly excepted from the operation and provisions of this act.

SEC. 7. Nothing herein contained shall be construed to forbid the collection of monetary penalties prescribed by law.

SEC. 8. The commissioner of corporations shall enforce the provisions of this act.

SEC. 9. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1170. An act to amend sections 1, 4 and 5 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the bay of San Francisco and the bay of San Pablo to the city of Richmond in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved June 11, 1913.

COMMITTEE AMENDMENTS

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE

On page 1, line 2 of the title, strike out the word "one" and the comma.

Amendment adopted.

AMENDMENT NUMBER TWO

On page 1, line 1, strike out the word "one" and insert in lieu thereof the word "four."

Amendment adopted.

AMENDMENT NUMBER THREE

On page 1, commencing with line 8, strike out lines 8 and including line 5, on page 2.

Amendment adopted.

AMENDMENT NUMBER FOUR

On page 2, line 6, strike out the words "twelve months" and insert in lieu thereof the following: "a period not exceeding fifty years."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 10, strike out the figure "3" and insert in lieu thereof the figure "2."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 13, strike out the word "periods" and insert in lieu thereof the words "a period."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 15, strike out the word "periods" and insert in lieu thereof the words "a period."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1182—An act empowering cities, cities and counties and counties in the State of California to grant bounties to persons in the service of the United States, and to incur an indebtedness therefor, and to issue bonds in payment thereof.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, commencing with the word "empowering" in line 2, of title, strike out all down to and including the word "thereof" in line 5 of title, and in lieu thereof insert the following: "to authorize cities, cities and counties, and counties to compensate residents thereof who engage in the national defense, and to authorize the making of tax levies or the incurrence of bonded indebtedness for such purpose."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1 of printed bill, commencing with the word "any" strike out all down to and including the word "therefore" in line 10 of page 1, and in lieu thereof insert the following: "Upon and in consideration of the services rendered and to be rendered to the nation and to the state and its political subdivisions by residents of California who engage in the military or naval service of the United States, or in any service allied thereto, in time of war, any city, city and county, or county, within this state is hereby authorized and empowered to pay to any resident of such city, city and county, or county, in addition to the pay and allowances prescribed by federal statutes, such sum as in the judgment of the legislative body of such city, city and county, or county, may be necessary for the proper support and maintenance of the person who so engages in the national defense and of the persons who are legally dependent upon him. Such payments may be made at such times and in such manner as such legislative body may determine and may be made directly to the person who so engages in the national defense, or, upon his order, with the approval of such legislative body, may be paid to such of his dependents as he may direct. For the purpose of procuring funds with which to make such payments the legislative body of each city, city and county, or county, within this state is hereby authorized and empowered to levy and collect, in addition to any and all taxes now authorized by law, and, whenever necessary, in excess of any maximum tax rate now prescribed by law, such sum as in the judgment and determination of such legislative body may be necessary to make such payments. All moneys raised as a result of such additional taxes shall be paid into the treasury thereof and placed to the credit of the national defense fund of such city, city and county, or county, which fund is hereby created, and shall be disbursed therefrom for the purpose aforesaid, at such times and in such sums and in such manner as the legislative body of such city, city and county, or county, may determine. The legislative body of any such city, city and county, or county, is hereby further authorized and empowered to transfer from its general fund to said national defense fund any moneys therein which are not required for immediate expenditure, *provided*, that the aggregate of all sums so transferred shall be repaid from the national defense fund to the general fund so soon as the moneys raised by means of such additional taxation shall be paid into the treasury.

Whenever, in the judgment and determination of any such legislative body, the expenditures entailed, or likely to be entailed, upon any such city, city and county, or county, are, or will become, too great to be defrayed out of the annual income and revenue thereof, such city, city and county, or county, is hereby authorized and empowered to incur an indebtedness for such purpose and to issue bonds therefor."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 12, of the printed bill, beginning with the word "Bounties" strike out all down to and including the word "act" at the end of line 16.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 18 of the printed bill, commencing with the word "in", strike out all down to and including the word "county" at the end of line 21, and in lieu thereof insert the following: "and such bonds, if authorized by the electors, shall be issued

and sold, in conformity to the provisions of an act entitled 'An act authorizing the incurring of indebtedness by other towns and municipal corporations for municipal improvements, and regulating the formalities, construction, or completion thereof,' which became a law under constitutional provisions without the governor's approval, February 25, 1901, and the acts amendatory thereof and supplementary thereto, in all cases wherein such bonded indebtedness is incurred for any city and county, and in conformity to the provisions of section four thousand eight-eight of the Political Code in all cases wherein such bonded indebtedness is incurred in any county."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1153.—An act providing for the qualifications of sureties on bonds and undertakings accompanying bids and contracts for public work or for materials therefor.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER [illegible].

On page 3, after line 30, insert a new section to read as follows:

SEC. 5. All bonds or undertakings in this act required shall upon the approval thereof, be forthwith filed in the office of the county treasurer of the county in which the work is to be performed.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 808.—An act to amend section 2924 of the Civil Code of the State of California, relating to mortgages and deeds of trust.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER [illegible].

On page 1, line 3, of the printed bill, after the section, substituting for Section "2924," strike out all of the bill and insert in lieu thereof the following:

Every transfer of an interest in property, other than in trust, made only as a security for the performance of another act, is to be deemed a mortgage, except when in the case of personal property it is accompanied by actual change of possession, in which case it is to be deemed a pledge.

Where, by a mortgage hereafter created, of any estate in real property, other than an estate at will or for years, less than two, or by any transfer in trust made after made of a like estate to secure the satisfaction of an obligation, a power of sale is conferred upon the mortgagee, trustee, or any other person, to be exercised after a breach of the obligation for which such mortgage or transfer is a security, such power shall not be exercised (except where such mortgage or transfer is made pursuant to an order, judgment, or decree of a court of record, or to secure the payment of bonds or other evidences of indebtedness guaranteed or authorized to be issued by the commissioner of corporations, or is made by a public utility subject to the provisions of the public utilities act,) until, (a) the mortgagee or beneficiary shall first record, in the office of the recorder of the county wherein the mortgaged or trust property or some part thereof is situated, a notice of such breach and of his election to sell or cause to be sold such property to satisfy the obligation, (b) not less than three months shall thereafter elapse, and (c) the mortgagee, trustee or other person authorized to make the sale shall give notice of the time and place thereof, in the manner and for a time not less than that required by law for sales of real property upon execution.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 780—An act to amend section 1313 of the Civil Code of the State of California, relating to restrictions on devises or bequests for charitable uses.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 582—An act to amend section 678 of the Political Code, relating to notice to State Board of Control and State Treasurer of bond sales by city, county and district authorities.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 349—An act to form agricultural districts, providing for boards of directors for the government thereof, and for the management and control of the same by the State, and making an appropriation therefor, and repealing all acts and portions of acts in conflict with this act.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out lines 2, 3, 4, 5 and 6 of the title and insert in lieu thereof the following: "To make an appropriation for the encouragement of county fairs and providing for the distribution of the moneys hereby appropriated."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of line 1 after the figure "1," and all of lines 2 to 14 inclusive, and all of pages 2, 3, 4, 5, 6 and 7 of the printed bill and insert in lieu thereof the following: "To encourage the holding of fairs, expositions or exhibitions of all of the industries and industrial enterprises, resources and products of every kind or nature of the different counties of the state, with a view to improving and stimulating the same, there is hereby appropriated the sum of fifteen thousand dollars to be expended during the sixty-ninth fiscal year, and the sum of fifteen thousand dollars to be expended during the seventieth fiscal year, in accordance with the directions contained in section two hereof.

Sec. 2. The sums hereby appropriated shall be expended under the supervision of the state board of control for premiums only to be awarded at the fairs, expositions or exhibitions referred to in section one hereof. The state board of control shall apportion the moneys herein appropriated to the various counties holding such fairs, expositions or exhibitions as are referred to in section one hereof but shall not allot to any county a sum greater than is provided by such county for the same purpose. No allotment from the appropriation herein provided shall be made for more than one fair in any year for any county. The fact that one county joins with another county, or with several others, to hold a fair or exposition shall not debar it from receiving a proper proportion of the moneys herein appropriated.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

REPORTS OF STANDING COMMITTEE—(OUT OF ORDER).

The following reports of standing committee were received and read:

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, April 18, 1917.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the Constitution by amending sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 15, 16, 17, 19 and 23 of Article IV and by repealing sections 14 and 23*a* of said article, all relating to the legislative department—has had the same under consideration, and respectfully reports the same back and recommends that it be not adopted.

BALLARD, Chairman.

Senate Constitutional Amendment No. 8 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 31—A resolution to submit to the people of the State of California an amendment to section 14 of Article I of the Constitution, relating to the taking of private property for public use—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted, as amended.

BALLARD, Chairman.

Assembly Constitutional Amendment No. 31 ordered on file.

SECOND READING OF SENATE BILLS—(RESUMED).

Senator Tyrrell moved that the Senate take up for second reading Senate bills previously reported from committees this day.

Senate Bill No. 579—An act to amend section 626r of the Penal Code relating to the protection of deer.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2 of the title, strike out the letter "T" and insert in lieu thereof the letter "t".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 3 of the title, strike out the words "prohibiting the killing" and insert in lieu thereof the words: "limit of deer that may be killed."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, strike out the letter "T" and insert in lieu thereof the letter "T".

Amendment adopted.

AMENDMENT NUMBER FOUR.

Strike out all of lines 3 to 17, inclusive, on page 1 and all of lines 1 to 17, inclusive, on page 2, and insert in lieu thereof the following:

626r. Every person who takes, kills or destroys or has in his possession, whether taken or killed in the State of California, or shipped into the state from any other state, territory or foreign country, more than two deer, or in Fish and Game District number four more than one deer, during any one open season, is guilty of a misdemeanor.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 680—An act to amend section 36 of an act entitled "An act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 27, 1915.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 7, line 3, strike out the word "railroad" and the period following said word and insert in lieu thereof the following: "railroad commission."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 675—An act to add a new section to the Code of Civil Procedure, to be numbered 1764*a*, providing a rule for the selection and designation of guardians of the person and estate, or person or estate, of insane or incompetent persons.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On line 6 of the printed bill after the word "appoint" strike out the following: "the person who would by law be entitled to administer upon the estate of such incompetent, if then deceased, unless a person has been designated as guardian by a deceased parent or spouse," and insert in lieu thereof the following: "as guardian such person as may have been designated".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 669—An act to amend section 268 of the Political Code, relating to salaries of officers and attaches of Senate and Assembly.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 3 of the title of said bill before the word "senate" insert the article "the".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 4 of the title of said bill strike out the word "assembly" and insert in lieu thereof "adding a new section to said code to be known as two hundred sixty-eight *a* relating to salaries of officers and attaches of the assembly".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 4, of said bill after the figures "268" insert the following: "There shall be paid to the officers and employees of the senate the following salaries: To the secretary, ten dollars per day; to the first assistant secretary, who shall also be clerk of the committee on revision and printing and to the minute clerk, who shall also be clerk of the committee on rules, each nine dollars per day; to other assistant secretaries and assistant minute clerks, history clerk, file clerk, engrossing and enrolling clerk, and journal clerk, each seven dollars per day; to the assistant journal clerks, assistant engrossing and enrolling clerks, assistant history clerks, assistants at the desk, the private secretary to the president, the stenographer to the president, the stenographer to the secretary, the stenographer to the judiciary committee, the stenographer to the finance committee, and the chief clerk to the secretary, each five dollars per day; to the chaplain, postmistress, assistant postmistress, and mailing clerks, each four dollars per day; to the sergeant-at-arms, eight dollars per day; to the bookkeeper to the sergeant-at-arms, six dollars per day; to the assistant

sergeants at arms, of whom there shall be not to exceed five, each five dollars per day; to the mail carrier and the gatekeepers, of whom there shall be not to exceed five, each three dollars per day; to each page, two dollars and fifty cents per day. In addition to the foregoing, each member shall be entitled to appoint a private secretary who shall be responsible for all of said member's personal correspondence and other stenographic service. In the event that a member is chairman of a committee, his private secretary shall be clerk of said committee; the pay of private secretaries who are also committee clerks shall be each two dollars per day, except that in the case of private secretaries who are clerks of the Senate and standing committees, the pay of each shall be six dollars per day. The pay of other private secretaries shall be four dollars per day.

All appointive employees of the senate, with the exception of the private secretaries, shall be selected from a list submitted by the majority caucus committee.

SEC. 2. A new section is hereby added to the Political Code to be numbered one hundred sixty-eight *a* and to read as follows:

268*a*. There shall be paid to the following persons of the committee the following salaries: To the clerk, ten dollars per day; to the assistant clerks, eight dollars per day; to the assistant clerk who shall be clerk of the committee on printing, and to the minute clerk, who shall also be clerk of the committee on rules, each, nine dollars per day; to the assistant clerks, assistant minute clerks, journal clerk, engrossing and enrolling clerk, file clerk and history clerk, each, seven dollars per day; to the assistant sergeants at arms, bookkeeper, assistant bookkeeper, clerk to the sergeant at arms, assistant journal clerks, assistant engrossing and enrolling clerks, each five dollars per day; to one stenographer who shall be known as the chief stenographer, six dollars per day; to the other stenographers, each five dollars per day; to the committee clerks, each four dollars per day, except that the clerks of the ways and means committee and clerk of the judiciary committee shall each receive six dollars per day; compositors, pressmen and general committee clerks, each four dollars per day; to the mail carrier, janitors and doorkeepers, janitress of the ladies' cloakroom, each three dollars per day; to each page, two dollars and fifty cents per day.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1192—An act to amend section 1475 of the Code of Civil Procedure, relating to the setting off of the recorded homestead and the presentation of claims against said homestead and the estate of the homestead claimant.

COMMITTEE AMENDMENTS

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE

On page 2, line 8, after the word "encumbrances" insert the following: "upon real property subject to a declaration of homestead."

Amendment adopted.

AMENDMENT NUMBER TWO

On page 2, line 11, after the period following the word "recorded" strike out the rest of the line; also, down to and including line 18.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 677—An act to add a new section to the Civil Code, to be numbered 242, providing in certain cases for the appointment by will or deed of guardians for the person and estate, or person or estate, of insane or incompetent persons.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 180—An act validating the formation and organization of drainage districts under the provisions of an act of the Legislature of the State of California, approved March 21, 1903, as amended

May 7, 1915, and entitled as amended "An act to promote the drainage of wet, swamp and overflowed lands, and to promote the public health in the communities in which they lie, providing for the issuance of bonds and levying of assessments on lands benefited, to pay the costs and expenses thereof."

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 2, of the title, strike out the words "drainage districts" and insert in lieu thereof the following: "Los Angeles County Drainage District Improvement No. 1".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, strike out the words "Every drainage district" and insert in lieu thereof the words "Los Angeles County Drainage District Improvement No. 1", and strike out the last word in the line and insert in lieu thereof the word "and".

Amendment adopted.

AMENDMENT NUMBER TWO AND ONE-HALF.

On page 1, line 10, strike out the letter "s" at the end of the word "districts".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 11, of the printed bill, strike out the letter "s" at the end of the word "districts", and strike out the word "are" and insert in lieu thereof the word "is".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 12, strike out the period at the end of the line and insert in lieu thereof a semicolon, and add the following: "and all the powers given to such district and the officers thereof by said act are hereby declared to be enjoyed by said district, and all the acts of said district and its officers are hereby ratified and approved."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, strike out all of section two (2).

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

SECOND READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Senator Tyrrell moved that the Senate take up, for second reading, Assembly bills previously reported from committees this day.

Assembly Bill No. 752—An act to amend section 626s of the Penal Code of the State of California, relating to hunting of game in certain districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 758—An act to amend section 636 of the Penal Code, relating to the protection of fish and game.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 757—An act to add a new section to the Penal Code to be numbered 631c, relating to the protection of fish and game, and

providing for additional penalties for the violation of the laws relating thereto.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 405.—An act to provide for the protection of fur-bearing mammals, defining fur-bearing mammals, providing for a license for hunting or trapping such fur-bearing mammals and requiring reports to be filed with the Fish and Game Commission.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 708.—An act to amend section 628 of the Penal Code, relating to fish and game.

Bill read second time.

AMENDMENT FROM FLOOR.

During second reading of bill, the following amendment was offered and its adoption moved by Senator Lyon:

AMENDMENT NUMBER ONE.

On page 2, line 30, of the printed bill, after the word "[illegible]" in the "manner" add the following: "Note of the [illegible] of the [illegible] lobster caught or taken within the waters of this state, which such lobsters are not caught in waters lying south [illegible] from the international boundary line between the United States and Mexico extended seaward in the Pacific ocean and bearing other indicia of having been so caught or taken as may be hereafter prescribed by the fish and game commissioners, *and be it provided*, that all the expenses of such inspection shall be borne by the importer of such spiny lobsters; *and be it provided further*, that all such lobsters imported into this state shall be of the size prescribed in this section."

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 1423.—An act to amend section 654 of the Penal Code, relating to the protection of fish.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 73.—An act to regulate the taking and harvesting of kelp and other aquatic plants of the State of California by recognizing and declaring their ownership in the State of California and providing for the control thereof by the fish and game commissioners, and providing for a license tax upon all persons, firms or corporations engaged in the industry of taking or harvesting kelp or other aquatic plants, and providing for the collection and disbursement of the revenues derived therefrom, and providing for a privilege tax upon all kelp taken in the waters of this state, and providing for the protection of kelp beds, and for the manner of taking kelp and other aquatic plants, and providing for hearings by the fish and game commissioners, and providing penalties for the violation of this act.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 7, line 7, of the printed bill, strike out the word "one-third" and insert in lieu thereof the word "two-thirds".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 7, line 10, of the printed bill, strike out the word "two-thirds" and insert in lieu thereof the word "one-third".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 942—An act to provide for the equipment of steam locomotives with automatic bell-ringing devices.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 7, following the word "therewith", strike out the word "to".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 992—An act to amend section 3658*a* of the Political Code of the State of California, and to add a new section to said Political Code, to be numbered section 3658*b*, relating to official maps and assessment maps, and assessment by reference to said maps.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 4, line 4, after the word "county" insert a comma and the following: "or any part thereof,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 4, lines 7 to 14, inclusive, strike out all of said lines and insert in lieu thereof the following: "the separate lots and parcels of land owned or assessed within the county. The commission may also give to each city or subdivision block within any section a number, and the several lots and parcels of land within each numbered block shall be designated by lot numbers, commencing with number one and continuing numerically upward. All lots or parcels of land not comprised within numbered blocks shall be given identification lot numbers of such character as to prevent confusion with lot numbers in numbered blocks."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, line 22, strike out the words "the area covered by", and insert in lieu thereof the following: "the exterior boundaries of".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4, lines 23 and 24, strike out the last word in line 23 and all of line 24, and insert in lieu thereof the following: "exterior boundaries of the tract covered by, each survey made therefor shall be clearly shown".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 5, line 1, strike out the words "during the fiscal year beginning July first".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 5, line 6, after the word "lot" insert the words "or identification lot"

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 5, lines 15 and 16, strike out the words "for use during any fiscal year"

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 5, beginning with the words "a permanent official record" strike out all the balance of the page, and insert in lieu thereof the following: "an official public record.

5. At any time between the first day of January and [illegible] as on the first Monday of March of any year, said assessment map may, in [illegible] of the area covered thereby, be revised under the supervision of the county assessment map commission so as to show changes in lots or blocks since [illegible] place. Such revision of said map shall be prepared, corrected and filed in the same manner as is required hereunder for original preparation, [illegible] and filing and shall by substitution for the portion covered [illegible] of the county, and shall be used as such thereafter for the purposes of assessment. The lot and block numbers shown on such revision shall, as far as possible, be the same as those in use on the original map. The portion of the original map which is superseded by a revision shall be preserved in the assessor's office in [illegible] form for reference, with the endorsement thereon of the fiscal years during which it was in use.

6. After an assessment map shall have been filed hereunder no map or plat of any tract or subdivision of land within the area covered by such assessment map shall be accepted by the county clerk for filing or recording unless the same shall have a map or plat title and block and lot numbering conforming to the general plan of section lot and block designation [illegible] as evidenced by the certified approval of such map by the [illegible]

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1289—An act defining industrial loan companies, providing for their incorporation, powers and supervision.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3, line 7, strike out the word "city" and substitute in the place thereof the word "county".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 21, strike out the word "hereof" and substitute in the place thereof the word "thereof".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 5, line 12, after the period at the end of the line add the following new section:

SEC. 11. If it shall appear to the commissioner of corporations that any company hereunder has violated or failed to comply with the provisions of its articles of incorporation, or any law of this state, or whenever it shall appear from the report of any company hereunder, or the commissioner shall have reason to conclude, that the capital of any company hereunder is impaired or reduced below the amount required by law, he may, by an order under his hand and official seal, addressed to such company, direct such company to discontinue such violation and to comply with the law, or to make good the deficiency or impairment of capital alleged by him to exist within sixty days after the date of such requisition; or

If it shall appear to the commissioner that such company is conducting business in an unsafe or injurious manner, he may, in like manner, direct the discontinuance of any such unsafe or injurious practices. Such orders shall require such company to show cause, before the commissioner, at a time and place to be fixed by him, why said order should not be observed. If upon such hearing it shall appear to the commissioner that such order should be made final he shall proceed to do so, and such company shall immediately comply with such order made by the commissioner of corporations.

Such company shall have ten days after any such order is made final in which suit may be commenced to restrain enforcement of such order and unless such action be so commenced and enforcement of such order be enjoined within ten days by the court in which such suit is brought, then such company shall comply with such order.

Upon failure of any company to comply with such order or if any such company shall refuse to submit its books, papers and concerns to the inspection or examination of the commissioner of corporations, or to any one authorized by him to make such examination, or if any officer of such company shall refuse to be examined upon oath touching the concerns of such company, or if any such company shall neglect or refuse to observe any order made by the commissioner of corporations pursuant to his supervision as authorized by this act, the commissioner of corporations may forthwith take possession of the property and business of such company and retain such possession until such company shall resume business or its affairs be finally liquidated. On taking possession of the property and business of any such company, the commissioner of corporations may proceed to liquidate the same in the manner provided by the bank act.

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 311—An act to repeal section 280*a* and section 280*b* of the Code of Civil Procedure, and section 1483 of the Political Code, all relating to the admission of attorneys to practice law.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 396—An act to amend sections 323 and 325 of the Code of Civil Procedure, relating to the adverse possession of land.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1243—An act to amend sections 1071, 1116, 1121, 1195*b*, 1203, 1204, 1257, 1259, 1261, 1262, 1263, 1264, and 1280 of the Political Code, relating to elections, registration of electors, election ticket and ballots, canvassing and returning the vote, and canvassing the returns of elections.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 19, strike out the semicolon after the word "code" and insert in lieu thereof a comma.

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 950—An act to amend section 1115 of the Political Code, relating to the index to registration books.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1248—An act to amend sections 1188 and 1192 of the Political Code, relating to the nomination of candidates otherwise than by primary election, and to the filing of nomination papers.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1334—An act to provide for and regulate municipal elections in cities of the fifth and sixth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1340—An act to amend section 1097 of the Political Code, relating to registration of electors.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1341—An act to amend sections 1, 3, 9 and 11 of an act entitled "An act to regulate the conduct of election campaigns, and repealing an act entitled 'An act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,' approved February 23, 1893," approved March 19, 1907, as amended by an act approved June 6, 1913.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1342—An act to amend an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the direct primary law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said direct primary law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, by amending sections 1, 2, 4, 5, 7, 19, 21, 22, 23, 24, 25, 28, 30, and 33 thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1424—An act to provide for the formation, government, organization, operation and dissolution of local health districts in any part of the state and for changing the boundaries thereof, the appointment and compensation of local district health officers, their deputies and assistants, defining the qualifications, powers and duties of such officers; and to provide for the assessment, levy, collection, custody and disbursement of taxes therein.

Bill read second time, and ordered on file for third reading.

THIRD READING OF SENATE BILLS—OUT OF ORDER.

Senate Bill No. 1190—An act to amend section 626 of the Penal Code, relating to the protection of game.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Ingram moved to refer Senate Bill No. 1190 to Senator King, as a Special Committee of One, to amend as follows:

On page 1, line 7, of the printed bill, strike out the word "twenty-eight" and insert in lieu thereof the word "four".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 18, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 1190, with instructions to amend, respectfully reports the same back, amended as per instructions.

KING, Special Committee.

Report read, and, on motion of Senator Ingram, adopted.

Bill ordered to print, and re-engrossment.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, April 18, 1917.

MR. PRESIDENT: Your Committee on Public Morals, to which was referred Assembly Bill No. 1428—An act to amend section 331 of the Penal Code, relating to gambling in houses owned or rented—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

LUCE, Chairman.

Assembly Bill No. 1428 ordered on file for second reading.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, April 18, 1917.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 21—An act to provide for the issuance of identification certificates and official ballots to duly registered voters, to enable voters to whom such certificates and ballots have been issued to cast their votes wherever they may be within the State of California, on the day of any general or primary election, and to provide the manner in which such votes shall be cast and counted—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

FLAHERTY, Chairman.

Senate Bill No. 21 ordered on file for second reading.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 585—An act to amend section 765 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended.

On motion of Senator Benson, Assembly Bill No. 585 was passed on file.

Assembly Bill No. 11—An act to amend section 626 of the Penal Code, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 11 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, F. M., Carr, W. J., Ingram, Inman, Irwin, Johnson, King, Luce, Lyon, Maddux, Nealon, Rigdon, Rush, Scott, Shearer, Slater, Stuckenbruck, and Tyrrell—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 64—An act to amend section 626*d* of the Penal Code, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 64 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Ingram, Irwin, Johnson, King, Luce, Lyon, Nealon, Purkitt, Rominger, Rush, Scott, Shearer, Slater, Stuckenbruck, and Tyrrell—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 206—An act to amend section 1 and to repeal section 2 of an act entitled "An act granting to the city of Alameda the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Alameda, and regulating the management, use and control thereof," approved June 11, 1913.

On motion of Senator Benson, Assembly Bill No. 206 was passed on file.

Assembly Bill No. 1154—An act to provide for the adoption of textbooks for use in the public high schools of the State, and for furnishing textbooks for the use of pupils of such schools.

On motion of Senator Irwin, Assembly Bill No. 1154 was passed to retain its place on file.

Assembly Constitutional Amendment No. 21—Proposed amendment to Article XII of the Constitution, relative to poll taxes.

On motion of Senator Stuckenbruck, Assembly Constitutional Amendment No. 21 was passed on file.

Assembly Bill No. 1395—An act to amend section 147 of the Penal Code, relating to inhuman treatment of prisoners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1395 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Carr, F. M., Carr, W. J., Duncan, Flaherty, Ingram, Inman, Johnson, Kehoe, King, Luce, Lyon, Nealon, Purkitt, Rominger, Rush, Scott, Shearer, Slater, Stuckenbruck, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 546—An act prohibiting the marriage of all persons afflicted with certain diseases and requiring health certificates for marriage, requiring the posting of notice of application for a marriage license, and prescribing penalties for violations hereof.

On motion of Senator Luce, Assembly Bill No. 546 was passed on file.

Assembly Bill No. 589—An act to add a new section to the Code of Civil Procedure, to be numbered 103c, relating to justice's clerks for counties of the third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 589 passed by the following vote:

AYES—Senators Breed, Brown, Carr, F. M., Carr, W. J., Duncan, Flaherty, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, Nealon, Purkitt, Rominger, Rush, Shearer, Slater, Stuckenbruck, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 253—An act to amend section 4251 of the Political Code, relating to salaries and fees of officers of counties of the twenty-second class.

On motion of Senator Benson, Assembly Bill No. 253 was passed on file.

Assembly Bill No. 502—An act to amend section 4041 of the Political Code, relating to the general powers of board of supervisors.

On motion of Senator Benson, Assembly Bill No. 502 was passed on file.

Assembly Bill No. 973—An act to amend section 6 of an act entitled "An act concerning the waterfront of the city and county of San Francisco," approved March 15, 1878, as amended.

On motion of Senator Benson, Assembly Bill No. 973 was passed on file.

SENATOR LUCE IN THE CHAIR.

At three o'clock p.m., Senator Luce of the Fortieth District was called to the chair.

Assembly Bill No. 258—An act to provide for the organization and government of commercial waterway districts, and to provide for the acquisition or construction thereby of a system of commercial waterways within such districts and for the issuance of bonds and the payment thereof, and for levying and collecting taxes on property in such districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 258 passed by the following vote:

AYES—Senators Breed, Brown, Carr, F. M., Carr, W. J., Flaherty, Ingram, Inman, Irwin, Johnson, Kehoe, Kieg, Luce, Lyon, Nealon, Purkitt, Rush, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 574—An act to amend section 1743 of the Political Code and to repeal section 1743*a* thereof, relating to high school principals and reports.

On motion of Senator Benson, Assembly Bill No. 574 was passed on file.

Assembly Bill No. 788—An act to amend section 1055 of the Political Code, relating to publication of election proclamation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 788 refused passage by the following vote:

AYES—Senators Carr, F. M., Flaherty, Ingram, Rominger, Sharkey, Slater, and Stuckenbruck—7.

NOES—Senators Ballard, Carr, W. J., Duncan, Evans, Gates, Inman, Irwin, Kehoe, Luce, Lyon, Maddux, Nealon, Purkitt, and Thompson—14.

Assembly Bill No. 1246—An act to amend section 1096 of the Political Code and to add to the Political Code a new section to be known as section 1096*a*, all relating to affidavits of registration and to the registering or to the change in registration of political affiliation.

On motion of Senator Benson, Assembly Bill No. 1246 was passed on file.

Assembly Bill No. 1245—An act to forbid solicitation of contributions or payments from candidates for office for specified purposes; to forbid the payment or promise of payment by candidates for such purposes;

to forbid receipt of money from candidates for specified purposes; and fixing a penalty for a violation of the terms of this act.

On motion of Senator Benson, Assembly Bill No. 1245 was passed on file.

Assembly Bill No. 719—An act to add a new section to the Political Code to be numbered 4256*a*, relating to the fees and mileage of jurors in counties of the twenty-seventh class.

On motion of Senator Benson, Assembly Bill No. 719 was passed on file.

Assembly Bill No. 512—An act to amend sections 19½ and 19¾ of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years, and in certain cases providing for their care, custody and maintenance, providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons, fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes, and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915.

Bill read third time.

On motion of Senator Thompson, Assembly Bill No. 512 was passed on file.

THIRD READING OF SENATE BILLS—(ORDER OF ORDERS).

Senate Bill No. 571—An act appropriating money for the construction of a convalescent cottage for men at the Agnews State Hospital and for furnishing the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 571 passed by the following vote:

AYES—Senators Ballard, Carr, F. M., Carr, W. J., Dennis, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, Jones, Kehoe, King, Lane, Lee, Martinez, Nealon, Rominger, Rush, Sharkey, Shearer, Shaw, Stockton, Tuck, and Thompson—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 587—An act to add a new section to the Political Code to be numbered 2983, relating to the office of attorney for the State Board of Health, and repealing all acts inconsistent therewith.

On motion of Senator Kehoe, Senate Bill No. 587 was passed on file.

Senate Bill No. 448—An act to amend section 626*b* of the Penal Code, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 448 passed by the following vote:

AYES—Senators Ballard, Beban, Carr, F. M. Dennis, Evans, Fairchild, Gates, Jacobs, Jones, Jones, Johnson, King, Kline, Lane, Lyon, McDonald, Monroe, Nourse, Pulcher, Rominger, Rose, Scott, Shearer, and Stephens—[illegible].

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATE BILL No. 448—An act to amend section 4238 of the Political Code, relating to the compensation of county and township officers of counties of the ninth class, and to the number, appointment and salaries of their assistants and deputies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 238 passed by the following vote:

AYES—Senators Ballard, Beban, Carr, F. M. Dennis, Evans, Fairchild, Gates, Jacobs, Jones, Johnson, King, Kline, Lane, Lyon, McDonald, Monroe, Nourse, Pulcher, Rominger, Rose, Scott, Shearer, Stetler, Stephens, and Tyson—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Joint Resolution No. 10—Relating to the erection of a monument in the Capitol Park at Sacramento, commemorative of the soldiers, sailors and marines who have heretofore defended or may hereafter defend the nation's honor and integrity in times of war.

In the absence of the author, Senate Joint Resolution No. 10 was ordered passed, to retain its place on the file.

Senate Joint Resolution No. 16—Authorizing and requesting the Governor to appoint a commission to collect and disseminate facts as to the value and amount of commerce now carried upon the inland and coastal waterways of the State of California and the probable increase in their usefulness as carriers of commerce, if improved, and to present such data from time to time to the Board of United States Engineers and to the Congress of the United States.

SENATE JOINT RESOLUTION No. 16.

Authorizing and requesting the Governor to appoint a commission to collect and disseminate facts as to the value and amount of commerce now carried upon the inland and coastal waterways of the State of California and the probable increase in their usefulness as carriers of commerce, if improved, and to present such data from time to time to the Board of United States Engineers and to the Congress of the United States.

WHEREAS, The important and controlling factors in determining the necessity and advisability of improving the inland and coastal waterways of the United States [illegible] increase in their usefulness as carriers of commerce, if improved; and

WHEREAS, The State of California is abundantly supplied with such waterways, [illegible] and no adequate collection of data as to the volume of traffic on its waterways has been made by the State of California; and

WHEREAS, [illegible] Board of United States Engineers and to the Congress of the United States [illegible]

Resolved by the Senate and Assembly of the State of California, jointly, That the Governor of the State be, and he is hereby, requested and authorized to appoint a

commission of three or more persons to consider and determine facts as to the value and amount of commerce now carried upon the [illegible] State of California, and the probable increase in their usefulness as carriers of commerce, if improved, and that such commission be authorized, from time to time, to present such data to the board of United States Engineers and to the Congress of the United States.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 16 adopted by the following vote:

AYES—Senators Ballard, Carr, F. M. Duncan, [illegible], Inman, Irwin, Johnson, King, Luce, Lyon, Nealon, Purkitt, Rigdon, Rominger, Rush, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—23.

NOES—None.

Title read and approved.

Resolution ordered transmitted to the Assembly.

Senate Bill No. 208—An act to appropriate money to construct an assembly hall at San Jose Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 208 passed by the following vote:

AYES—Senators Ballard, Carr, F. M. Duncan, [illegible], Inman, Irwin, Johnson, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Rush, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 251—An act appropriating money for the reconstruction of ward seven, Mendocino State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 251 passed by the following vote:

AYES—Senators Ballard, Carr, F. M. Duncan, [illegible], Johnson, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Rush, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 441—An act making an appropriation for the purchase of additional lands adjoining Agricultural Park in the city of Sacramento.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 441 passed by the following vote:

AYES—Senators Ballard, Campbell, Carr, F. M. Duncan, [illegible], Inman, Irwin, Johnson, Luce, McDonald, Nealon, Purkitt, Rigdon, Rominger, Rush, Sharkey, Slater, Stuckenbruck, and Tyrrell—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 646—An act to amend section 718 of the Political Code, relating to employees of the Superintendent of the Capitol Building and Grounds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 646 passed by the following vote:

AYES—Senators Ballard, Canepa, Carr, F. M., Duncan, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, King, Luce, McDonald, Purkitt, Rigdon, Rominger, Rush, Sharkey, Stuckenbruck, and Tyrrell—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 765—An act to appropriate money to reimburse the Fish and Game Preservation Fund for compensation benefits paid out of said fund to the officers and employees of the Fish and Game Commission, while performing services arising out of and incidental to their employment.

In the absence of the author, Senate Bill No. 765 was ordered passed, to retain its place on the file.

Senate Bill No. 772—An act appropriating money for the purpose of acquiring an additional watershed for the use of the California Polytechnic School at San Luis Obispo.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 772 passed by the following vote:

AYES—Senators Ballard, Canepa, Carr, F. M., Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 899—An act to add a new section to the Political Code of the State of California, to be numbered 3700*a*, relating to salary of the secretary of the State Board of Equalization.

On motion of Senator Tyrrell, Senate Bill No. 899 was passed on file.

Senate Bill No. 1004—An act to amend sections 2, 4, 5, 9, 13, and to repeal section 11 of an act entitled "An act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California, to the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State home for United States soldiers, sailors and marines, and to provide for the government thereof by the State." (Approved March, 1907.)

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Rush moved to refer Senate Bill No. 1004 to Senator Evans, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE

On page 2, line 4, strike out the word "July" and insert in lieu thereof the word "August".

AMENDMENT NUMBER TWO.

On page 3, line 24, strike out the word "July" and insert in lieu thereof the word "August".

AMENDMENT NUMBER THREE.

On page 3, line 32, strike out the word "July" and insert in lieu thereof the word "August".

AMENDMENT NUMBER FOUR

On page 3, line 34, strike out the word "July" and insert in lieu thereof the word "August".

AMENDMENT NUMBER FIVE

On page 4, line 4, strike out the word "July" and insert in lieu thereof the word "August".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE

SENATE CHAMBER, SACRAMENTO, April 18, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 1004, with instructions to amend, respectfully reports the same back, amended as per instructions.

EVANS, Special Committee.

Report read, and, on motion of Senator Rush, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 1163—An act to appropriate money to pay the claim of Associated Oil Company against the State of California.

In the absence of the author, Senate Bill No. 1163 was ordered passed, to retain its place on the file.

Senate Bill No. 1165—An act appropriating money to pay the claim of Mr. Albert Lindley.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1165 passed by the following vote:

AYES—Senators Ballard, Canepa, Carr, F. M., Duncan, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Shearer, Slater, and Stackenbruck—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 470—An act to provide for the formation and establishment of boulevard districts; the construction, acquisition, maintenance, control and use of boulevards; defining the term boulevard; providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such boulevards; providing for a boulevard commission to have charge of the affairs of boulevard districts, and the construction, maintenance and repair of boulevards, within such districts; providing for the election of such commission, their terms of office and of elections to be held in such districts; and repealing conflicting acts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 470 passed by the following vote:

AYES—Senators Breed, Canepa, Carr, F. M., Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rush, Scott, Shearer, Stuckenbruck, and Tyrrell—24.

NOES—Senator Sharkey—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At three o'clock and forty minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Senate Bill No. 1168—An act appropriating money for the purchase of kitchen equipment for the Sonoma State Home.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1168 passed by the following vote:

AYES—Senators Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—Senator Purkitt—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1184—An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for the payment of claims and judgments together with costs and interest upon such judgments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1184 passed by the following vote:

AYES—Senators Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Evans, Flaherty, Gates, Ingram, Inman, Johnson, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Shearer, Slater, Stuckenbruck, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1185—An act appropriating money for the purchase of additional dairy cows for the Folsom State Prison.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1185 passed by the following vote:

AYES—Senators Breed, Brown, Carr, F. M., Carr, W. J., Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, King, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1159—An act to amend section 2 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys,

courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1159 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Carr, F. M., Evans, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, King, Lane, Lyon, McDonald, Merritt, Nordon, Rigdon, Rush, Scott, Sharkey, Shearer, Thompson, and Farrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1126—An act providing for the establishment and maintenance of a state nursery under the jurisdiction and management of a State Forester for the growing of stock for reforestation and the planting of trees along highways and in public places, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1126 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Carr, F. M., Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, Lane, Lyon, McDonald, Merritt, Nordon, Roninger, Rush, Scott, Slater, and Thompson—22.

NOES—Senator Purkitt—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 6—An act to regulate the preparation of plans and specifications and awarding of contracts for the erection, construction and alteration of public buildings in the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 6 passed by the following vote:

AYES—Senators Breed, Brown, Canepa, Carr, F. M., Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, Lyon, McDonald, Merritt, Nordon, Purkitt, Rigdon, Scott, Sharkey, Shearer, Slater, Stackenbruck, and Thompson—25.

NOES—Senators Benson, Carr, W. J., and Lane—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECRETARY CLIFTON E. BROOKS AT THE DESK.

REPORT OF STANDING COMMITTEE—OUT OF ORDER.

The following report of standing committee was received and read:

ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, April 18, 1917.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 1370—An act providing for the control and management

of a tract of land owned by the State of California and situated in the county of Napa, in said State, has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BROWN, Chairman.

Assembly Bill No. 1370 ordered on file for second reading.

THIRD READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 733—An act to amend section 273*h* of the Penal Code, relating to the abandonment and neglect of children and the non-support of wife.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 733 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 553—An act to grant to the city of Newport Beach the tidelands and submerged lands of the State within the boundaries of said city.

On motion of Senator Benson, Assembly Bill No. 553 was passed on file.

Assembly Bill No. 55—An act to add a new section to the Code of Civil Procedure to be numbered 1663, relating to partial distribution of estates of deceased persons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 55 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, King, Luce, Lyon, Maddux, Nealon, Rigdon, Rominger, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 545—An act to amend section 473 of the Code of Civil Procedure, relating to the time within which pleadings may be filed or amended, before or after judgment.

On motion of Senator Benson, Assembly Bill No. 545 was passed on file.

Assembly Bill No. 271—An act to amend section 1776 of the Code of Civil Procedure, relating to the expenses and compensation of guardians.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 271 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Duncan, Evans, Ingram, Inman, Irwin, Johnson, Luce, Lyon, Meddaux, Nealon, Parkett, Rominger, Rush, Sharkey, Slater, Stuckenbruck, and Tyrrell—23.
NOES—Senators Carr, W. J., and Kehoe—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 272—An act to add a new section to the Code of Civil Procedure to be numbered 1776*a*, fixing the compensation of attorneys for guardians.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 272 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Duncan, Evans, Hans, Johnson, Luce, Lyon, Meddaux, Nealon, Parkett, Rigdon, Rush, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—21.
NOES—Senators Carr, W. J., and Kehoe—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 289—An act to amend section 3 of an act entitled "An act to regulate and license the taking and catching of game fishes and to define game fish and to provide revenue therefrom for fish preservation and restoration," approved June 16, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 289 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Evans, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, Kerr, Luce, Lyon, Meddaux, Nealon, Parkett, Rigdon, Rominger, Rush, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—28.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 551—An act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 of an act entitled "An act to authorize and regulate the possession, use, transportation and sale of trout or other fish by persons engaged in the business of propagating and rearing such fish, and by persons who purchase fish so reared," approved March 17, 1911.

On motion of Senator Inman, Assembly Bill No. 551 was passed on file.

Assembly Bill No. 690—An act to amend section 634 of the Penal Code of the State of California, relating to the protection of fish.

Bill read third time.

On motion of Senator Shearer, Assembly Bill No. 690 was passed on file.

Assembly Bill No. 69—An act to amend sections 1 and 2 of an act entitled "An act relating to senior rights of members of paid police

departments of counties, cities and counties, cities or towns," approved March 23, 1907.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 69 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Caneppa, Carr, W. J., Evans, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, King, Luce, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 362—An act to amend section 626 of the Penal Code, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 362 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Caneppa, Carr, F. M., Carr, W. J., Gates, Ingram, Irwin, Johnson, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rominger, Sharkey, and Shearer—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR F. M. CARR IN THE CHAIR.

At four o'clock and thirty minutes p.m., Senator Carr, F. M., of the Thirteenth District was called to the chair.

Assembly Bill No. 89—An act to amend sections 3, 4, 5, 6, 7 and 12 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby, and for the payment of the bonds so issued," approved June 11, 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 89 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Caneppa, Carr, F. M., Carr, W. J., Duncan, Flaherty, Gates, Ingram, Irwin, Johnson, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rominger, Sharkey, and Tyrrell—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 63—An act to amend section 852 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 63 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Duncan, Gates, Ingram, Irwin, Johnson, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rominger, Sharkey, Slater, and Tyrrell—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 560—An act to amend sections 5, 68, 70 and 72 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911.

On motion of Senator Tyrrell, Assembly Bill No. 560 was passed on file.

Assembly Bill No. 1435—An act to amend the title and sections 1, 2, 3, 5 and 46 of an act entitled "An act to provide for the establishment and change of grade of public streets, lanes, alleys, courts, places and rights of way in municipalities, and providing for the improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessments for the costs, damages and expenses of such improvement, and for the payment and effect of such bonds," approved June 16, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1435 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Duncan, Gates, Ingram, Irwin, Johnson, Kehoe, King, Luce, Maddux, Nealon, Purkitt, Scott, Sharkey, Stuckenbruck, and Tyrrell—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1336—An act to authorize certain improvements upon the grounds of the California School for the Deaf and the Blind at Berkeley, California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1336 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Duncan, Gates, Ingram, Irwin, Johnson, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Scott, Sharkey, Shearer, Stuckenbruck, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 489—An act to amend sections 1, 2, 3, 4, 16, 17 and 27 of an act entitled "An act to provide for the formation, organization and government of storm water districts, for the purpose of protecting the land therein from damage from storm water and from the waters from any innavigable stream, watercourse, canyon or wash, or for the purpose of saving and conserving any storm, flood, or snow water for beneficial and useful purposes, for the construction of the necessary works of protection and conservation of such storm or flood waters by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909, and to add five new sections thereto, to be numbered 26*a*, 26*b*, 26*c*, 26*d* and 26*e*.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 489 passed by the following vote:

AYES—Senators Ballard, Benson, Brown, Canepa, Carr, F. M., Duncan, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 633—An act to amend section 602*a* of the Political Code, relating to liability reserves of insurance companies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 633 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Canepa, Carr, F. M., Duncan, Flaherty, Gates, Hans, Ingram, Irwin, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS, ETC.—(RESUMED).

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 35.

A resolution to propose to the people of the State of California to amend the constitution of said state by adding a new section to article thirteen thereof to be numbered one *b*, relating to the exemption from taxation of Young Men's Christian Association and Young Women's Christian Association properties used for association purposes.

The legislature of the State of California at its regular session commencing on the eighth day of January, one thousand nine hundred seventeen, two-thirds of all the members elected to each of the two houses of said legislature voting in favor thereof, hereby proposes to amend the constitution of said state by adding a new section to article thirteen thereof, to be numbered one *b* and to read as follows:

SEC. 1*b*. There shall be exempt from taxation all Young Men's Christian Association buildings and Young Women's Christian Association buildings, with their furniture and equipments and the lots of ground on which they stand used therewith and necessary thereto when owned by said associations; *provided*, that when any part of such property is used for any other than association purposes and a rent or

other valuable consideration is received for its use, the part so rented is subject to taxation; *provided, further*, that rented furnished rooms are to be considered used for association purposes.

Resolution read, previously.

The question being on the adoption of the resolution

The roll was called, and Assembly Constitutional Amendment No. 35 adopted by the following vote

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, W. J., Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Thompson, and Tyrrell—27.

NOES—Senators Brown, Carr, F. M., Irwin, Kehoe, Maddux, Purkitt, Shearer, and Stuckenbruck—8.

Title read and approved.

Resolution ordered transmitted to the Assembly.

MINUTE CLERK JOSEPH A. REEK AT THE DESK

MOTION TO RECONSIDER

Senator McDonald moved to reconsider the vote whereby Senate Bill No. 1138 was refused passage.

The roll was called, and the motion to reconsider the vote whereby Senate Bill No. 1138 was refused passage carried by the following vote:

AYES—Senators Brown, Canepa, Carr, F. M., Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Kehoe, Lyon, McDonald, Maddux, Nealon, Purkitt, Rush, Scott, Stuckenbruck, and Tyrrell—21.

NOES—Senators Ballard, Benson, Carr, W. J., Johnson, Jones, Luce, and Thompson—7.

Senate Bill No. 1138—An act to provide for the establishment of public medical centers for the care of the health of the children of the State of California; prescribing penalties for violations of the provisions hereof and repealing an act entitled "An act to provide for health and development supervision in the public schools of the State of California," approved April 15, 1909, and all acts and parts of acts inconsistent herewith.

Bill read third time, previously.

CALL OF THE SENATE

The roll was called on the passage of Senate Bill No. 1138.

Pending the announcement of the vote, Senator McDonald moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—34.

The Secretary announced the absentees.

Time, five o'clock and thirty minutes p.m.

The Acting President directed the Sergeant-at-Arms to close the doors.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At five o'clock and forty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator McDonald.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Senate Bill No. 1138 finally passed by the following vote:

AYES—Senators Brown, Campa, Duncan, Flaherty, Hans, Inman, Irwin, Kehoe, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, and Stuckenbruck—21.

NOES—Senators Ballard, Benson, Breed, Carr, F. M., Carr, W. J., Evans, Gates, Ingram, Johnson, Jones, King, Luce, Thompson, and Tyrrell—14.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 18, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 523—An act to amend sections 4145 and 4146 of the Political Code and to add a new section to said code, to be numbered 4146a, all relating to the duties of coroners and treasurers with reference to the disposition of property belonging to certain deceased persons;

Also: Senate Bill No. 681—An act to determine and to declare the effect of state land patents in certain cases;

Also: Senate Bill No. 879—An act relating to bank transactions after twelve o'clock noon on Saturdays;

Also: Senate Bill No. 212—An act to amend section 398 of the Code of Civil Procedure, relating to the transfer of actions in the superior court;

Also: Senate Bill No. 78—An act to add a new section to the Civil Code, to be numbered 1716, relating to negligence and the enforcement of claims against municipal corporations because of negligence in certain cases;

Also: Senate Bill No. 1000—An act to amend sections 3 and 7 of an act entitled "An act to create a levee district to be called and designated Sacramento River West Side Levee District; to prevent the overflow of flood waters from the Sacramento River from flooding on to the lands within said district by the construction of levees along the west bank of the Sacramento River and adjacent thereto and maintain the same; providing for the election and appointment of officers of said levee district; defining the powers, duties and compensation of such officers, and providing for levying and collecting assessments upon the lands within said levee district," approved May 18, 1915;

Also: Senate Bill No. 1137—An act to amend section 3366 of the Political Code, relative to the powers of boards of supervisors, city councils and town trustees, in their respective counties, cities and towns to impose a license tax;

Also: Senate Bill No. 999—An act to add a new section to an act entitled "An act to create a drainage district to be called Knight's Landing Ridge Drainage District, to promote drainage therein by the making of a cut through Knight's Landing Ridge, and the construction of a canal leading therefrom, to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds," approved April 30, 1913, to be numbered 7½, in reference to the payment of invalid assessments;

Also: Senate Bill No. 23—An act to amend section 12 of an act entitled "An act to provide for the incorporation and organization and management of municipal water districts, and to provide for the acquisition or construction by said districts of waterworks, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved May 1, 1911, as amended;

Also: Senate Bill No. 277—An act to add a new section to the Penal Code, to be numbered 636c, relating to the protection of fish and game, and providing for the

construction of fishways on dams and other artificial obstructions in the waters of this State, and providing for furnishing of plans and specifications therefor and providing penalties for a violation thereof;

Also: Senate Bill No. 768—An act to amend "An act to regulate the taking of fishing and to provide therefor [illegible] for the conservation, propagation and conservation of fish in the waters of the State of California," approved March 13, 1909;

Also: Senate Bill No. 80—An act to amend section 626c of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 61—An act to amend section 631 of the Penal Code, relating to the protection of fish;

Also: Senate Bill No. 650—An act empowering and authorizing the Board of Fish and Game Commissioners to insure against liability for accidents occurring to its employees;

Also: Senate Bill No. 123—An act to repeal Title XV of Part IV of division third of the Civil Code of the State of California and to add a new Title XV of Part IV of division third of said code in place thereof, relating to negotiable instruments, and to make the law of negotiable instruments in the State of California uniform with the law of other states;

Also: Senate Concurrent Resolution No. 22—Relative to adjournment [illegible];

Also: Senate Bill No. 608—An act to amend sections 2 and [illegible] of an act entitled "An act to prevent the introduction and provide for the eradication and suppression of contagious or infectious diseases, and appropriating money to be used for such purpose," approved June 7, 1913;

Also: Senate Bill No. 896—An act to add a new section to the Penal Code, to be numbered 109a, relating to escapes from state hospitals;

Also: Senate Bill No. 886—An act to amend section 2141 of the Political Code, relating to the powers of the Lunacy Commission;

Also: Senate Bill No. 974—An act to amend section 54 [illegible] of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," relating to the detection and suppression of banking;

Also: Senate Bill No. 443—An act to promote the drainage of [illegible] and overflowed lands, and to promote the right [illegible] in the [illegible] lie; providing for the issuance of bonds and levying of assessments on lands benefited to pay the costs and expenses thereof;

Also: Senate Bill No. 1027—An act to amend the Code of Civil Procedure by adding thereto a new section to be numbered 1128, exempting the payment of votes cast on any amendment or proposition appearing on the ballots at any election held under the initiative or referendum provisions of Article IV, section 1, of the Constitution of the State of California, or under sections [illegible] of the Charters providing for similar elections, or at any election on a proposition for incurring a bonded indebtedness or on any other proposition submitted to a vote of the electors;

Also: Senate Bill No. 163—An act to amend section 4223 of the Political Code, relating to county hospitals;

Also: Senate Bill No. 438—An act to prohibit employers or certain agents or representatives of employers from demanding or receiving any money or other consideration from an employee as a condition of employment or of continuing to perform services in such employment; and to provide for the enforcement of this act by the Commissioner of the Bureau of Labor Statistics; and to provide a penalty for the violation thereof; and to repeal an act entitled "An act to protect managers, superintendents, foremen and other persons having authority from their respective employers to hire, employ, or direct the services of other persons in such employments, to demand or receive any fee, gift or other remuneration in consideration of any such hiring, employment or permission to continue to perform work or services in such employment; and to provide for the enforcement of this act by the Commissioner of the Bureau of Labor Statistics," approved April 12, 1915;

Also: Senate Bill No. 487—An act to amend sections 2, 3, 4, 8, 11, 13 and 15 of an act entitled "An act defining mattresses, regulating the making, remaking and sale thereof; prohibiting the use of unsanitary and unsuitable materials therein; requiring that materials used shall be accurately described and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled, and making the violation of any of the provisions of this act a misdemeanor, and repealing legislation inconsistent with this act," approved June 7, 1915;

Also: Senate Bill No. 185—An act to amend section 4279 of the Political Code, relating to salaries of county officers in counties of the fiftieth class;

Also: Senate Bill No. 91—An act to prevent the providing for common use of receptacles for drinking purposes in public places, and prescribing penalties for violations thereof;

And reports that the same have been correctly enrolled, and were presented to the Governor on this eighteenth day of April, 1917, at two o'clock p.m.

STUCKENBRUCK, Acting Chairman

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 780—An act to amend section 1313 of the Civil Code, relating to restrictions on devises or bequests for charitable uses;

Also: Senate Bill No. 582—An act to amend section 678 of the Political Code, relating to notice to State Board of Control and State Treasurer of bond sales by city, county and district authorities;

Also: Senate Bill No. 677—An act to add a new section to the Civil Code, to be numbered 242, providing in certain cases for the appointment by will or deed of guardians for the person and estate, or person or estate, of insane or incompetent persons;

And reports that the same have been correctly engrossed.

CANEPA, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 1106—An act appropriating money to pay the claim of Irwin J. Muma covering the funeral expenses of John M. Eshleman—and reports that the same has been correctly re-engrossed.

CANEPA, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 966—An act to amend section 456 of the Political Code, relating to employees in the office of the State Treasurer;

Also: Senate Bill No. 810—An act providing for the enlargement of the California Redwood Park, making an appropriation for the purchase of additional land therefor, and granting power to the California Redwood Park Commission to purchase the same;

Also: Senate Bill No. 556—An act to provide for experiment and research work in the drying, canning and preservation of fruits, the handling, preparation and manufacture of fruit products and by-products;

And reports that the same have been correctly engrossed.

CANEPA, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 584—An act creating a state land settlement board and defining its powers and duties and making an appropriation in aid of its operations—and reports that the same has been correctly re-engrossed.

CANEPA, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Joint Resolution No. 16—Authorizing and requesting the Governor to appoint a commission to collect and disseminate facts as to the value and amount of commerce now carried upon the inland and coastal waterways of the State of California and the probable increase in their usefulness as carriers of commerce, if improved, and to present such data from time to time to the Board of United States Engineers and to the Congress of the United States;

Also: Senate Bill No. 551—An act to add to the Political Code a new section to be numbered 1617f, relating to the duty of school trustees and boards of education;

And reports that the same have been correctly engrossed.

CANEPA, Chairman.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 18, 1917.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 171—An act amending section 4241 of the Political Code, relating to salaries and compensation of officers in counties of the twelfth class;

Also: Assembly Bill No. 1097—An act to amend section 4249 of the Political Code, relating to county officers and their salaries and deputies; to township officers

and their compensation, and to the compensation of jurors and grand jurors in counties of the twentieth class:
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

INMAN, Chairman.

Assembly Bills Nos. 171 and 1097 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 629—An act to amend section 4300 of the Political Code, relating to the fees of county clerks—has had the same under consideration, and respectfully reports the same back, without recommendation.

INMAN, Chairman.

Assembly Bill No. 699 ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 18, 1917.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 1421—An act to amend an act entitled "An act to create a reclamation district to be called Reclamation District No. 1001, and providing for the management and control thereof, and dissolving certain levee districts, swamp land districts and reclamation districts within the boundaries of said Reclamation District No. 1001, and providing for the liquidation and winding up of said dissolved districts," approved April 8, 1911, by amending section 2 thereof so as to change the location of the office of said district—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

JONES, Chairman.

Assembly Bill No. 1421 ordered on file for second reading.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At five o'clock and forty-five minutes p. m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 755—An act to amend sections 2239, 2283, 2287 and 2289 of the Civil Code, relating to trusts.

Bill read third time, previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Kehoe moved to refer Senate Bill No. 755 to Senator Inman as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, lines 34 and 35, of the printed bill, strike out the words "and in appointing a trustee or trustees to fill a vacancy in the office of trustees".

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, strike out all of lines 22, 23 and 24, and insert in lieu thereof the following: "in every respect fit, proper, and competent."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 18, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 755, with instructions to amend, respectfully reports the same back amended as per instructions.

INMAN, Special Committee.

Report read, and, on motion of Senator Kehoe, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 853—An act to regulate and limit the amount that may be produced by tax levies in the aggregate by political subdivisions of this State, and repealing all acts and parts of acts in conflict with this act.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Benson moved to refer Senate Bill No. 853 to Senator Jones, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 5, line 15, of the printed bill, strike out the word "effected" and insert in lieu thereof the word "affected".

AMENDMENT NUMBER TWO.

On page 4, line 30, of the printed bill, after the word "which" insert a comma.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 18, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 853, with instructions to amend, respectfully reports the same back, amended as per instructions.

JONES, Special Committee.

Report read, and, on motion of Senator Benson, adopted.

Bill ordered to print, and re-engrossment.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Inman:

SENATE CHAMBER, SACRAMENTO, April 18, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2, Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act appropriating money for the purchase of boilers and additional installation to power plant at the Folsom State Prison.

Request referred to Committee on Rules.

INTRODUCTION AND FIRST READING OF BILLS, ETC. (OUT OF ORDER).

The following resolution was offered:

By Senator Sharkey: Senate Concurrent Resolution No. 27—Relative to approving two certain amendments to the charter of the city of San Rafael, County of Marin, State of California, voted for and ratified by the qualified electors of said city of San Rafael at a general municipal election held therein on the ninth day of April, 1917.

Resolution ordered to print, and re-referred to Committee on Municipal Corporations.

APPROVAL OF JOURNALS.

On motion of Senator Benson, the Senate Journals of Monday, April 2; Tuesday, April 3; Wednesday, April 4; Thursday, April 5; Friday,

April 6; Monday, April 9; Tuesday, April 10, Wednesday, April 11; Thursday, April 12; Friday, April 13, and Saturday, April 14, were approved as corrected.

ADJOURNMENT.

At six o'clock p. m., on motion of Senator Benson, the President declared the Senate adjourned.

IN SENATE

SENATE CHAMBER,

SACRAMENTO, Thursday, April 19, 1917

The Senate met at ten o'clock a m

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E Brooks at the desk

The roll was called, and the following answered to their names

Senators Ballard, Benson, Breed, Brown, Burnett, Cartwright, Carr, E. M., Carr, W. J., Chandler, Duncan, Evans, Flaherty, Gates, Hans, Hayden, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Meadows, Nourse, Parkin, Rigdon, Rominger, Rush, Scott, Shanley, Slater, Smith, Stephens, Thompson, and Tyrrell—37.

Quorum present.

PRAYER

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, April 18, 1917, its further reading was dispensed with, on motion of Senator Slater

LEAVES OF ABSENCE

Senator Crowley was, on motion of Senator Flaherty, granted leave of absence for this day.

Senator Chamberlin was, on motion of Senator Lyon, granted leave of absence for this day.

PRESENTATION OF THE PRESIDENT PRO TEMPORE.

The President pro tempore presented Hon. Newton W. Thompson of Alhambra, former President pro tempore of the Senate, who addressed the Senate.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Breed, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Hon. John L. Davie, Mayor of Oakland.

On request of Senator Breed, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. Edson F. Adams, of Oakland.

On request of Senator Slater, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. and Mrs. Maitland G. Hall, Miss Rachael Hutchinson, Miss Mary Hutchinson, Mr. and Mrs. J. Elmer Mobley, Mr. and Mrs. Ralph A. Belden and Master Belden, Mrs. Adna Hooper, Will T. Spridgen, and Captain O. L. Houts, of Santa Rosa.

On request of Senator Hans, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. C. H. Cowell of Oakland.

On request of Senator Sharkey the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Miss Catherine Burke and Miss Leatha E. Davisson of Concord.

On request of Senator Purkitt the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mrs. Thos. J. Kirk of Sacramento.

On request of Senator Rigdon, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Judge Emmet Seawell of Santa Rosa.

On request of Senator Slater, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Charles O. Dunbar, postmaster of Santa Rosa, and John M. Boyes, chief of police of Santa Rosa.

PETITIONS.

The following petitions were presented by Senator Rigdon, and ordered printed in the Journal:

SOLEDAD, CALIFORNIA, April 18, 1917.

Hon. E. S. Rigdon, State Senator, Sacramento, California.

DEAR SIR:

WHEREAS, There are many obnoxious weeds in our State that should be eradicated; and

WHEREAS, Some of our large landholders pay little or no attention to said weeds, allowing them to go to seed and infest neighboring lands; therefore be it

Resolved, By the members of Fort Romie Grange No. 358 in regular session assembled on April 7th, that we ask our representatives in the State Legislature to support Senate Bill No. 458, and especially that clause in lines 2, 3, 4, on page 10

[Seal] FORT ROMIE GRANGE No. 358.
MRS. JENNIE DUDGEON, Secretary.

Also:

At a regular meeting of Fort Romie Grange No. 358 held on April 7, 1917, the following resolution was adopted:

WHEREAS, There are bills introduced into the State Legislature looking to the payment of bounties for the destruction of certain so-called predatory birds in order that so-called game birds may be preserved; and

WHEREAS, Such expense seems to be contemplated primarily in the interests of the wealthy and leisure classes in order that the sport of gunning may be improved; and

WHEREAS, Such improvement is at the cost of the State in general and as such will increase the taxes of the farmer; and

WHEREAS, These so-called predatory birds, if anything, are friends of the farmer in that they are destructive of insects, linnets, English sparrows, rats, gophers, and the like; now therefore be it

Resolved, By Fort Romie Grange, No. 358 Patrons of Husbandry, that we are opposed in principle to the placing of such bounties upon the destruction of the so-called predatory birds.

FORT ROMIE GRANGE No. 358.
MRS. JENNIE DUDGEON, Secretary.

Also:

At a regular meeting of the Fort Romie Grange, No. 358, Patrons of Husbandry, held on April 7th, the following was unanimously adopted:

WHEREAS, The fertile lands along the Salinas River are continually being washed away during the high waters in the rainy seasons; and

WHEREAS, Many small farmers have lost their entire ranches during these floods, therefore be it

Resolved, That we, members of Fort Romie Grange No. 358, urge you, our representative in the State Legislature, to use all honorable means to get a law passed to control the flood waters of said river

[Seal] FORT ROMIE GRANGE No. 358
MRS. JENNIE DUDGEON, Secretary.

Also:

At a regular meeting of Fort Romie Grange No. 358 held on April 7th the following resolution was unanimously adopted:

WHEREAS, Assembly Bill No. 477 seeks to make elementary school districts liable for the bonded indebtedness of high school districts upon the attendance of only three pupils from such elementary districts; and

WHEREAS, Such elementary district has had no vote upon incurring said indebtedness and is not consulted or given right of protest against being included in such high school district and does not receive adequate benefit under the proposed bill therefore be it

Resolved, By Fort Romie Grange No. 358 that we urge you to vote and use your influence against Assembly Bill No. 477

FORT ROMIE GRANGE No. 358
[Seal] MRS. JENNIE DUDGEON, Secretary.

MESSAGES FROM THE ASSEMBLY

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 294—An act appropriating money for repairs and improvements to buildings, structures and equipment at the San Quentin State Prison.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 294 ordered to enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 655—An act to amend section 348 of the Code of Civil Procedure, relating to the limitation of time within which to bring actions where money is deposited in a bank;

Also: Senate Bill No. 1157—An act defining henceforth the exterior boundaries of Reclamation District No. 108, situate partly in the counties of Colusa and Yolo, and providing for the liquidation of the affairs of Reclamation District No. 108, as it now exists, its exterior boundaries being described in that certain act of the Legislature, approved May 18, 1915, and approving the acts and proceedings of the said district, as defined in the said act of May 18, 1915, and the board of trustees thereof, and providing for the continuation in office of the present trustees of said district, and for the election and qualification of their successors, and providing that in the management and control of the affairs of said Reclamation District No. 108, as defined in this act, that it is subject to the provisions of the Political Code of the State of California, and to all of the laws of the State, except as provided in the said act, in connection with the issuance and payment of warrants and the payment of assessments, providing that all moneys of the said district shall be paid and deposited with the county treasurer of Colusa County, and conferring jurisdiction upon the board of supervisors of the county of Colusa as to all matters concerning said district, and providing also for the management and control and administration of the affairs of said district;

And respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 655 and 1157 ordered to unfinished business.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 328—An act to amend section 1551 of the Political Code, relating to the reporting of attendance by superintendents of schools;

Also: Senate Bill No. 329—An act to amend section 1735 of the Political Code, relating to the lapsing of high schools and high school districts;

Also: Senate Bill No. 944—An act to add a new section to the Political Code, to be numbered 1675a, relating to the change of name of school districts and the manner of making such change and to repeal "An act to provide for the change of

name of school districts and the manner of making such change," approved March 16, 1903;

Also: Senate Bill No. 945—An act to add a new section to the Political Code, to be numbered section 1670, relating to the school year, and school month, and to repeal section 1697 of the Political Code, relating to the school month, and section 1878 of the Political Code, relating to the school year;

Also: Senate Bill No. 375—An act to amend section 635 of the Penal Code, relating to the pollution of streams and the use of explosives in streams and public waters;

Also: Senate Bill No. 898—An act to amend section 1 of an act entitled "An act to provide for the asexualization of inmates of state hospitals for the insane, the Sonoma State Home, of convicts in the state prisons, and of idiots, and repealing an act entitled 'An act to permit asexualization of inmates of the state hospitals and the California Home for the Care and Training of Feeble-Minded Children and of convicts in the state prisons,' approved April 26, 1909," approved June 13, 1913;

Also: Senate Bill No. 897—An act to amend section 2187 of the Political Code, relating to the transfer of patients from one state hospital to another.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 328, 329, 944, 945, 375, 898 and 897 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Constitutional Amendment No. 51—A resolution to propose to the people of the State of California an amendment to the constitution by amending section 24 of Article IV, relating to the form of legislative measures;

Also: Assembly Joint Resolution No. 7—Accepting temporary jurisdiction over a certain portion of the Presidio of San Francisco military reservation of the United States during its occupancy by the Panama Pacific International Exposition Company and its successors in interest under a certain grant from the secretary of war.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Constitutional Amendment No. 51 read first time, and referred to Committee on Constitutional Amendments.

Assembly Joint Resolution No. 7 read first time, and referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 146—An act to amend section 2302 of the Political Code of the State of California, relating to the salary of the State Librarian;

Also: Assembly Bill No. 1352—An act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace;

Also: Assembly Bill No. 1167—An act to amend section 626*i* of the Penal Code, relating to the limit of deer that may be killed;

Also: Assembly Bill No. 1457—An act to add a new section to the Penal Code, to be numbered 537*d*, relating to the defrauding of garage keepers, dealers in automobiles, and repairmen;

Also: Assembly Bill No. 999—An act to add a new section to the Political Code to be numbered 1617½, relating to the sale or leasing of school property by boards of education, or other governing boards of city school districts and city high school districts, having a total average daily attendance exceeding fifty-five thousand, of real property unoccupied by any public school;

Also: Assembly Bill No. 1437—An act to add a new section to the Penal Code, to be numbered 246*a*, relating to assaults with deadly weapons, committed by inmates of county jails.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 146 read first time, and referred to Committee on Finance.

Assembly Bill No. 1352 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1167 read first time and referred to Committee on Fish and Game.

Assembly Bill No. 1457 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 999 read first time, and referred to Committee on Education.

Assembly Bill No. 1437 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1917

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 604—An act authorizing the board of trustees of the Whittier State School to maintain a department for the medical diagnosis of inmates of the school and other state institutions, and to classify into the causes and consequences of delinquency and mental deficiency, and related problems;

Also: Assembly Bill No. 622—An act to add a new section to the Penal Code, to be numbered 1673a, relating to the maximum boundary of prisons which may constitute a class;

Also: Assembly Bill No. 1455—An act to amend section 718 of the Civil Code, relating to limits of certain leases;

Also: Assembly Bill No. 614—An act to amend sections 1 and 4 of an act entitled "An act to amend an act entitled 'An act to provide for the burial of ex-Union soldiers, sailors and marines in this State who may hereafter die without leaving sufficient means to defray burial expenses,' approved March 15, 1889, and to extend the operation of said act to all honorably discharged soldiers, sailors and marines who served in the Army and Navy of the United States," approved March 23, 1901, as amended;

Also: Assembly Bill No. 1378—An act to amend section 1617 of the Political Code, relating to kindergartens;

Also: Assembly Bill No. 779—An act to amend section 1365, relating to the administration of the estate of a person dying intestate.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 604 read first time, and referred to Committee on Education.

Assembly Bill No. 622 read first time, and referred to Committee on Education.

Assembly Bill No. 1455 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 614 read first time, and referred to Committee on Military Affairs.

Assembly Bill No. 1378 read first time, and referred to Committee on Education.

Assembly Bill No. 779 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1917

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 459—An act to amend an act entitled "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an act entitled 'An act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof,' which became a law under the provisions of the Constitution of the State of California without the Governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act or supplementary thereto," approved June 6, 1913, by amending section 6 of said act;

Also: Assembly Bill No. 1450—An act to authorize and empower the board of

managers of the Agnews State Hospital to grant, under the conditions herein provided, to the Southern Pacific Railroad Company, a corporation, a right of way and easement for the purpose of constructing, maintaining and operating an industrial spur track over, along and upon a strip of land situate in the county of Santa Clara and belonging to the State of California;

Also: Assembly Bill No. 1303—An act to amend section 4078 of the Political Code, relating to when claimant may sue;

Also: Assembly Bill No. 56—An act amending section 737 of the Political Code, relating to the salaries of superior judges;

Also: Assembly Bill No. 593—An act to amend section 28½ of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 459 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1450 read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 1303 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 56 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 593 read first time, and referred to Committee on Irrigation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 276—An act to amend section 1646 of the Code of Civil Procedure, relating to the payment by an executor or administrator of the funeral expenses of a last illness of a decedent;

Also: Assembly Bill No. 1343—An act to amend an act entitled "An act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter, and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section 17 of an act approved March 4, 1897, entitled 'An act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor,' and to repeal all acts and parts of acts inconsistent with this act," approved April 21, 1911, and the act amendatory thereof, approved May 4, 1915, by amending sections 2, 35, and 42 thereof; by repealing sections 25, 26, and 27 thereof, by adding thereto a new section to be numbered 1a, relating to the cleansing and sterilization of empty milk, cream or ice cream containers before returning the same to the consignor; and by adding three new sections thereto to be numbered 25, 26 and 27, relating to and providing for the uniform manner of sampling, weighing and testing milk, cream and butter fat, and providing for the use of standard glassware for testing and weighing milk, cream, and butter fat and providing for licensing creameries and testers, and providing for punishment for violations of the same;

Also: Assembly Bill No. 360—An act to amend section 626q of the Penal Code.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 276 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1343 read first time, and referred to Committee on Agriculture.

Assembly Bill No. 360 read first time, and referred to Committee on Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 17 passed Assembly Bill No. 1419—An act authorizing the use of convict labor on county highways, regulating the handling of such labor, authorizing extra good time allowance; and providing penalties for interference.

B. O. BOOTHBY, Chief Clerk of Assembly
By M. STERN, Assistant Clerk.

Assembly Bill No. 1419 read first time, and referred to Committee on Roads and Highways.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 559—An act to amend sections 2 and 3 of an act entitled "An act for the preservation of the public health of the people of the State of California and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907, amended April 1, 1911, June 13, 1913, so as to prevent the maintenance of sewer farms or the making of any addition or modification in sewage works, plant, place or manner of disposal without a permit from the State Board of Health and to prevent the creation of nuisance by said works or disposal.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FIVE HUNDRED FIFTY-NINE.

AMENDMENT NUMBER ONE.

On page 5, line 28, of the printed bill, after the word "nuisance" strike out the period and insert a semicolon and the words "and provided, also, that nothing contained in this act shall be construed as limiting or denying the power of any incorporated city, city and county, town or village to declare, prohibit and abate nuisances, or as limiting or denying the power of the state board of health to declare or abate nuisances."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 559?

The roll was called, and Assembly amendment to Senate Bill No. 559 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Flaherty, Gates, Irwin, Kehoe, King, Lyon, Maddux, Nealon, Parkitt, Sharkey, Shearer, Slater, and Stuckenbruck—21.

NOES—None.

Senate Bill No. 559 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 19, 1917.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 465—An act making an appropriation to pay the claim of W. F. Cowan against the State of California;

Also: Senate Bill No. 564—An act making an appropriation to pay the claim of Petaluma and Santa Rosa Railway Company, a corporation, against the State of California;

Also: Senate Bill No. 700—An act appropriating $1,500 for the restoration and rebuilding of the two old bastions and the old entrance gate and portions of the stockade, and for repairs to existing buildings on the property of the State at Fort Ross, Sonoma County, California;

Also: Senate Bill No. 859—An act to authorize the Board of State Harbor Commissioners of San Francisco Harbor to pay the claim of the Fidelity and Deposit Company of Maryland;

Also: Senate Bill No. 1191—An act appropriating money for the purchase and installation of boilers for the Veterans' Home;

Also: Senate Bill No. 1194—An act making an appropriation for repairs and improvements on the San Francisco State Normal School;

Also: Senate Bill No. 1195—An act creating a cash revolving fund for the use of the California Irrigation Board and making an appropriation therefor;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

CHANDLER, Chairman.

Senate Bills Nos. 465, 564, 700, 859, 1191, 1194, and 1195 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 109—An act making an appropriation to pay any assessment that may be imposed against the State of California under the provisions of an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California";

Also: Senate Bill No. 762—An act appropriating the sum of $40,000 to defray the expenses, during the sixty-ninth and seventieth fiscal years of organizing, controlling, equipping, instructing and maintaining high school cadet companies in the State of California, and for promoting rifle practice in said companies and to further carry out the purposes of an act entitled "An act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of $5,000 therefor," approved April 5, 1911;

Also: Senate Bill No. 847—An act to provide for the assessment, levy and collection of taxes for the support of the state government for the sixty-ninth and seventieth fiscal years;

Also: Senate Bill No. 917—An act to provide for the celebration of the national memorial reunion and peace jubilee at Vicksburg, Mississippi, appointing a commission in connection therewith; and making an appropriation therefor;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

CHANDLER, Chairman.

Senate Bills Nos. 109, 762, 847, and 917 ordered on file for second reading.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 19, 1917.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 880—An act to amend section 637*a* of the Penal Code, relating to the killing of birds other than game;

Also: Assembly Bill No. 1463—An act to amend an act entitled "An act to regulate the issuance of licenses for resale to hunters and anglers," approved May 20, 1915, relating to the sale of hunting and fishing licenses, and providing for the execution of bonds by the persons selling the same and the payment of the premiums thereon;

Has had the same consideration, and respectfully reports the same back and recommends that they do pass.

SLATER, Chairman.

Assembly Bills Nos. 880 and 1463 ordered on file for second reading.

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, April 18, 1917.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 968—An act to incorporate standard provisions in policies of accident and health insurance, to prevent discriminations in connection therewith, and to prescribe penalties for violations of the provisions hereof;

Also: Assembly Bill No. 911—An act adding a new section to the Civil Code, to be numbered 2767, relating to the disposition by the beneficiary of his interest under a policy of life insurance;

Also: Assembly Bill No. 1448—An act to amend section 421 of the Civil Code, relating to investments by insurance companies;

Has had the same under consideration, and respectfully reports the same back and recommends that the same do pass.

SHEARER, Acting Chairman.

Assembly Bills Nos. 968, 911, and 1448 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on [illegible] to which was referred Assembly Bill No. 608—An act to amend sections 7, 8, 10 and 19 [illegible] and entitled "An act to provide for the organization and management of [illegible] companies," approved April 1, 1897, and [illegible] section thereto to be numbered 18[illegible] [illegible] the same under consideration and respectfully reports the same back and recommends that it do pass.

SHEARER, Acting Chairman.

Assembly Bill No. 608 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 18, 1917.

MR. PRESIDENT: Your Committee on Education, to which was assigned Senate Bill No. 395—An act to amend section [illegible] of the Penal Code—[illegible] the same under consideration and respectfully returns the same back with [illegible] and recommends that same do pass, as amended.

GATES, Chairman.

Senate Bill No. 395 ordered on file for second reading.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE FILES.

Senate Bill No. 761—An act to repeal sections 1929 and 2027 of the Political Code, and to amend sections 1918, 1919, 1924, 1925, 1926, 1927, 1928*a*, 1928*b*, 1928*d*, 1929, 1930, 1931, 1932, 1932½, 1933, 1934, 1951, 1953, 1954, 1955, 1956, 1957, 1958, 1960, 1980, 1982, 2006, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2026, 2086, 2107, 2111 and 2112 of the Political Code, all relating to the National Guard of the State of California.

In the absence of the author, Senate Bill No. 761 was ordered passed, to retain its place on the file.

Senate Bill No. 640—An act to amend section 9 of an act entitled "An act relating to hotels, defining the same, providing regulations in connection therewith, providing for the sanitation, of the rooms of such hotels, providing for the sanitary method and manner of keeping, handling and using bedclothes or bed covering in such hotels, repealing all acts or parts of acts in conflict with this act, providing for its enforcement by the State Board of Health, and providing a penalty for the violation of any of its provisions," approved April 26, 1915.

In the absence of the author, Senate Bill No. 640 was ordered passed, to retain its place on the file.

Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending section 1 of Article IV thereof, relating to legislative powers, and reserving to the people of the State of California the power to propose laws, statutes and amendments to the Constitution and to enact the same at the polls, independent of the Legislature, and also reserving to the people of the State of California the power to approve or reject at the polls any act or section or part of any act of the Legislature.

In the absence of the author, Senate Constitutional Amendment No. 5 was ordered passed, to retain its place on the file.

Senate Bill No. 176—An act adding a new section to the Political Code to be numbered 3245*a*, relating to hours of labor of females employed in State hospitals.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 176 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Evans, Flaherty, Gates, Hans, Ingram, Inman, Jones, Kehoe, King, Luce, Lyon, Nealon, Purkitt, Rigdon, Rush, Sharkey, Shearer, Slater, and Stuckenbruck—22.

NOES—Senator Maddux—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 869—An act to amend section 4 of an act entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled 'An act to promote the better education and practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the board of regents of the University of California, and to provide penalties for violation thereof,'" approved June 12, 1913, as amended.

On motion of Senator Sharkey, Senate Bill No. 869 was passed on file.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 19, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 928—An act to amend an act entitled "An act regulating the employment and hours of labor of children; prohibiting the employment of minors under certain ages; prohibiting the employment of certain illiterate minors; providing for the enforcement thereof by the Commissioner of the Bureau of Labor Statistics and providing penalties for the violation hereof," approved February 20, 1905, as amended by an act approved April 14, 1911, as further amended by an act approved June 2, 1913, as further amended by an act approved June 5, 1915;

Also: Senate Bill No. 93—An act to amend sections 2, 6, 17, 32 and 43 of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a state superintendent of weights and measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, and known as the "weights and measures act," and amended June 8, 1915, and to add a new section thereto to be designated 32*a*, regulating sales and providing penalties;

Also: Senate Bill No. 399—An act appropriating money to complete the construction of the trail in the Sierra Nevada mountains known as the "John Muir Trail" and laterals therefrom;

Also: Senate Bill No. 905—An act to add three new sections to an act entitled "An act relating to immigrants and immigration, creating a commission of immigration and housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, providing for the investigation by said commission of all things affecting immigrants, and for the care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof," approved June 12, 1913, as amended, to be numbered 15, 16 and 17, **and making an appropriation to carry out the provisions hereof;**

Also: Senate Bill No. 566—An act to amend section 1233 of the Political Code, **relating to officers and salaries in counties of the fourth class;**

Also: Senate Bill No. 378—An act making an appropriation for the construction and equipment of buildings for the San Francisco State Normal School, upon the real property heretofore acquired and now owned by the state as a site for said normal school;

Also: Senate Bill No. 716—An act to define real estate brokers, agents, salesmen, solicitors, to provide for the regulation, supervision, and licensing thereof, to create **the office of real estate commissioner and making an appropriation therefor;**

And reports that the same have been correctly engrossed.

STUCKENBRUCK, Acting Chairman.

Also:

MR. PRESIDENT—Your Committee on Engrossment and Enrollment has examined the following

Senate Bill No. 440—An act requiring all buildings which are required to be equipped with fire escapes to have ladders or drop ladders attached thereto.

Also: Senate Bill No. 645—An act to amend an act entitled "An act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain acts a felony and repealing an act entitled 'An act creating a commissioner of public works, defining his duties and powers and fixing his compensation,' approved February 9, 1900, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897; also repealing an act entitled 'An act providing for the appointment of an auditing board to the commissioner of public works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this act,' approved March 17, 1897, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to provide for the appointment, duties and compensation of a levees commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such commissioner,' approved March 24, 1893, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this act,' approved April 1, 1897, and all acts or parts of acts amendatory thereof," approved March 11, 1907, and all acts or parts of acts amendatory thereof, by amending sections 1, 9, 10, 13, and 16 thereof, relating to the officers and employees of the department of engineering, their powers, duties and salaries, and by repealing section 1½ thereof;

And reports that the same have been correctly re-engrossed.

STUCKENBRUCK, Acting Chairman.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 587—An act to add a new section to the Political Code to be numbered 2983, relating to the office of attorney for the State Board of Health, and repealing all acts inconsistent therewith.

On motion of Senator Kehoe, Senate Bill No. 587 was passed on file.

Senate Bill No. 928—An act to amend an act entitled "An act regulating the employment and hours of labor of children; prohibiting the

employment of minors under certain ages; prohibiting the employment of certain illiterate minors; providing for the enforcement thereof by the Commissioner of the Bureau of Labor Statistics and providing penalties for the violation hereof," approved February 20, 1905, as amended by an act approved April 14, 1911, as further amended by an act approved June 2, 1913, as further amended by an act approved June 5, 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 928 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, W. J. Chandler, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, Kelso, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Sharkey, Slater, Stockenbruck, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 754—An act to amend section 1 of an act entitled "An act creating an advisory pardon board, defining and prescribing the powers and duties thereof; and making an appropriation therefor," approved May 18, 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 754 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, W. J. Chandler, Evans, Flaherty, Gates, Hans, Duncan, Irwin, Johnson, Kelso, King, Luce, Lyon, Maddux, Nealon, Rigdon, Rominger, Rush, Sharkey, Slater, Stockenbruck, Thompson, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 899—An act to add a new section to the Political Code of the State of California, to be numbered 3700a, relating to salary of the secretary of the State Board of Equalization.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 899 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, W. J. Chandler, Evans, Flaherty, Gates, Hans, Ingram, Duncan, Johnson, Kelso, King, Luce, Lyon, Maddux, Nealon, Rigdon, Rush, Sharkey, Slater, Stockenbruck, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 93—An act to amend sections 2, 6, 17, 32 and 43 of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of

goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; providing penalties for the violation of the provisions of this act, for the admission in evidence of copies of the State's standard of weights and measures, providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a state superintendent of weights and measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers and making an appropriation to carry this act into effect," approved June 16, 1913, and known as the "Weights and Measures Act" and amended June 8, 1915, and to add a new section thereto to be designated 32*a*, regulating sales and providing penalties.

Bill read third time.

The question being on the passage of the bill,

The roll was called, and Senate Bill No. 93 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Jones, Kelsey, King, Lane, Lyon, Maddux, Nealon, Rominger, Rush, Sharkey and Thompson—24.

NOES—Senators Purkitt, Shearer and Stuckenbruck—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 905—An act to add three new sections to an act entitled "An act relating to immigrants and immigration, creating a commission of immigration and housing, providing for the employment by said commission of secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, providing for the investigation by said commission of all things affecting immigrants, and for the care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof," approved June 12, 1913, to be numbered sections 15, 16 and 17, and making an appropriation to carry out the provisions hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 905 passed by the following vote:

AYES—Senators Ballard, Breed, Carr, F. M., Carr, W. J., Evans, Flaherty, Gates, Hans, Ingram, Inman, Jones, Kelsey, King, Lane, Lyon, Maddux, Nealon, Rominger, Rush, Sharkey, Stuckenbruck, and Thompson—22.

NOES—Senators Purkitt, and Shearer—2.

NOTICE OF MOTION TO RECONSIDER.

Senator Stuckenbruck gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 905 was passed.

Senate Bill No. 966—An act to amend section 456 of the Political Code of the State of California, relating to employees in the office of the State Treasurer.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 966 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, F. M., Carr, W. J., Chandler, Evans, Gates, Hans, Ingram, Inman, Johnson, Jones, King, Luce, Maddux, Nealon, Rigdon, Rominger, Rush, Sharkey, and Tyrrell—22.

NOES—Senators Purkitt, and Shearer—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

MINUTE CLERK JOSEPH A. BEEK AT THE DESK.

Senate Bill No. 505—An act relating to the liability in damages of the officers of towns, cities, cities and counties, counties and of the State of California for injuries to person or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, and repealing acts in conflict herewith.

Bill read third time.

CALL OF THE SENATE.

The roll was called on the passage of Senate Bill No. 505.

Pending the announcement of the vote, Senator Carr, W. J., moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Thompson, and Tyrrell—28.

The Secretary announced the absentees.

Time, eleven o'clock and forty minutes a.m.

The President pro tempore directed the Sergeant-at-Arms to close the doors.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At twelve o'clock and ten minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Carr, W. J.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Senate Bill No. 505 refused passage by the following vote:

AYES—Senators Ballard, Benson, Brown, Carr, F. M., Carr, W. J., Chandler, Evans, Gates, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Rominger, Rush, Stuckenbruck, and Tyrrell—20.

NOES—Senators Breed, Duncan, Flaherty, Hans, Ingram, Inman, Irwin, Purkitt, Rigdon, Scott, Sharkey, Shearer, Slater, and Thompson—14.

REPORTS OF STANDING COMMITTEE—(OUT OF ORDER).

The following reports of standing committee were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 19, 1917.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1241—An act to amend section 3881 of the Political Code;

Also: Assembly Bill No. 1328—An act authorizing suit against the State of California concerning certain real property and regulating the procedure thereof.
Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

KEHOE, Chairman.

Assembly Bills Nos. 1241 and 1328 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 94—An act to amend section 3 of an act entitled "An act to establish a state training school for girls, to provide for the maintenance and management of the same and to make an appropriation therefor," approved June 14, as amended, and to provide penalties for permitting or aiding escapes from such school and for concealing inmates thereof, and providing for the arrest of fugitives therefrom—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to Committee on Finance.

KEHOE, Chairman.

Assembly Bill No. 94 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 1193—An act to add a new section to the Civil Code to be numbered 320, relating to liability for unpaid par value of capital stock of corporations—has had the same under consideration, and respectfully reports the same back and recommends that it do not pass.

KEHOE, Chairman.

Senate Bill No. 1193 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 296—An act to amend section 660 of the Code of Civil Procedure, relating to time of hearing motion for new trial.

Also: Assembly Bill No. 1452—An act to amend section 321a of the Civil Code relating to the change of the principal place of business by a corporation.

Also: Assembly Bill No. 781—An act to amend section 602 of the Penal Code, prescribing a penalty for malicious injury to real property.

Also: Assembly Bill No. 1397—An act to standardize lime barrels;

Also: Senate Bill No. 1189—An act to amend section 2024 of the Code of Civil Procedure, relating to taking depositions out of the State;
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Assembly Bills Nos. 296, 1452, 781, and 1397 and Senate Bill No. 1189 ordered on file for second reading.

SENATOR TYRRELL IN THE CHAIR.

At twelve o'clock and twenty minutes p.m., Senator Tyrrell of the Sixteenth District was called to the chair.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 566—An act to amend section 4233 of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 566 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, F. M., Carr, W. J., Duncan, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon,

Nealon, Purkitt, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1106—An act appropriating money to pay the claim of _____ covering the funeral expenses of John M. Eshleman.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1106 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, W. J., Duncan, Evans, Gates, Haus, Ingram, Inman, Irwin, Johnson, Jones, Luce, Lyon, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 584—An act creating a State Land Settlement Board and defining its powers and duties and appropriating the sum of $260,000 in aid of its operations.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 584 passed by the following vote:

AYES—Senators Benson, Breed, Carr, W. J., Duncan, Evans, Flaherty, Gates, Haus, Ingram, Inman, Irwin, Jones, Kehoe, Luce, Lyon, Nealon, Rigdon, Rush, Scott, Sharkey, Slater, and Tyrrell—22.

NOES—Senator Ballard—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 399—An act appropriating money to complete the construction of the trail in the Sierra Nevada Mountains known as the "John Muir Trail" and laterals therefrom.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 399 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, W. J., Evans, Flaherty, Gates, Ingram, Inman, Irwin, Jones, Kehoe, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

LEAVE OF ABSENCE.

At twelve o'clock and thirty minutes p.m., Senator Rush was granted leave of absence for the balance of this legislative day.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., the hour of recess was extended until twelve o'clock and forty-five minutes p.m.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 551—An act to add to the Political Code a new section to be numbered 1617f, relating to the duty of school trustees and boards of education.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 551 passed by the following vote:

AYES—Senators Ballard, Breed, Brown, Cart, F. M., Cart, W. J., Duncan, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kelly, King, Lane, Lyon, Nealon, Rigdon, Rominger, Scott, Sharkey, and Tyrrell—22.

NOES—Senators Benson, Inman, Irwin, Maddux, Parkin, Shearer, and Stuckenbruck—7.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Senator Jones gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 551 was passed.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1090—An act to amend sections 1, 2, 3, 6, 7, 12, 15 and 16 of an act entitled "An act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911, as amended.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1090 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Cart, F. M., Cart, W. J., Chandler, Duncan, Flaherty, Gates, Hans, Ingram, Jones, Kelly, King, Lane, Lyon, Maddux, Nealon, Scott, Sharkey, Shearer, Slater, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 19, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 816—An act to amend section 3 of an act entitled "An act relating to explosives and prescribing regulations for the transportation, storage and selling of explosives, and providing penalties for the violation of this act," in effect March 21, 1911, and known as Chapter 213, Statutes of 1911, and to repeal section 11 of said act—and reports that the same has been correctly re-engrossed.

STUCKENBRUCK, Acting Chairman.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 19, 1917.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 593—An act to amend section 28½ of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the

acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended;

Also: Assembly Bill No. 1197—An act amending an act entitled "An act to provide for the incorporation and organization and management of county water districts and to provide for the acquisition of water rights or the construction thereby of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, by adding thereto a new section to be numbered 28 providing for the exclusion from any county water district formed under said act of territory not served by such county water districts;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

MADDUX, Chairman.

Assembly Bills Nos. 593 and 1197 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 126—An act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered 534, relating to actions concerning water rights—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

MADDUX, Chairman.

Assembly Bill No. 126 ordered on file for second reading.

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, April 19, 1917.

MR. PRESIDENT—Your Committee on Military Affairs, to which was referred Assembly Bill No. 614—An act to amend sections 1 and 4 of an act entitled "An act to amend an act entitled 'An act to provide for the burial of ex-Union soldiers, sailors and marines in this state who may hereafter die without leaving sufficient means to defray burial expenses,' approved March 15, 1889, and to extend the operation of said act to all honorably discharged soldiers, sailors and marines who served in the army and navy of the United States," approved March 23, 1901, as amended—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

SCOTT, Chairman.

Assembly Bill No. 614 ordered on file for second reading.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., the hour of recess was extended until twelve o'clock and fifty minutes p.m.

RECESS.

At twelve o'clock and fifty minutes p.m., on motion of Senator Benson, the Acting President declared the Senate at recess until the hour of three o'clock and fifteen minutes p.m.

RECONVENED.

At three o'clock and fifteen minutes p.m., the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1428—An act to amend section 331 of the Penal Code, relating to gambling in houses owned or rented.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1370—An act providing for the sale or exchange of a tract of land owned by the State of California and situated in the county of Napa, in said State, and the purchase of land for the "California State Reformatory," and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 171—An act amending section 4241 of the Political Code, relating to county officers, and their salaries and deputies, of the twelfth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1097—An act to amend section 4249 of the Political Code, relating to county officers, and their salaries and deputies, to township officers and their compensation, and to the compensation of jurors and grand jurors in counties of the twentieth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 699—An act to amend section 4399a of the Political Code, relating to the fees of county clerks.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1421—An act to amend an act entitled "An act to create a reclamation district to be called Reclamation District No. 1001, and providing for the management and control thereof, and dissolving certain levee districts, swamp land districts, and reclamation districts within the boundaries of said Reclamation District No. 1001, and providing for the liquidation and winding up of said dissolved districts," approved April 8, 1911, by amending section 2 thereof so as to change the location of the office of said district.

Bill read second time, and ordered on file for third reading.

MESSAGES FROM THE ASSEMBLY—OUT OF ORDER.

On motion of Senator Benson, the following messages from the Assembly were taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1917.

MR. PRESIDENT—I am directed to inform your honorable body that the Assembly on April 16th passed Assembly Bill No. 160—An act to add a new section to the Code of Civil Procedure, to be numbered 529, relating to the time of commencing actions based upon a claim of riparian rights.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 160 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1917.

MR. PRESIDENT—I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 648—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 13, 15, 17, 20, 21, 22, 23, 24, 26, 27, 28, 32, 34, 35 and 37 of the Vehicle Act, approved May 10, 1915, and to repeal sections 10, 18 and 33 thereof, relating to the registration of vehicles operating on the public highways and the registration and identification thereof;

Also, Assembly Bill No. 966—An act to amend section 309 of the Civil Code, relating to dividends of corporations.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 648 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 966 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 21—Relative to preventing the exhibition of motion pictures that tend to promote race hatred.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Concurrent Resolution No. 21 read, and referred to Committee on Public Morals.

SECOND READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 21—An act to provide for the issuance of identification certificates and official ballots to duly registered voters, to enable voters to whom such certificates and ballots have been issued to cast their votes wherever they may be within the State of California, on the day of any general or primary election, and to provide the manner in which such votes shall be cast and counted.

Bill read second time, ordered engrossed, and on file for third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following reports of standing committee were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 18, 1917.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 919—An act appropriating money to pay the claim of Mark Woetmer against the State of California, has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

CHANDLER, Chairman.

Senate Bill No. 919 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1917.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 761—An act to repeal sections 1959 and 2027 of the Political Code, and to amend sections 1918, 1919, 1924, 1925, 1926, 1927, 1928*a*, 1928*b*, 1928*d*, 1929, 1930, 1931, 1932, 1932½, 1933, 1934, 1951, 1953, 1954, 1955, 1956, 1957, 1958, 1960, 1980, 1982, 2006, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2026, 2086, 2107, 2111, and 2112, of the Political Code, all relating to the National Guard of the State of California—has had the same under consideration, and recommends that the same be referred to a Special Committee of One, to be amended as follows:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, in line 5 of the title, strike out the words "two thousand eighty-six".

AMENDMENT NUMBER TWO.

On page 5 of the printed bill, in line 12, strike out the word "four" and insert in lieu thereof the word "three"; also strike out the words "one auditor and four stenographers" and insert in lieu thereof the words "and one stenographer and clerk".

AMENDMENT NUMBER THREE.

On page 5, in line 14, after the comma following the word "storekeeper", insert the word "and"; also strike out the comma following the word "porter" in line 15, and insert in lieu thereof a period; also strike out the balance of line 15.

AMENDMENT NUMBER FOUR.

On page 5, strike out all of line 16.

AMENDMENT NUMBER FIVE.

On page 20, strike out all of lines 19 to 38, inclusive.

AMENDMENT [illegible]

On page 21, strike out lines 1, 2 and 3.

AMENDMENT [illegible]

On page 22, line 11, strike out the words "of" and insert in lieu thereof the words "one or more".

AMENDMENT [illegible]

On page 22, line 12, strike out the words "[illegible]" and insert in lieu thereof the word "to [illegible]".

CHANDLER, Chairman.

APPOINTMENT OF SPECIAL COMMITTEE OF ONE.

Whereupon the President appointed Senator Chandler a Special Committee of One to amend Senate Bill No. 761 in accordance with the above report.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 19, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 761, with instructions to amend, respectfully reports [illegible] as per instructions.

CHANDLER, Special Committee.

Report read, and, on motion of Senator Chandler, adopted.

Bill ordered to print, and re-engrossed.

SECOND READING OF SENATE BILLS—(OUT OF ORDER).

Senator Carr, W. J., moved that the Senate take up, for second reading, Senate bills previously reported from committees this day.

Senate Bill No. 465—An act making an appropriation to pay the claim of W. F. Cowan against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 564—An act making an appropriation to pay the claim of Petaluma and Santa Rosa Railway Company, a corporation, against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 700—An act appropriating [illegible] thousand five hundred dollars for the restoration and rebuilding of the two-old lookouts and the old entrance gate and portions of the seawalls, and for repairs to existing buildings on the property of the State at Fort Ross, Sonoma County, California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 859—An act to authorize the Board of State Harbor Commissioners of San Francisco harbor to pay the claim of the Fidelity and Deposit Company of Maryland.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1191—An act appropriating money for the purchase and installation of boilers for the Veterans' Home.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1195—An act creating a cash revolving fund for the use of the California Irrigation Board and making an appropriation therefor.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 109—An act making an appropriation to pay any assessment that may be imposed against the State of California under

the provisions of an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California."

COMMITTEE AMENDMENTS.

During second reading of bill the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line [illegible] of the title, strike out the period following the word "California" and insert in lieu thereof a semicolon and add the following: "approved April [illegible], 1917; to pay the share of the State of California under any agreement or agreements with the United States government for cooperative work in the construction, improvement or maintenance of highways useful for military purposes and authorizing the state department of engineering to enter into any such agreements; and to pay the cost of making surveys and preparing plans and estimates for the following highways: An extension of the Trinity-Humboldt state road from its westerly end, in a westerly direction, and to the town of Bridgeville, in Humboldt county; a highway beginning at or near Oxnard in Ventura county, California, and extending to a point near San Juan in Orange county, California; a highway from Jackson's ranch near Pescadero in San Mateo county, California, to Governor's Camp in the California Redwood park, Santa Cruz county, California; a highway beginning at Carmel in Monterey county, California, and running thence in a southerly direction to San Simeon in San Luis Obispo county, California, and a lateral highway from a point most feasible thereon to a point at or near Jolon in said Monterey county; a bridge to span San Francisco bay at or near Dumbarton point; and a highway from the western boundary line of Kern county, California, to the State highway near the city of Santa Maria, Santa Barbara county, California.

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all of the bill after the enacting clause and insert in lieu thereof the following:

SECTION 1. The sum of [illegible] thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the treasury not otherwise appropriated for the following uses and purposes:

a. To pay any assessment that may be imposed against the State of California under the provisions of an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April [illegible], 1917.

b. To pay the share of the State of California under any agreement or agreements made with the United States government for cooperative work in the construction, improvement or maintenance of highways useful for military purposes, and the state department of engineering is hereby authorized to enter into any such cooperative agreements on such terms as it may deem for the best interests of the state.

c. To pay the cost of making surveys and preparing plans and estimates for highways as follows: An extension of the Trinity-Humboldt state road, from its westerly end, in a westerly direction to the town of Bridgeville, in Humboldt county; a highway beginning at or near Oxnard in Ventura county, California, and extending to a point near San Juan in Orange county, California; a highway from Jackson's ranch near Percadero in San Mateo county, California, to Governor's Camp in the California Redwood park, Santa Cruz county, California; a highway beginning at Carmel in Monterey county, California, and running thence in a southerly direction to San Simeon in San Luis Obispo county, California, and a lateral highway from a point most feasible thereon to a point at or near Jolon in said Monterey county; a bridge to span San Francisco bay at or near Dumbarton point; and a highway from the western boundary line of Kern county, California, to the State highway near the city of Santa Maria, Santa Barbara county, California.

SEC. 2. All the work contemplated by this act is hereby placed under the complete management and control of the state department of engineering, and the state controller is hereby directed to draw his warrants in such sums and at such times as the state department of engineering may present claims therefor, and the state treasurer is directed to pay the same to carry out the purposes of this act.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 762—An act appropriating the sum of forty thousand dollars to defray the expenses, during the sixty-ninth and seventieth fiscal years, of organizing, controlling, equipping, instructing and maintaining high school cadet companies in the State of California, and for promoting rifle practice in said companies and to further carry out the purposes of an act entitled "An act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice thereon, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 2 of the title, strike out the word "forty" and insert in lieu thereof the word "sixty".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, in line 4, strike out the word "forty" and insert in lieu thereof the word "thirty".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 847—An act to provide for the assessment, levy and collection of taxes for the support of the state government for the sixty-ninth and seventieth fiscal years.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, in line 17, strike out the words "sixty-eighth" and insert in lieu thereof the word "seventieth".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 917—An act to provide for the celebration of the national memorial reunion and peace jubilee at Vicksburg, Mississippi, appointing a commission in connection therewith, and making an appropriation therefor.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In lines 3 and 4 of the title, strike out the words "appointing a commission in connection therewith,".

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all of the bill after the enacting clause and insert in lieu thereof the following:

SECTION 1. There is hereby appropriated out of any money in the treasury not otherwise appropriated the sum of fifteen thousand dollars, to be expended by the

governor, in his discretion, for the purpose of assisting to defray the expenses of a public nature incident to the holding of the national memorial reunion and peace jubilee to commemorate the victories and virtues leading to the half century of peace and prosperity to the American nation, and further to strengthen the fraternal ties of amity in the United States; said memorial reunion to be held in the National Domain within the Vicksburg military park, at the city of Vicksburg, state of Mississippi, during the sixteenth, seventeenth, eighteenth and nineteenth days of October, nineteen hundred seventeen, which resolution was approved by the sixty-fourth congress, on the eighth day of September, nineteen hundred sixteen.

SEC. 2. The governor shall immediately upon the taking effect of this act demand from the state controller, and the state controller is hereby authorized and instructed upon such demand, to draw his warrant in favor of the governor for the sum of fifteen thousand dollars to be expended by him as above provided, and the treasurer is hereby authorized and directed to pay the same.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 395—An act to amend section 1552 of the Political Code.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 8, after the word "when" insert the word "the".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 9, after the word "county" strike out the period and insert in lieu thereof a semicolon and the following: "*provided, further*, that the amount allowed on account of each district for all expenses shall not exceed ten dollars per annum."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1193—An act to add a new section to the Civil Code to be numbered 330, relating to liability for unpaid par value of capital stock of corporations.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1189—An act to amend section 2024 of the Code of Civil Procedure, relating to taking depositions out of the State.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 919—An act appropriating money to pay the claim of Mark Woermer against the State of California.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 1, strike out the word "two" and insert in lieu thereof the word "one"; also after the word "thousand" insert the word "fourteen".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

SECOND READING OF ASSEMBLY BILLS—ACT OF 1909.

Senator Carr, W. J., moved that the Senate take up, for second reading, Assembly bills previously reported from committees for this day.

Assembly Bill No. 880.—An act to amend section 637a of the Penal Code, relating to the killing of birds other than game.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1163.—An act to amend an act entitled "An act to regulate the issuance of licenses for trade to hunters and anglers," approved May 20, 1915, relating to the sale of hunting and fishing licenses, and providing for the execution of bonds by the persons selling the same and the payment of the proceeds thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 968.—An act to incorporate standard provisions in policies of accident and health insurance, to prevent discriminations in connection therewith, and to prescribe penalties for violations of the provisions hereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 911.—An act adding a new section to the Civil Code, to be numbered 2767, relating to the disposition by the beneficiary of his interest under a policy of life insurance.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1448.—An act to amend section 421 of the Civil Code, relating to investments by insurance companies.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 608.—An act to amend sections 7, 8, 10 and 19 of an act entitled "An act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, and acts amendatory thereto, and to add a new section thereto to be numbered 184.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1241.—An act to amend section 3881 of the Political Code.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 11, strike out the words "exception of the deed to the state, shall be sold" and insert in lieu thereof the following: "sale".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 1328.—An act authorizing suit against the State of California concerning certain real property and regulating the procedure thereof.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 4, after the word "they" strike out the word "shall" and insert the word "are".

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 296—An act to amend section 660 of the Code of Civil Procedure, relating to time of hearing motion for new trial.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1452—An act to amend section 321*a* of the Civil Code, relating to the change of the principal place of business by a corporation.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 781—An act to amend section 602 of the Penal Code, prescribing a penalty for malicious injury to real property.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1397—An act to standardize lime barrels.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 593—An act to amend section 28½ of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1197—An act amending an act entitled "An act to provide for the incorporation and organization and management of county water districts and to provide for the acquisition of water rights or the construction thereby of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, by adding thereto a new section to be numbered 28 providing for the exclusion from any county water district formed under said act of territory not served by such county water district.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 126—An act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered 534, relating to actions concerning water rights.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 10, strike out the words "other public" and insert in lieu thereof the word "domestic".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 12, strike out the words "other public" and insert in lieu thereof the word "domestic".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 7, after "defendant", add the following: "The plaintiff may serve and file a reply to the defendant's answer stating plaintiff's rights to the water and the damage plaintiff will suffer by the defendant's taking of the water, and plaintiff may implead as parties to the action all persons necessary to a full determination of the rights of plaintiff to the water and the damages plaintiff will suffer by the proposed taking by defendant, and the court shall have jurisdiction to hear and determine all the rights to water of the plaintiff and other parties to the action, and

[illegible] by the judgment rendered the same as though made parties plaintiff at the commencement of the action."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 12, strike out the words "other public" and insert in lieu thereof the word "domestic".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 14, after the word "plaintiff" insert the words "and other parties".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 17, after the word "plaintiff" insert the words "or other parties".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 31, strike out the words "either the plaintiff or" and on line 32 strike out the words "the defendant", and insert in lieu thereof the following "any of the parties".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 37, after the word "plaintiff" insert the words "or other parties".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, line 4, after the word "plaintiff" insert the words "or other parties".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3, line 8, after the word "plaintiff" insert the words "or other parties".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3, line 11, after the word "plaintiff" insert the words "or other parties".

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 614—An act to amend sections 1 and 4 of an act entitled "An act to amend an act entitled 'An act to provide for the burial of ex-Union soldiers, sailors and marines in this State who may hereafter die without leaving sufficient means to defray burial expenses,' approved March 15, 1889, and to extend the operation of said act to all honorably discharged soldiers, sailors and marines who served in the Army and Navy of the United States," approved March 23, 1901, as amended.

Bill read second time, and ordered on file for third reading.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 716—An act relating to the regulation of real estate brokers, agents, salesmen and dealers in the State of California.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Gates moved to refer Senate Bill No. 716 to Senator Lyon, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

Section 1, page 1, line 9, after the word "business" add the following: "or act in the capacity".

AMENDMENT NUMBER TWO.

Section 2, page 1, line 19, strike out "business or occupation", and add in lieu thereof the following "whole or partial vocation".

AMENDMENT NUMBER THREE.

Section 2, page 2, after line 22 add

One act, for a compensation, of buying or selling real estate of or for another or offering for another to buy or sell, or exchange real estate, or to negotiate a loan on or to lease or rent real estate, or to collect rent therefrom for a compensation shall constitute the person, copartnership or corporation making such offer, sale or purchase, exchange or lease, or negotiating said loan or so renting or collecting said rent, a real estate broker within the meaning of this act.

AMENDMENT NUMBER FOUR.

Section 9, page 6, lines 4 to 8, strike out all of lines 4 to 8.

AMENDMENT NUMBER FIVE.

Section 12, page 7, line 19, strike out comma after "thereof" and add in lieu thereof a period; also strike out "except as otherwise provided in section nine."

AMENDMENT NUMBER SIX.

On page 7, line 34, strike out the rest of the line after the comma; also all of lines 35, 36, 37 and 38, and insert in lieu thereof the following: "and said commissioner of corporations shall receive for his said services as real estate commissioner, the sum of one thousand dollars per year in addition to the salary provided for by law for said commissioner of corporations, which said additional salary shall be paid out of the 'real estate commission's fund' provided for herein."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 19, 1917

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 716 with instructions to amend, respectfully reports the same back, amended as per instructions.

LYON, Special Committee.

Report read, and, on motion of Senator Gates, adopted.

Bill ordered to print, and re-engrossment.

LEAVE OF ABSENCE.

At three o'clock and thirty-five minutes p.m., Senator Luce was, on motion of Senator Sharkey, granted leave of absence for the balance of this legislative day.

RECESS.

At three o'clock and forty minutes p.m., on motion of Senator Tyrrell, the President pro tempore declared the Senate at recess until the hour of four o'clock and thirty minutes p.m.

RECONVENED.

At four o'clock and thirty minutes p.m. the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

REPORTS OF STANDING COMMITTEES—(NOT OF CONFERENCE)

The following reports of standing committees were received and read:

ON SENATE SUBMISSION

SENATE CHAMBER, SACRAMENTO, April 19, 1917.

Mr. President: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. [illegible] Relative to submitting the following amendments to the charter of the City of San Rafael, adopted at Marin County, California, [illegible] at a general municipal election held therein on the twenty-fourth day of April, 1917—has had the same under consideration, and respectfully recommends that it be adopted.

TYRRELL, Chairman.

Senate Concurrent Resolution No. 47 ordered on file.

Also:

Mr. President: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. [illegible] "An act to provide for the organization, incorporation and government of municipal corporations," approved March 16, 1903.

Also: Assembly Bill No. 1015—An act to amend sections 837, 838, 839 and 837 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 16, 1903, as amended.

Also: Assembly Bill No. 1103—An act to amend section [illegible] of an act entitled "An act to provide for the incorporation of and form the incorporation of territory to municipal bodies and cities, and for the incorporation of such municipal territory in and as a part of such municipalities, and for the determining, governing and municipal control of municipal corporations," approved March 16, 1903, as amended.

Also: Assembly Bill No. 1088—An act to amend sections [illegible] "An act authorizing municipalities to declare streets or sidewalks [illegible] streets or sidewalks or upon [illegible] or sidewalks or upon which such [illegible] approved May 26, 1915, as [illegible] August 8, 1915, and [illegible] section 8.

Has had the same under consideration, and respectfully reports the same back with recommendation that they do pass.

TYRRELL, Chairman.

Assembly Bills Nos. 129, 641, 1111 and 1288 ordered on file for second reading.

Also:

Mr. President: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 996—An act to amend sections [illegible] 7, 14 and 15 of an act entitled "An act to provide for [illegible] boulevards, lanes and alleys and [illegible] for the residents [illegible] thereon of sidewalks, [illegible] and crosswalks, for the [illegible] for a special fund derived in part from the county road fund and in part by special assessment upon a district, and for the establishment of such districts," approved March 21, 1907, and adding new sections, to wit, [illegible] for added security to laborers and materialmen and the furnishing of materials by the county for the making of highway improvements—has had the same under consideration, and respectfully reports the same back without recommendation.

TYRRELL, Chairman.

Assembly Bill No. 996 ordered on file for second reading.

Also:

Mr. President: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 626—An act to amend section 79 of an act to provide for work upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments [illegible] and providing

a method for the payment of such bonds, approved April 7, 1911—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

TYRRELL, Chairman.

Assembly Bill No. 626 ordered on file for second reading.

THIRD READING OF SENATE BILLS (OUT OF ORDER).

Senate Bill No. 921—An act to amend the Vehicle Act, approved May 11, 1915, by repealing sections 10, 18, 23 and 33 thereof and by amending sections 1, 3, 4, 5, 6, 7, 8, 9, 11, 13, 15, 17, 20, 22, 24, 26, 27, 28, 32, 34, 35 and 37 thereof, said amendments providing for the regulation of the use and occupation of the public highways by vehicles and otherwise, for the registration and identification of motor and other vehicles, for the payment of registration fees therefor, and also relating to other matters provided for in said act so amended.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 921 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, King, Lyon, Maddux, Nealon, Sharkey, Slater, and Tyrrell—21.

NOES—Senators Purkitt, and Rigdon—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 645—An act to amend an act entitled "An act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain acts a felony and repealing an act entitled 'An act creating a commissioner of public works, defining his duties and powers and fixing his compensation,' approved February 9, 1900, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897; also repealing an act entitled 'An act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this act,' approved March 17, 1897, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to provide for the appointment, duties and compensation of a debris commissioner, and

to make an appropriation to be expended under his direction in the discharge of his duties as such commissioner," approved March 24, 1893, and all acts or parts of acts amendatory thereof; also repealing an act entitled "An act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and compensation for such commissioner, defining his duties and making an appropriation for the salary and expenditures provided for and authorized by this act," approved April 1, 1897, and all acts or parts of acts amendatory thereof," approved March 11, 1907, and all acts or parts of acts amendatory thereof, by amending sections 1, 9, 10, 13 and 16 thereof, relating to the officers and employees of the Department of Engineering, their powers, duties and salaries, and by repealing section 14 thereof.

Bill read third time, previously.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 645 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Campbell, Carr, F. M. Duncan, Flaherty, Gates, Hans, Ingram, Johnson, Kehoe, King, Lyon, McAdam, Nourse, Rigdon, Sharkey, Slater and Tyrrell—21.

NOES—Senators Purkitt and Stuckenbruck—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 640—An act to amend section 9 of an act entitled "An act relating to hotels, defining the same, providing regulations in connection therewith, providing for the sanitation of the rooms of such hotels, providing for the sanitary method and manner of keeping, handling and using bedclothes or bed covering in such hotels, repealing all acts or parts of acts in conflict with this act, providing for its enforcement by the State Board of Health, and providing a penalty for the violation of any of its provisions," approved April 26, 1915.

Bill read third time, previously.

CALL OF THE SENATE.

The roll was called on the passage of Senate Bill No. 640.

Pending the announcement of the vote, Senator Burnett moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Campbell, Carr, F. M. Duncan, Flaherty, Gates, Hans, Ingram, Johnson, Kehoe, Lyon, McAdam, Nourse, Purkitt, Rigdon, Sharkey, Slater, Stuckenbruck, and Tyrrell—23.

The Secretary announced the absentees.

Time, four o'clock and fifty-five minutes p.m.

The President pro tempore directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At five o'clock and four minutes p.m., Senator King was brought to the bar of the Senate, and, on motion of Senator Burnett, was excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At five o'clock and five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Burnett.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Senate Bill No. 640 finally passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, F. M., Duncan, Flaherty, Gates, Hans, Ingram, Johnson, Kehoe, King, Lyon, Maddox, Nealon, Rigdon, Rush, Sharkey, Slater, and Tyrrell—21.

NOES—Senators Purkitt, and Stockenbruck—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1163—An act to appropriate money to pay the claim of Associated Oil Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1163 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Duncan, Flaherty, Gates, Hans, Ingram, King, Lyon, Nealon, Purkitt, Rigdon, Sharkey, Slater, Stockenbruck, and Tyrrell—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CALL OF THE SENATE.

At five o'clock and ten minutes p.m., Senator Tyrrell moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Duncan, Gates, Hans, Ingram, King, Lyon, Nealon, Purkitt, Rigdon, Sharkey, Slater, Stockenbruck, and Tyrrell—20.

The Secretary announced the absentees.

The President pro tempore directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At five o'clock and twenty-five minutes p.m., Senators Carr, W. J., Chandler, Evans, Inman, Irwin, Johnson, Jones, Thompson, Kehoe, and Rominger were brought to the bar of the Senate, and, on motion of Senator Tyrrell, were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At five o'clock and thirty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Tyrrell.

REPORT OF STANDING COMMITTEE—(ONE OF THREE)

The following report of standing committee was received and read:

ON MUNICIPAL CORPORATIONS

SENATE CHAMBER, SACRAMENTO, APRIL 19, 1917

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 717—An act to validate proceedings for the annexation of territory to municipal corporations under the provisions of an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations for the incorporation of such annexed territory in and as a part thereof, and for the districting, government and municipal control of such annexed territory," approved June 11, 1913, and the acts amendatory thereof—has had the same under consideration, and recommends that it do pass as amended.

TYRRELL, Chairman.

Senate Bill No. 717 ordered on file for second reading.

SECOND READING OF SENATE BILLS—(ONE OF ONE)

Senator Tyrrell moved that the Senate take up for second reading Senate bills previously reported from committees this day.

Motion carried.

Senate Bill No. 717—An act to validate proceedings for the annexation of territory to municipal corporations under the provisions of an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations for the incorporation of such annexed territory in and as a part thereof, and for the districting, government and municipal control of such annexed territory," approved June 11, 1913, and the acts amendatory thereof.

COMMITTEE AMENDMENTS

During second reading of bill the following committee amendments were offered:

AMENDMENT NUMBER ONE

On page 1, lines 7 and 8 of the title, strike out the words and figures "June 11, 1913" and insert in lieu thereof the following: "March 19, 1889."

Amendment adopted.

AMENDMENT NUMBER TWO

On page 1, line 8, strike out the word and figures "June 11, 1913" and insert in lieu thereof the following: "March 19, 1889."

Amendment adopted.

AMENDMENT NUMBER THREE

On page 2, line 4, strike out the period and insert a semicolon and the following: "*provided*, that this act shall not affect or be pleaded in any action involving the legality of such proceedings pending in any court and undetermined at the time of the passage hereof by the Legislature, nor shall this act apply to or affect any territory or proceedings for the annexation of any territory for which, or for any part of which, a certificate of incorporation shall have been heretofore filed by the secretary of state."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 19, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 21—An act to provide for the issuance of identification certificates and official ballots to duly registered voters, to enable voters to whom such certificates and ballots have been issued to cast their votes wherever they may be within the State of California, on the day of any general or primary election, and to provide the manner in which such votes shall be cast and counted;

Also: Senate Bill No. 465—An act making an appropriation to pay the claim of W. F. Cowan against the State of California;

Also: Senate Bill No. 564—An act making an appropriation to pay the claim of Petaluma and Santa Rosa Railway Company, a corporation, against the State of California;

Also: Senate Bill No. 700—An act appropriating one thousand five hundred dollars for the restoration and rebuilding of the two old bastions and the old entrance gate and portions of the stockade, and for repairs to existing buildings on the property of the State at Fort Ross, Sonoma County, California;

Also: Senate Bill No. 859—An act to authorize the Board of State Harbor Commissioners of San Francisco Harbor to pay the claim of the Fidelity and Deposit Company of Maryland;

Also: Senate Bill No. 1191—An act appropriating money for the purchase and installation of boilers for the Veterans' Home;

Also: Senate Bill No. 1195—An act creating a cash revolving fund for the use of the California Irrigation Board and making an appropriation therefor;

Also: Senate Bill No. 1193—An act to add a new section to the Civil Code to be numbered 330, relating to the liability for unpaid par value of capital stock of corporations;

Also: Senate Bill No. 1189—An act to amend section 2024 of the Code of Civil Procedure, relating to taking depositions out of the State;

And reports that the same have been correctly engrossed.

STUCKENBRUCK, Acting Chairman.

SENATOR PURKITT IN THE CHAIR.

At five o'clock and thirty-five minutes p.m., Senator Purkitt of the Fourth District was called to the chair.

LEAVE OF ABSENCE.

At five o'clock and thirty-five minutes p.m., Senator McDonald was, on motion of Senator Duncan, granted leave of absence for the balance of this legislative day.

SECRETARY CLIFTON E. BROOKS AT THE DESK.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 378—An act to establish a state normal school in the city and county of San Francisco, State of California, to be known as State Normal School, and making an appropriation for the maintenance of said school.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 378 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Jones, Kehoe, King, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—Senators Burnett, and Canepa—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECOND READING OF SENATE BILLS—(OUT OF ORDER).

Senator Kehoe moved that the Senate take up for second reading Senate bill previously reported from committee this day.

Senate Bill No. 1194—An act making an appropriation for repairs and improvements on the San Francisco State Normal School.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, printed bill, strike out all of the title and insert in lieu thereof the following:

An act to authorize and empower the board of trustees of the state normal school at San Francisco to sell and convey the lands and buildings of said school, to select and accept a new site for said school and to erect thereon new buildings and improvements and to purchase therefor necessary furniture and equipment, to provide for the transfer and use of certain moneys and to make an appropriation to carry out the purposes of this act, and to repeal an act entitled "An act to authorize and empower the board of trustees of the San Francisco State Normal School to sell or exchange and convey the lands and buildings of said school, to acquire by purchase, gift, condemnation or otherwise a new site for said school and to erect thereon buildings suitable and appropriate therefor, or to remodel or reconstruct any building already erected on the site so purchased or acquired, and to purchase therefor necessary and appropriate furniture and equipment, to create a fund into which shall be paid the proceeds of the sale of the present school property and making an appropriation to carry out the purposes of this act," and all other acts or parts of acts in conflict with this act.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, printed bill, strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. The board of trustees of the state normal school at San Francisco is hereby authorized and empowered to sell on such terms as may be determined by said board of trustees, with the written approval of the state board of control and of the governor, all lands and the buildings thereon of the said state normal school at San Francisco situated in the block bounded by Waller, Hermann, Buchanan and Laguna streets in the city of San Francisco. Notice of the time and place of said sale and the terms and conditions thereof, which the said board of trustees is hereby authorized to make, shall be published in one daily newspaper printed and published in the city of San Francisco for at least two weeks prior to the appointed day of sale. The said board of trustees is hereby authorized and empowered to reject any and all bids and offers therefor, to continue the day of sale from time to time as may be necessary, and to appoint another day of sale, public notice of which shall be given for two weeks in one daily newspaper published in the city and county of San Francisco. The said board of trustees is hereby authorized and empowered, subject to the approval of the state board of control, to order and have made all necessary deeds and conveyances, papers and searches, abstracts and certificates of title and surveys of said lands and to take all necessary and proper proceedings and bring the necessary suits to cure all defects in said title, the cost and expense thereof shall be paid out of the appropriation in this act made.

SEC. 2. The president and secretary of the board of trustees of said school, or any one or more of said trustees to be designated by said board, are hereby authorized and directed to execute to the purchaser for or on behalf and in the name of the State of California, a deed of said lands and buildings in the usual form and to deliver the same upon the payment of the full amount of the purchase price, and the said deed shall effectually pass and convey to the said purchaser all the right, title and interest of the State of California in and to the said lands and buildings.

SEC. 3. Moneys received from the sale of said lands shall be paid into the general fund in the state treasury and placed to the credit of the appropriation herein made from the general fund of the state treasury, to be used for the purpose of this act.

SEC. 4. The said board of trustees, subject to the approval of the state board of control, are hereby authorized and empowered to select and accept a new site

for said state normal school in the city and county of San Francisco. Said trustees shall examine the different sites offered to be donated by the people of the city and county of San Francisco for the location of state normal school buildings, and select therefrom a suitable location for said buildings, and the site selected by them upon its conveyance to the State of California, shall be and remain the permanent site for the said state normal school at San Francisco. The entire area of the site so selected before being accepted and conveyed to the State of California must be in proper condition for building purposes and the streets adjacent thereto must be improved with pavement, gutter and curb. The title to the property selected and accepted for said state normal school site shall be taken in the name of the State of California.

SEC. 5. After the conveyance of said site to the State of California the state controller and the state treasurer shall transfer and make the proper entries upon their records transferring the moneys paid into the San Francisco state normal school exposition preservation fund under the provisions of an act entitled "An act to provide for the disposition of any money or other property accruing to or to be received by the State of California as its proportionate share of the returns from the buildings of the Panama-Pacific International Exposition," approved January 11, 1916, to the general fund in the state treasury and placed to the credit of the appropriation herein made from the general fund of the state treasury. The money so transferred shall be used for the purposes of this act.

SEC. 6. The said board is hereby authorized and empowered to improve the said new site in a manner suitable for its intended uses, to erect and construct thereon new buildings and other structures and improvements necessary and proper for said school. The said board is also authorized and empowered to provide and purchase such furniture, fixtures, apparatus and other things as may be required for the proper equipment of said buildings and grounds for conducting said normal school. The said board is further authorized and empowered to dispose of and sell any structures upon the site at the time of its conveyance to the state.

SEC. 7. Out of any money in the state treasury not otherwise appropriated the sum of three hundred thousand dollars, together with the sums herein ordered credited to this appropriation, is hereby appropriated to be expended in accordance with law for the purpose of this act.

SEC. 8. An act entitled "An act to authorize and empower the board of trustees of the San Francisco State Normal School to sell or exchange and convey the lands and buildings of said school, to acquire by purchase, gift, condemnation or otherwise a new site for said school and to erect thereon buildings suitable and appropriate therefor, or to remodel or reconstruct any building already erected on the site so purchased or acquired, and to purchase therefor necessary and appropriate furniture and equipment; to create a fund into which shall be paid the proceeds of the sale of the present school property and making an appropriation to carry out the purposes of this act," approved January 11, 1916, and all other acts or parts of acts in conflict with this act are hereby repealed.

The costs and expenses of actions brought by the state in acquiring title to property for said state normal school under said act approved January 11, 1916, shall be paid out of the moneys herein appropriated.

SEC. 9. In the event that land be offered for donation adjacent to the present site of the state normal school at San Francisco which together with the present site is acceptable to the said normal school trustees and said board of control as a site for said normal school, the said boards may determine not to sell the present site, and may accept the lands so offered, and shall expend the money herein appropriated to construct new buildings and improvements, remove, repair or reconstruct the present old buildings and furnish and equip the same.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

REPORTS OF STANDING COMMITTEES (OUT OF ORDER).

The following reports of standing committees were received and read:

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, April 19, 1917.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 982, An act granting to the city of Arcata tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Arcata, and regulating the management, use and control thereof—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

McDONALD, Chairman.

Senate Bill No. 982 ordered on file for second reading.

ON GENERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, April 19, 1917.

Mr. PRESIDENT: Your Committee on Finance and Revenue, to which was referred Senate Joint Resolution No. 7—Relative to the [illegible] forests to the consideration of [illegible] sideration, and respectfully reports the same back and recommends that it be adopted.

RUSH, Chairman.

Senate Joint Resolution No. 7 ordered on file.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, April 19, 1917.

Mr. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. [illegible] A resolution to propose to the people of the State of California to amend Article XIII of the Constitution by adding a new section thereto [illegible] cities for taxes lost on account of [illegible] tion, and respectfully reports the same back and recommends that it be adopted.

BALLARD, Chairman.

Assembly Constitutional Amendment No. 23 ordered on file.

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 19, 1917.

Mr. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Inman to introduce a bill entitled "An act [illegible] money for the purchase of boilers and additional installation to power plant at the Folsom State Prison" has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Lyon, Maddux, Nealon, Parker, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, and Stuckenbruck—32.

NOES—None.

Also:

Mr. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Brown to introduce a bill entitled "An act to amend section 1220 of the Political Code, relating to the method of determining the slate of candidates of an elector," has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Maddux, Nealon, Parker, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—33.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills were introduced in accordance with the above reports:

By Senator Inman: Senate Bill No. 1197—An act appropriating money for the purchase of boilers and additional installation to power plant at the Folsom State Prison.

Bill read first time, and referred to Committee on Finance.

By Senator Brown: Senate Bill No. 1198—An act to amend section 1239 of the Political Code, relating to the method of determining the place of residence of an elector.

Bill read first time, and referred to Committee on Elections.

POSTPONEMENT OF CONSIDERATION.

On motion of Senator Duncan, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 1079 was refused passage, was continued until the next legislative day.

RESOLUTION.

The following resolution was offered:

By Senator Benson:

Resolved, That Rule Forty of the Standing Rules of the Senate be amended to read as follows:

40. On the day succeeding that on which a final vote on any bill, concurrent or joint resolution, or constitutional amendment has been taken, said vote may be reconsidered on motion of any Senator: *provided*, notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken, by a Senator voting with the prevailing side; and it shall not be in order to reconsider on the day on which such final vote was taken. Said motion for reconsideration shall have precedence over every other motion, except a motion to adjourn. It shall require twenty-one votes to carry any motion to reconsider the vote by which any bill, concurrent or joint resolution has been passed or defeated, and twenty-seven votes to carry any motion to reconsider the vote by which any constitutional amendment has been passed or defeated. Notice of reconsideration of the vote by which a Senate bill was passed or a Senate Joint Resolution, Senate Concurrent Resolution or Senate Constitutional Amendment adopted shall not be in order on or after the eighth day preceding the last day of the session.

Resolution referred to Committee on Rules.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Brown:

SENATE CHAMBER, SACRAMENTO, April 19, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2, Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend section 1239 of the Political Code, relating to the methods of determining the place of residence of an elector.

Request referred to Committee on Rules.

RECESS.

At six o'clock and ten minutes p.m., on motion of Senator Benson, the Acting President declared the Senate at recess until the hour of eight o'clock p.m.

RECONVENED.

At eight o'clock and fifteen minutes p.m., the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

CALL OF THE SENATE

At eight o'clock and twenty minutes p.m. Senator Benson moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Burnett, Caminetti, Carey, W. J. Carney, Fisher, Gates, Johnson, Kehoe, King, Lyon, Purkitt, Rigdon, Shaw and Stephens—17.

The Secretary announced the absentees.

Time, eight o'clock and twenty minutes p.m.

The President pro tempore directed the Sergeant-at-Arms to close the doors.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At eight o'clock and twenty-five minutes p.m. further proceedings under the call of the Senate were dispensed with, on motion of Senator Lyon.

SENATOR BENSON IN THE CHAIR

At eight o'clock and thirty minutes p.m. Senator Benson of the Twenty-seventh District was called to the chair.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT

SENATE CHAMBER, SACRAMENTO, April 19, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 628—An act providing for the registration of land titles, and giving the surveyor-general certain powers in respect thereto.

Also: Senate Bill No. 70—An act to be known as the usury law, relating to the rate of interest which may be charged for the loan or forbearance of money, goods or things in action, or on accounts after demand, or on judgments, providing penalties for the violation of the provisions hereof, and repealing sections 1917, 1918, 1919 and 1920 of the Civil Code and all acts or parts of acts in conflict with this act.

Also: Senate Bill No. 1170—An act to amend sections 4 and 5 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the bay of San Francisco and the bay of San Pablo to the city of Richmond in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved June 11, 1913.

Also: Senate Bill No. 1182—An act to authorize cities, cities and counties, and counties to compensate residents thereof who engage in the national defense, and to authorize the making of tax levies or the incurrence of bonded indebtedness for such purpose;

Also: Senate Bill No. 1153—An act providing for the qualifications of sureties on bonds and undertakings accompanying bids and contracts for public work or for materials therefor;

Also: Senate Bill No. 808—An act to amend section 2924 of the Civil Code, relating to mortgages and deeds of trust;

Also: Senate Bill No. 349—An act to make an appropriation for the encouragement of county fairs and providing for the distribution of the moneys hereby appropriated;

Also: Senate Bill No. 579—An act to amend section 626 of the Penal Code, relating to the limit of deer that may be killed;

Also: Senate Bill No. 680—An act to amend section 36 of an act entitled "An act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for

[illegible]

[illegible]

Also: Senate Bill No. 180—An act validating the formation and organization of [illegible] of the State of California, approved March 21, 1907, as amended May 7, 1913, and [illegible] the formation [illegible] and to pay the costs and expenses thereof;

And reports that the same have been correctly engrossed.

CANEPA, Chairman.

Also:

Mr. President: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 1186—An act to amend section 526 of the Penal Code, relating to [illegible]

[illegible] 2, 4, 7, 9 and 13, and to repeal section 41 of the act entitled [illegible] Senate and Assembly [illegible] and to [illegible] in the State of California to the [illegible] Senate and Assembly [illegible] Senate [illegible] United States [illegible] approved March 11, 1897;

Also: Senate Bill No. [illegible]—An act to amend sections 2280, 2286, 2287 and 2290 of the Civil Code, relating to [illegible]

Also: Senate Bill No. 8[illegible]—An act to [illegible] repealing all acts and parts of acts in conflict with this act;

And reports that the same have been correctly re-engrossed.

CANEPA, Chairman.

REPORT OF STANDING COMMITTEE—OUT OF ORDER.

The following report of standing committee was received and read:

BANKING.

SENATE CHAMBER, SACRAMENTO, April 19, 1917.

Mr. President: Your Committee on Banking, to which was referred Assembly Bill No. 785—An act to amend section 4792 of the Penal Code, relating to the [illegible] reports the same back and recommends that it do pass.

HANS, Chairman.

Assembly Bill No. 785 ordered on the file for second reading.

THIRD READING OF SENATE BILLS—OUT OF ORDER.

Senate Bill No. 816—An act providing for the enlargement of the California Redwood Park, making an appropriation for the purchase of additional land therefor, and granting power to the California Redwood Park Commission to purchase the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 840 passed by the following vote:

AYES—Senators Ballard, Benson, Bond, Burnett, Cassidy, Cory, F. M. Cory, W. J. Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Jones, Kelsey, King, Lyon, Maddux, Rigdon, Rominger, Rush, Scott, Slater, Thompson, and Tyrrell—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 556—An act to provide for experimental and research work in the drying, canning and preservation of fruits, the handling, preparation and manufacture of fruit products and by-products.

In the absence of the author, Senate Bill No. 556 was ordered passed to retain its place on the file.

Senate Bill No. 1190—An act to amend section 626 of the Penal Code, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1190 passed by the following vote:

AYES—Senators Ballard, Benson, Bond, Burnett, Cassidy, Cory, F. M. Cory, W. J. Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Kelsey, King, Lyon, Maddux, Rigdon, Rominger, Rush, Scott, Slater, Thompson, and Tyrrell—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 816—An act to amend section 2 of an act entitled "An act relating to explosives, and prescribing regulations for the transportation, storage and selling of explosives, and providing penalties for the violation of this act," in effect March 21, 1911, and known as Chapter 213, Statutes of 1911, and to repeal section 11 of said act.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 816 passed by the following vote:

AYES—Senators Ballard, Benson, Bond, Burnett, Cassidy, Cory, W. J. Chandler, Crowley, Evans, Flaherty, Gates, Ingram, King, Lyon, Rigdon, Rominger, Rush, Scott, Slater, Thompson, and Tyrrell—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 31—An act to establish a state hospital for the care, custody and maintenance of inebriates and drug habitues within the State of California, to be known as the California State Hospital, and to provide for the government and management thereof, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 31 passed by the following vote:

AYES—Senators Ballard, Benson, Bond, Burnett, Cassidy, Cory, W. J. Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, King, Lyon, Rigdon, Rominger, Rush, Scott, Thompson, and Tyrrell—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 440—An act requiring all buildings which are required to be equipped with fire escapes to have attached thereto counterbalanced stairways, counterbalanced ladders, or drop ladders.

On motion of Senator Lyon, Senate Bill No. 440 was passed on file.

Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the Constitution by adding a new section 15 to Article XIII, relating to revenue and taxation.

On motion of Senator Benson, Senate Constitutional Amendment No. 31 was passed on file.

Senate Bill No. 49—An act to repeal section 55*a* of the Penal Code, relative to soliciting, demanding, or pledging votes for or against any particular bill or measure.

On motion of Senator Duncan, Senate Bill No. 49 was passed on file.

Senate Bill No. 692—An act to amend section 1548 of the Political Code of the State of California, relating to postage, expressage, printing and binding of documents and other incidental expenses of the county, or city and county, superintendent of schools.

On motion of Senator Crowley, Senate Bill No. 692 was passed on file.

Senate Bill No. 693—An act to amend sections 1712 and 1714 of the Political Code of the State of California, relating to school libraries, what books and apparatus may be bought, how and when they may be purchased, and providing a library fund in cities and cities and counties.

On motion of Senator Crowley, Senate Bill No. 693 was passed on file.

Senate Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by adding a new article thereto, to be numbered XXIV, establishing a state athletic commission and regulating boxing and sparring in the State.

On motion of Senator Scott, Senate Constitutional Amendment No. 19 was passed on file.

Senate Bill No. 811—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications.

On motion of Senator Ballard, Senate Bill No. 811 was passed on file.

Senate Bill No. 1134—An act to amend section 131 of the Civil Code, relating to judgment in an action for divorce, and repealing section 132 of said Civil Code.

On motion of Senator Scott, Senate Bill No. 1134 was passed on file.

Senate Bill No. 1158—An act to amend section 1557 of the Penal Code, relating to the accounts of persons employed to bring back fugitives from the State.

On motion of Senator Duncan, Senate Bill No. 1158 was passed on file.

Senate Bill No. 628—An act providing for the regulation of land titles, and giving the Surveyor General certain powers in respect thereto.

In the absence of the author, Senate Bill No. 628 was ordered passed, to retain its place on the file.

Senate Bill No. 70—An act to be known as the Usury Law, relating to the rate of interest which may be charged for the loan or forbearance of money, goods or things in action, or on accounts after demand,

or on judgments, providing penalties for the violation of the provisions hereof and repealing sections 1917, 1918, 1919, and 1920 of the Civil Code and all acts or parts of acts in conflict with this act.

In the absence of the author, Senate Bill No. 70 was ordered passed, to retain its place on the file.

Senate Bill No. 765—An act to appropriate money to reimburse the Fish and Game Preservation Fund for compensation benefits paid out of said fund to the officers and employees of the Fish and Game Commission, while performing services arising out of and incidental to their employment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 765 passed by the following vote:

AYES—Senators Ballard, Benson, Burnett, Canepa, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Lyon, Parkett, Rigdon, Rominger, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1004—An act to amend sections 2, 4, 5, 9 and 13, and to repeal section 11 of an act entitled "An act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California, to the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a state home for United States soldiers, sailors and marines, and to provide for the government thereof by the State." (Approved March, 1907.)

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1004 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Kehoe, Lyon, Parkett, Rigdon, Rominger, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1153—An act providing for the qualifications of sureties on bonds and undertakings accompanying bids and contracts for public work or for materials therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1153 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Duncan, Evans, Flaherty, Gates, Ingram, Kehoe, Lyon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 780—An act to amend section 1313 of the Civil Code of the State of California, relating to restrictions on devises or bequests for charitable uses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 780 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, W. J., Crowley, Evans, Flaherty, Gates, Ingram, Kehoe, Lyon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 582—An act to amend section 678 of the Political Code, relating to notice to State Board of Control and State Treasurer of bond sales by city, county and district authorities.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 582 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Duncan, Evans, Flaherty, Gates, Ingram, Kehoe, King, Lyon, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Thompson, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 349—An act to make an appropriation for the encouragement of county fairs and providing for the distribution of the moneys hereby appropriated.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 349 passed by the following vote:

AYES—Senators Ballard, Benson, Burnett, Canepa, Carr, F. M., Duncan, Evans, Flaherty, Gates, Ingram, Kehoe, King, Lyon, Purkitt, Rigdon, Rominger, Rush, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 579—An act to amend section 626*f* of the Penal Code, relating to the limit of deer that may be killed.

In the absence of the author, Senate Bill No. 579 was ordered passed, to retain its place on the file.

Senate Bill No. 680—An act to amend section 36 of an act entitled "An act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 27, 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 680 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Cosgrove, Cutten, F. M. Dennett, Evans, Flaherty, Gates, Ingram, Kehoe, King, Nourse, Parkin, Robinson, Rush, Sharkey, Shearer, Slater, Stockenbruck, Thompson, and Tyrrell—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION.

Senator Kehoe moved to authorize Senate Bill No. 716 from print.

Motion carried.

Senate Bill No. 716 ordered authorized from print.

THIRD READING OF SENATE BILLS—RESUMED.

Senate Bill No. 808—An act to amend section 2924 of the Civil Code of the State of California, relating to mortgages and deeds of trust.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 808 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Cosgrove, Cutten, F. M. Dennett, Evans, Flaherty, Ingram, James, Kehoe, Meikle, Parkin, Robinson, Rush, Scott, Sharkey, Slater, Stockenbruck, Thompson, and Tyrrell—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 675—An act to add a new section to the Code of Civil Procedure, to be known and designated as section 1764a of such code, providing a rule for the selection and designation of guardians of the person and estate, or person or estate of insane or incompetent persons.

On motion of Senator Breed, Senate Bill No. 675 was passed on file.

Senate Bill No. 669—An act to amend section 268 of the Political Code, relating to salaries of officers and attaches of the Senate and adding a new section to said code to be known as 268a, relating to salaries of officers and attaches of the Assembly.

In the absence of the author, Senate Bill No. 669 was ordered passed, to retain its place on the file.

Senate Bill No. 1192—An act to amend section 1475 of the Code of Civil Procedure, relating to the setting off of the recorded homestead and the presentation of claims against said homestead and the estate of the homestead claimant.

In the absence of the author, Senate Bill No. 1192 was ordered passed, to retain its place on the file.

Senate Bill No. 677—An act to add to the Civil Code of the State of California a new section, to be designated as section 242 of such code, providing in certain cases for the appointment by will or deed of guardians for the person and estate or person or estate, of insane or incompetent persons.

On motion of Senator Breed, Senate Bill No. 677 was passed on file.

Senate Bill No. 180—An act validating the formation and organization of Los Angeles Drainage District Improvement No. 1 under the

provisions of an act of the Legislature of the State of California, approved March 21, 1903, as amended May 7, 1915, and entitled as amended "An act to promote the drainage of wet, swamp and overflowed lands, and to promote the public health in the communities in which they lie, providing for the issuance of bonds and levying of assessments on lands benefited, to pay the costs and expense thereof."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 180 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Jones, King, Maddux, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following report of standing committee was received and read:

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, April 19, 1917.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Senate Bill No. 776—An act to amend section 2086 of the Political Code, relating to the salaries of officers, clerks and employees of the Adjutant General's office—has had the same under consideration, and respectfully reports the same back and recommends that they do pass, and be re-referred to Committee on Finance.

SCOTT, Chairman.

Senate Bill No. 776 re-referred to Committee on Finance.

THIRD READING OF SENATE BILLS, ETC.—(RESUMED).

SENATE JOINT RESOLUTION No. 10.

Relating to the erection of a monument in the capitol park at Sacramento, commemorative of the soldiers, sailors and marines who have heretofore defended or may hereafter defend the nation's honor and integrity in times of war.

WHEREAS, In no portion of the American Union are its citizens more patriotic or more appreciative than are the citizens of the State of California of the services to our country by the men who risked their lives in the defense of the nation; and

WHEREAS, There exists nowhere on the Pacific coast a monument dedicated to the soldiers, sailors and marines who served in the various foreign and domestic wars in which our country has been engaged; and

WHEREAS, It is the sense of the senate and assembly of California that there should be erected at the state capital a suitable monument commemorative of the glorious deeds of our army and navy;

Resolved, That there be and there is hereby created a committee composed of the president of the senate, the speaker of the assembly, the commander of the Grand Army of the Republic of the Department of California and Nevada, the commander of the Department of California of the Spanish War veterans, and the commander of the veterans of foreign wars of the United States, whose duty it shall be to take under consideration the object hereinabove declared and report to the next legislature their recommendation thereon and the amount of money necessary to be appropriated for the purpose of suitably carrying out the patriotic object of this resolution.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 10 adopted by the following vote:

AYES—Senators Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Jones, King,

Maddux, Purkitt, Rigdon, Roncoroni, Scott, Sharkey, Slater, Stockenbruck, Thomson, and Tyrrell—26.

NOES—None.

Title read and approved.

Resolution ordered transmitted to the Assembly.

MOTION TO RECONSIDER.

Senator Purkitt moved to reconsider the vote whereby Senate Bill No. 126 was refused passage.

POSTPONEMENT OF CONSIDERATION.

On motion of Senator Purkitt, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 126 was refused passage, was continued until the next legislative day.

REPORTS OF STANDING COMMITTEES—[OUT OF ORDER].

The following report of standing committee was received and read:

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, April 19, 1917.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 745, "An act to amend section 6 of an act entitling 'An act for the regulation and control of fraternal benefit societies,' Approved May 1, 1911, as amended," has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

BURNETT, Chairman.

Assembly Bill No. 745 ordered on file for second reading.

THIRD READING OF SENATE BILLS—[RESUMED].

Senate Bill No. 1170—An act to amend sections 4 and 5 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the bay of San Francisco and the bay of San Pablo to the city of Richmond in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved June 11, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1170 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Crowley, Evans, Flaherty, Gates, Ingram, Inman, Jones, King, Lyon, Maddux, Purkitt, Rigdon, Rush, Scott, Sharkey, Slater, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the Constitution by amending sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 15, 16, 17, 19 and 23 of Article IV and by repealing sections 14 and 23*a* of said article, all relating to the legislative department.

On motion of Senator Brown, Senate Constitutional Amendment No. 8 was passed on file.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendment to Senate Bill No. 1157—An act defining henceforth the exterior boundaries of Reclamation District No. 108, situate partly in the counties of Colusa and Yolo, and providing for the liquidation of the affairs of Reclamation District No. 108, as it now exists, its exterior boundaries being described in that certain act of the legislature, approved May 18, 1915, and approving the acts and proceedings of the said district, as defined in the said act of May 18, 1915, and the board of trustees thereof, and providing for the continuation in office of the present trustees of said district, and for the election and qualification of their successors, and providing that in the management and control of the affairs of said Reclamation District No. 108, as defined in this act, that it is subject to the provisions of the Political Code of the State of California, and to all of the laws of the State, except as provided in the said act, in connection with the issuance and payment of warrants and the payment of assessments, providing that all moneys of the said district shall be paid and deposited with the county treasurer of Colusa County, and conferring jurisdiction upon the board of supervisors of the county of Colusa as to all matters concerning said district, and providing also for the management and control and administration of the affairs of said district.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER ONE THOUSAND ONE HUNDRED FIFTY-SEVEN.

AMENDMENT NUMBER ONE.

On page 9, add to line 19, the following: "*provided*, that nothing herein contained shall be construed to validate any liability or claim against said district which does not now legally exist against said district."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 1157?

The roll was called, and Assembly amendment to Senate Bill No. 1157 concurred in by the following vote:

AYES—Senators Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Jones, King, Lyon, Rigdon, Rominger, Rush, Sharkey, Slater, Stuckenbruck, and Tyrrell—23.

NOES—None.

Senate Bill No. 1157 ordered to enrollment.

Also:

The Senate took up for consideration Assembly amendments to Senate Bill No. 234—An act to amend section 3692 of the Political Code, relating to the powers and duties of the State Board of Equalization.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWO HUNDRED THIRTY-FOUR.

AMENDMENT NUMBER ONE.

On page 2, line 33, strike out the words "The board" and insert in lieu thereof the words "In each odd numbered year, the board" and strike out the word "annual".

AMENDMENT NUMBER TWO.

On page 2, line 34, after "tion" at the beginning of the line insert the words "in the city of Sacramento,".

AMENDMENT NUMBER THREE.

On page 3, strike out lines 1 and 2 and down to and including the period after the word "attend".

AMENDMENT NUMBER FOUR.

On page 3, line 5, insert a period after the word "assessor" and strike out the remainder of the line.

AMENDMENT NUMBER FIVE.

On page 3, line 6, strike out the words "expense of" and insert in lieu thereof the words "each assessor or deputy" and after the words "be" insert the words "allowed five cents per mile each way actually traveled and the amount thereof shall be".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 234?

The roll was called, and the Senate refused to concur in Assembly amendments to Senate Bill No. 234 by the following vote:

AYES—None.

NOES—Senators Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Evans, Flaherty, Inman, Johnson, King, Lyon, Maddux, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—26.

Senate Bill No. 234 ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 556—An act to provide for experiment and research work in the drying, canning and preservation of fruits, the handling, preparation and manufacture of fruit products and by-products.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 556 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, King, Lyon, Maddux, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CASE OF URGENCY.

Senate Bill No. 1182—An act to authorize cities, cities and counties, and counties to compensate residents thereof who engage in the national defense; and to authorize the making of tax levies or the incurrence of bonded indebtedness for such purpose.

Bill read third time.

Section 3 setting forth the urgency clause, read.

The question being: Shall this section, setting forth the urgency feature of this bill, be passed?

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, King, Lyon, Maddux, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1182 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Burnett, Caneva, Carr, F. M., Carr, W. J., Crowley, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Kehoe, King, Lyon, Maddux, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

POSTPONEMENT OF CONSIDERATION.

On motion of Senator Lyon, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 765 was refused passage, was continued until the next legislative day.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At ten o'clock and ten minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 853—An act to regulate and limit the amount that may be produced by tax levies in the aggregate by political subdivisions of this State, and repealing all acts and parts of acts in conflict with this act.

Bill read third time.

On motion of Senator Benson, Senate Bill No. 853 was passed on file.

Senate Bill No. 716—An act relating to the regulation of real estate brokers, agents, salesmen and dealers in the State of California

Bill read third time, previously.

MOTION TO RESCIND.

Senator Gates moved to rescind the action of the Senate by which it adopted the report of Senator Lyon, as a Special Committee of One amending Senate Bill No. 716.

Motion carried

MOTION TO RESCIND.

Senator Gates moved to rescind the action by which the Senate referred Senate Bill No. 716 to a Special Committee of One to amend as follows:

AMENDMENT NUMBER ONE.

Section 1, page 1, line 9, after the word "business" add the following: "or act in the capacity".

AMENDMENT NUMBER TWO.

Section 2, page 1, line 19, strike out "business or occupation", and add in lieu thereof the following: "whole or partial vocation."

AMENDMENT NUMBER THREE.

Section 2, page 2, after line 22, add:

One act, for a compensation, of buying or selling real estate of or for another or offering for another to buy or sell, or exchange real estate, or to negotiate a loan on or to lease or rent real estate, or to collect rent therefrom for a compensation shall constitute the person, copartnership or corporation making such offer, sale or purchase, exchange or lease, or negotiating said loan or so renting or collecting said rent, a real estate broker within the meaning of this act.

AMENDMENT NUMBER FOUR.

Section 9, page 6, lines 4 to 8, strike out all of lines 4 to 8.

AMENDMENT NUMBER FIVE.

Section 12, page 7, line 19, strike out comma after "thereof" and add in lieu thereof a period; also strike out "except as otherwise provided in section nine."

AMENDMENT NUMBER SIX.

On page 7, line 34, strike out the rest of the line after the comma; also all of lines 35, 36, 37 and 38, and insert in lieu thereof the following: "and said commissioner of corporations shall receive for his said services as real estate commissioner the sum of one thousand dollars per year in addition to the salary provided for by law for said commissioner of corporations, which said additional salary shall be paid out of the 'real estate commission's fund' provided for herein."

Motion carried.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Gates moved to refer Senate Bill No. 716 to Senator Lyon, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

Section 1, page 1, line 9, after the word "business" add the following: "or act in the capacity".

AMENDMENT NUMBER TWO.

Section 2, page 1, line 19, strike out "business or occupation", and add in lieu thereof the following: "whole or partial vocation."

AMENDMENT NUMBER THREE.

Section 2, page 2, after line 22, add:

One act, for a compensation, of buying or selling real estate of or for another or offering for another to buy or sell, or exchange real estate, or to negotiate a loan on or to lease or rent real estate, or to collect rent therefrom for a compensation, shall constitute the person, copartnership or corporation making such sale, sale or purchase, exchange or lease, or negotiating said loan or so renting or collecting said rent, a real estate broker within the meaning of this act.

AMENDMENT NUMBER FOUR.

Section 9, page 6, lines 4 to 8, strike out all of lines 4 to 8.

AMENDMENT NUMBER FIVE.

Section 12, page 7, line 19, strike out comma after "thereof" and add in lieu thereof a period; also strike out "except as otherwise provided in section nine."

AMENDMENT NUMBER SIX.

On page 7, line 34, strike out the rest of the line after the comma; also all of lines 35, 36, 37 and 38, and insert in lieu thereof the following: "and said commissioner of corporations shall receive for his said services as real estate commissioner, the sum of one thousand dollars per year in addition to the salary provided for by law for said commissioner of corporations, which said additional salary shall be paid out of the 'real estate commission's fund' provided for herein."

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Gates, Kehoe and Scott on the motion to refer Senate Bill No. 716 to a Special Committee of One to amend.

The roll was called, and the motion to refer carried by the following vote:

AYES—Senators Benson, Breed, Brown, Canepa, Carr, F. M., Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Jones, King, Lyon, Maddux, Purkitt, Rominger, Scott, Slater, and Tyrrell—21.

NOES—Senators Burnett, Carr, W. J., Chandler, Duncan, Johnson, Kehoe, Rigdon, Stuckenbruck, and Thompson—9.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 19, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 716, with instructions to amend, respectfully reports the same back, amended as per instructions.

LYON, Special Committee.

Report read, and on motion of Senator Gates adopted.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Duncan moved to refer Senate Bill No. 716, to Senator Thompson as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 6, of the printed bill, strike out the words "in any real estate transaction".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 19, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 716, with instructions to amend, respectfully reports the same back, amended as per instructions.

THOMPSON, Special Committee.

Report read, and on motion of Senator Duncan, adopted.
Bill ordered to print and re-engrossment.

REPORT OF STANDING COMMITTEE — "OUT OF ORDER".

The following reports of standing committee were received and read:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 19, 1917.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 727—An act to provide a relief fund in the several counties or any city and county of the State for the needy blind, providing for and prescribing the powers and duties of boards of supervisors in every county or city and county—has had the same under consideration, and respectfully reports the same back, without recommendation.

INMAN, Chairman.

Assembly Bill No. 727 ordered on file for second reading.
Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1146—An act to amend section 4247 of the Political Code, relative to salaries and fees of officers in counties of the eighteenth class—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass, as amended.

INMAN, Chairman.

Assembly Bill No. 1146 ordered on file for second reading.
Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 782—An act to amend section 4246 of the Political Code, relating to salaries and fees of officers in counties of the seventeenth class—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

INMAN, Chairman.

Assembly Bill No. 782 ordered on file for second reading.

ADJOURNMENT

At eleven o'clock and five minutes p.m., on motion of Senator Benson, the President pro tempore declared the Senate adjourned.

IN SENATE

SENATE CHAMBER,

SACRAMENTO, Friday, April 20, 1917.

The Senate met at ten o'clock a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Carson, Cartt, E. M. Carr, W. J. Chandler, Crowley, Dennis, Evans, Finnerty, Gerlach, Hans, Hewitt, Jennings, Irwin, Johnson, Jones, Kehoe, Kilgo, Lamb, Lyon, McDonald, McMillan, Nesbitt, Parkitt, Rigdon, Rominger, Rush, Scott, Sherman, Shortridge, Slater, Stephens, Thompson, and Tyrrell—38.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, April 19, 1917, its further reading was dispensed with, on motion of Senator Crowley.

LEAVES OF ABSENCE.

Senator Chamberlin was, on motion of Senator Lyon, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Ingram, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. Bennet Ofrie of Grass Valley.

On request of Senator Crowley, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. and Mrs. Preston Bonner and Mr. V. T. McCurdy of San Jose.

On request of Senator Slater, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. Charles H. Meisner and Mr. F. G. Beecke Mann of Santa Rosa.

On request of Senator McDonald, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Simon M. McDonald, Mrs. Annie P. McDonald and Wesley McDonald.

On request of Senator Rigdon the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Captain J. B. Hatcher of San Francisco.

On request of Senator Ingram the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. F. L. Arbogast of Oakland.

On request of Senator Luce the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Hon. Louis J. Wilde, mayor-elect of San Diego, and Mr. Ed. L. Davin of San Diego.

On request of Senator Crowley the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Hon. Bernard F. Flood of San Francisco.

On request of Senator Tyrrell, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. Philip M. Fisher, principal, and the following students of the Oakland Technical High School:

Dorothy Colbert, Toma Akers, Mary Belvedere, Celestine Bignanie, Marion Bearden, Sherman P. Stow, Harold L. Girvin, A. L. Dinkelspiel, K. E. Kessler, S. S. Kitchener, Jr., Clarence Williams, Duff Gerlach, Kenneth Walsh, Hugo Methmann, Sam Gofino, Francisco C. Jessene, Sixto C. Palaypay, Anne Shestek, Evelyn Sicotte, Gladys E. Frame, Annamaude Bailey, Vesta Ewert, Mary Tait, Helen Augsburg, Phoebe L. Colby, Merwin C. Ringer, Joseph Akers, James Bretherton, Arthur S. Oakley, Clarence Reichbold, Uriel Smith, James H. Oakley, Paul Weber, Earl Holm, Will H. Adams, George R. Vestal, Gilbert Kneiss, Leonard Jordan, Emma A. Helub, Rachel I. Bretherton, Dorothea Easton, Marjorie Melvin, Wallace E. Hyde, Steve Beehtel, Henry Hoey, Robert A. Treavey, Dewey Westaway, William G. Wilson, Walter Anderson, Howard Josephs, Sherman Dana, Wallace Fordham Elliott, Dorothy Shane, Agnes Allen, Eunice Roeth, Helen Ewing, Helen Hill, Josephine Glidden, Edith Fair, Gertrude Bilkey, Lillian Diamond.

On request of Senator Rush, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to the following students of the Vacaville High School:

Uriel Rutherford, Sinclair Dobbins, Verna Stottlemeyer, Jerry Borges, Elizabeth Adsit, Carlton Hinman, Warren Robinson, Aurelia Montgomery, Gertrude Adsit, Winifred Van Pelt, Leland Lyon, Dudley Mitchell, Mrs. Mitchell, Rebecca Phillips, Susie Parrott, Ruth McOrony, Lillian Weldon, Helen Hartley, Lauren Hawkins, Georgia Mix, Mabel Baynes, Mr. R. Clark, Mrs. R. Clark, Robert Rowley, Andrew Stevenson, Katherine Steiger, Leila Watts, Monretta Gates, Verona Gates, Henry Watts, Miss Dexter, Miss Roberson, Miss Holland, Mr. Dobbins.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 313: An act to validate bonds of school districts and high school districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Senate Bill No. 1136: An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; providing for the issue by incorporated cities and towns, cities and counties, and counties of permits for the operation of such automobiles, jitney busses, auto trucks, stages and auto stages; empowering incorporated cities and towns, cities and counties, and counties to enact ordinances for the supervision and regulation of automobiles, jitney busses, auto trucks, stages and auto stages and providing penalties for the violation of such ordinances; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts and parts of acts inconsistent with the provisions of this act;

Also: Senate Bill No. 115: An act to amend the Penal Code by adding thereto a new section to be numbered 349*d*, relating to the fraudulent sale of foreign-grown or foreign-produced walnuts;

Also: Senate Bill No. 462—An act regulating the manner of preparation or manufacture of egg products which are used in the preparation of foods intended for human consumption, and providing penalties for violations of the provisions thereof.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 313, 1136, 115 and 462 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 658—An act [illegible] sections 1, 2, 14, 15, 16, 19, 20, 26, 28, 30, [illegible] of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or condemnation thereof, [illegible] for the irrigation of the lands embraced within such districts and [illegible] for the distribution of water for irrigation purposes," approved March 31, 1897, and as amended to add to said act sections to be numbered and designated as [illegible] 14a, 15a, 15b, 15c, 15d, 19a, 19b, 30a, 30b, 30c, 30d, 30e, 32a, 32b, 32c, 32d, 32e, 39b, 53a, 67a, and 112, and respectfully ask that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 658 ordered to unfinished business.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Constitutional Amendment No. 67—A resolution to propose to the people of the State of California an amendment to Article XI of the State Constitution by adding a new section thereto, relating to the withdrawal of official funds held by the treasurer of Los Angeles County.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Constitutional Amendment No. 67 read, and referred to Committee on Constitutional Amendments.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 17th passed Assembly Bill No. 1401—An act to amend section 592 of the Code of Civil Procedure, relating to the trial of issues of fact and the decision of issues of law.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1401 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Constitutional Amendment No. 62—A resolution to propose to the people of the State of California to repeal section 18 of Article XI of the Constitution, relative to municipal indebtedness.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Constitutional Amendment No. 62 read, and referred to Committee on Constitutional Amendments.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1348—An act to amend section 4200 of the Political Code, relating to the salaries and fees of officers of counties of the thirty-first class.

Also: Assembly Bill No. 595—An act to amend section 4240 of the Political Code, relating to the compensation of county and township officers and to the fees and mileage of grand jurors and trial jurors and witnesses in the superior court, and to the fees of jurors in criminal cases in justice courts of counties of the eleventh class;

Also: Assembly Bill No. 960—An act to amend section 4255 of the Political Code, relating to salaries and fees of officers of counties of the twenty-sixth class;

Also: Assembly Bill No. 1008—An act to amend section 475 of the Political Code of the State of California, relating to clerks, stenographers, and service agent of the Attorney General's office;

Also: Assembly Bill No. 1468—An act to amend an act entitled "An act authorizing and providing for an investigation and report upon the matter of revenue and taxation, and making an appropriation therefor," approved May 11, 1915;

Also: Assembly Bill No. 298—An act to amend section 4243 of the Political Code, relating to the compensation of officers of the counties of the fourteenth class;

Also: Assembly Bill No. 743—An act to amend section 3075 of the Political Code relating to the employment and compensation of employees of the State Board of Health;

Also: Assembly Bill No. 418—An act appropriating money for repairs and improvements to buildings and equipment of the California School for the Deaf and the Blind.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1348 read first time, and referred to Committee on County Government.

Assembly Bill No. 595 read first time, and referred to Committee on County Government.

Assembly Bill No. 960 read first time, and referred to Committee on County Government.

Assembly Bill No. 1008 read first time, and referred to Committee on Finance.

Assembly Bill No. 1468 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 298 read first time, and referred to Committee on County Government.

Assembly Bill No. 743 read first time, and referred to Committee on Finance.

Assembly Bill No. 418 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1917

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 419—An act appropriating money to provide for readers for blind students in the University of California, and to assist deaf students attending the National College for the Deaf at Washington, D. C.;

Also: Assembly Bill No. 1396—An act providing for the removal of bodies from the cemetery at Stockton State Hospital and disposition thereof, and making an appropriation therefor;

Also: Assembly Bill No. 712—An act to amend section 4269 of the Political Code, relating to salaries and fees of officers in counties of the fortieth class;

Also: Assembly Bill No. 197—An act to amend section 4281 of the Political Code, relating to the compensation of officers of counties of the fifty-second class;

Also: Assembly Bill No. 741—An act to amend sections 1, 2, 3, 4, 5, 7, 10, 13, 14, 18, 21 and 23 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the state bureau of vital statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of state and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of state and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 419 read first time, and referred to Committee on Finance.

Assembly Bill No. 1396 read first time and referred to Committee on Finance.

Assembly Bill No. 712 read first time and referred to Committee on County Government.

Assembly Bill No. 197 read first time and referred to Committee on County Government.

Assembly Bill No. 741 read first time and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed [illegible] Assembly Bill No. 349—An act to add a new section to the Penal Code, to be numbered 278[illegible], relating to cruelty to animals.

Also: Assembly Bill No. 714—An act to amend section 1370 of the Penal Code, relating to sentence and [illegible] of the forty-first class.

Also: Assembly Bill No. 1128—An act to add a new section to the Civil Code to be numbered 322*a*, relating to the exoneration from personal liability of persons holding stock in a corporation or association, administrators, guardians or trustees, and of persons holding stock as collateral security.

Also: Assembly Bill No. 245—An act to amend section 2483 of the Civil Code, relating to the publication of certificates of special partnership.

Also: Assembly Bill No. 1449—An act to amend section 103 of the Code of Civil Procedure, relating to partnership suits.

Also: Assembly Bill No. 336—An act to provide for the protection of fish and to prevent the introduction into this State of parasitized, infected or diseased fish, shellfish, mollusks, crustaceans, amphibians, aquatic plants or aquatic animal life, and declaring the same to be a public nuisance and authorizing the summary destruction of same; providing for a penalty for the enforcement of this act and making a violation of the terms of this act a misdemeanor and providing for a penalty therefor.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. SIEBE, Assistant Clerk.

Assembly Bill No. 349 read first time and referred to Committee on Judiciary.

Assembly Bill No. 714 read first time and referred to Committee on County Government.

Assembly Bill No. 1128 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 245 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1449 read first time and referred to Committee on Judiciary.

Assembly Bill No. 336 read first time, and referred to Committee on Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 333—An act to amend section 627*b* of the Penal Code, relating to the transportation of fish and game.

Also: Assembly Bill No. 1412—An act to amend by act entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911, as amended, by adding three new sections thereto to be numbered 31*a*, 31*b*, and 31*c*, providing for penalties upon officers and agents for borrowing the funds of the society, or for giving or receiving any compensation in relation thereto:

Also: Assembly Bill No. 932—An act to amend sections 1 and 2 of an act entitled "An act to regulate the construction and maintenance of subways, manholes, and underground rooms, chambers, and compartments, used to contain, expose, cover, or conduct wires, cables, or appliances to conduct, carry, or handle electricity, and providing the punishment for the violations thereof," approved April 22, 1911, and to add a new section thereto to be numbered 5:

Also: Assembly Bill No. 464—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced

[illegible]

[illegible], Chief Clerk of Assembly.
By [illegible], Assistant Clerk.

Assembly Bill No. [illegible] read first time, and referred to Committee on Fish and Game.

Assembly Bill No. [illegible] read first time, and referred to Committee on Insurance.

Assembly Bill No. [illegible] read first time, and referred to Committee on Public Utilities.

Assembly Bill No. [illegible] read first time, and referred to Committee on Irrigation.

Assembly Bill No. [illegible] read first time, and referred to Committee on Judiciary.

Assembly Bill No. [illegible] read first time, and referred to Committee on Education.

Also,

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed: Assembly Bill No. [illegible]—An act to amend section [illegible] of an act entitled [illegible]

[illegible]

[illegible]

[illegible]

[illegible], Chief Clerk of Assembly.
By [illegible], Assistant Clerk.

Assembly Bill No. [illegible] read first time, and referred to Committee on Irrigation.

Assembly Bill No. [illegible] read first time, and referred to Committee on Irrigation.

Assembly Bill No. [illegible] read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. [illegible] read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1398 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 671—An act to amend section 1565 of the Political Code, relating to fees for teachers' certificates and disposition of moneys heretofore received for same;

Also: Assembly Bill No. 851—An act to amend section 2238 of the Political Code, relating to the admission of pupils to the California School for the Deaf and the Blind;

Also: Assembly Bill No. 1028—An act to amend an act entitled "An act creating a reclamation district to be called and known as 'Reclamation District No. 1500' providing for the management and control thereof and dissolving all levee districts, swamp land districts and reclamation districts lying wholly within the boundaries of said Reclamation District No. 1500, providing for the liquidation and winding up of said dissolved districts, and excluding from any levee district, swamp land district and reclamation district any land lying within the boundaries of said Reclamation District No. 1500" approved April 30, 1913, in effect August 10, 1913, and amended by act approved June 1, 1915, in effect August 8, 1915, conferring powers and duties upon the trustees of said district and relating to the management and control thereof;

Also: Assembly Bill No. 1300—An act to amend section 4101 of the Political Code, relating to specific duties of treasurer.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 671 read first time, and referred to Committee on Education.

Assembly Bill No. 851 read first time, and referred to Committee on Education.

Assembly Bill No. 1028 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 1300 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 184—An act to amend sections 7, 11 and 13 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a state civil service commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913;

Also: Assembly Bill No. 1304—An act to amend sections 4289, 4292, 4293 and 4294 of the Political Code, relating to fees of county officers and statements thereof;

Also: Assembly Bill No. 1362—An act to amend section 433 of the Political Code, relating to the duties of the controller;

Also: Assembly Bill No. 1467—An act to add a new section to the Civil Code, to be numbered 1861*a*, relating to liens of keepers of furnished apartment houses;

Also: Assembly Bill No. 1470—An act to amend sections 324, 377 and 378 of the Civil Code, all relating to certain rights and remedies of stockholders in California corporations.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 184 read first time, and referred to Committee on Civil Service.

Assembly Bill No. 1304 read first time, and referred to Commitee on County Government.

Assembly Bill No. 1362 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1467 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1470 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 18th passed Assembly Bill No. 656—An act recognizing and establishing that the unpaid expenses of the convention which framed the Constitution of the State of California, including the unpaid per diem of the delegates to such convention for the full term thereof, are obligations against the State, and providing that suits may be brought against the State to determine by judgment the amount and ownership of claims for such unpaid expenses and per diem.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 656 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day adopted as amended, Senate Concurrent Resolution No. 24—Relative to leaves of absence of the Governor, and the members of the Senate and Assembly of the forty-second session of the Legislature of the State of California—and respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Concurrent Resolution No. 24—Relative to leaves of absence of the Governor, and the members of the Senate and Assembly of the forty-second session of the Legislature of the State of California.

ASSEMBLY AMENDMENT TO SENATE CONCURRENT RESOLUTION NUMBER TWENTY-FOUR.

AMENDMENT NUMBER ONE.

On page 2, line 12, after the comma following the name "Greene" insert the following: "Witten W. Harris, Frederick C. Hawes, Henry Hawson, D. R. Hayes, J. J. Hayes, Oscar W. Hilton, Robert Horbach, R. H. Hudson, A. Burlingame Johnson, John W. Johnston, Chester M. Kline, Samuel Knight, H. Kylberg, W. A. Long, Charles W. Lyon, Harry Lyons, Melvin Pettit".

The question being: Shall the Senate concur in Assembly amendment to Senate Concurrent Resolution No. 24?

The roll was called, and Assembly amendment to Senate Concurrent Resolution No. 24 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, King, Maddux, Nealon, Purkitt, Rominger, Rush, Sharkey, Slater, Thompson, and Tyrrell—23.

NOES—None.

Senate Concurrent Resolution No. 24 ordered to enrollment.

THIRD READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 1100—An act to amend section 17 of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection

and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, and known as the "Weights and Measures Act," and amended June 8, 1915.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Terrill moved to refer Assembly Bill No. 1100 to Senator Curtis, F. M., as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 2 of the title, strike out the words "section seventeen" and insert in lieu thereof the following: "sections two, six, seventeen, thirty-two and forty-three".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, in line 2 of the title, strike out the words following the figures "1915" and insert in lieu thereof a comma and the following: "and to add a new section thereto to be numbered 32a".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, in line 1, strike out the word "seventeen" and insert in lieu thereof the word "two".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out all of lines 22 to 28, inclusive, and all of page 3 and insert in lieu thereof the following:

Sec. 2. The term of office of state superintendent of weights and measures shall be four years, or until his successor shall have been appointed and qualified, but he shall always be subject to removal at the pleasure of the Governor. The salary of state superintendent of weights and measures shall be four thousand dollars per annum, payable in the same manner as other state officers are paid. Before entering **upon his duties he shall execute a bond to the State in the sum of five thousand dollars, conditioned upon the faithful performance of his duties.**

Sec. 2. Section six of said act approved June 16, 1913, as amended, is hereby amended to read as follows:

Sec. 6. The standards referred to in the preceding section shall be kept by the state superintendent in a safe and suitable place in his office from which they shall not be removed except for repairs or verification. He shall maintain such standards in good order and shall submit them at least once in ten years to the national bureau of standards for certification. Upon demand the secretary of state shall deliver to the state superintendent all standards now under the control and in the possession of the secretary of state in his capacity of ex officio state sealer of weights and measures. The state superintendent shall thereupon submit such standards received from the secretary of state to the national bureau of standards for certification, and he shall replace such standards as are incorrect and purchase such additional standards as shall be necessary to complete and make up a complete standard of weights and measures as required by this act. He shall also purchase such apparatus as shall be found necessary to a proper prosecution of the work of the office. The state superintendent of weights and measures may establish tolerances and specifications for commercial weighing and measuring apparatus for use in the State of California similar to the tolerances and specifications recommended by the national bureau of standards.

and he may establish a standard net weight, or net measure, or net count of any commodity, produce or article except any manufactured commodity consisting of four or more staple ingredients and prescribe such tolerances for same as he may in his best judgment deem necessary for the proper protection of the public. Any person violating such standards or tolerances shall be guilty of a misdemeanor.

SEC. 3. Section seventeen of said act approved June 16, 1913, as amended, is hereby amended to read as follows:

SEC. 17. The legislative body of any county or consolidated city and county of the first to the thirty-fifth classes, both inclusive, and the legislative body of any city or town may appoint a sealer of weights and measures, fix his compensation and provide for the appointment by the sealer of such number of deputies as the said legislative bodies may deem necessary and expedient. Such sealer shall receive as compensation the sum of one hundred fifty dollars per month, or at the rate of one hundred fifty dollars per month for each month or part thereof actually employed in the service of such county, or city and county, or city and town. He shall be allowed his traveling expenses actually and necessarily incurred in the performance of his duties; and such deputies shall each receive as compensation the sum of five dollars per day for each day actually employed in the service of such county, or city and county, or city and town. They shall be allowed their traveling expenses actually and necessarily incurred in the performance of their duties. The term of office of sealer of weights and measures appointed under the provisions of this section shall be four years. He shall be subject to removal by the power appointing him. Deputies appointed under the provisions of this section by a sealer of a county, city and county, or city, or town, shall be subject to removal by the sealer. In counties of the second class whose charters provide for a department of weights and measures, the appointment of a sealer and deputies, the number of such deputies and the term of office thereof shall be as provided in said charter; *provided*, that the sealer shall receive for compensation the sum of three thousand dollars per annum, and one deputy, to be known as chief deputy, shall receive as compensation the sum of two thousand four hundred dollars per annum. Deputies shall receive as compensation the sum of one thousand eight hundred dollars per annum, each payable in the same manner as the salaries of other county officers are paid. In counties of the third class the sealer shall receive as compensation the sum of one thousand eight hundred dollars per annum, and deputies shall each receive as compensation the sum of one thousand five hundred dollars per annum, payable in the same manner as the salaries of other county officers are paid. In all counties other than those of the first to the thirty-fifth classes, both inclusive, no county sealer or deputies shall be appointed by the legislative body thereof, but the state superintendent of weights and measures shall assign to such counties, or groups of such counties, such deputy superintendents as may be necessary, but not more than one to each of such counties. Such deputies shall have jurisdiction over such county, or group of counties, as the state superintendent may designate, except within the territorial limits of those cities and towns within which sealers have been appointed under the provisions of this act. They shall have all the powers and perform the duties of a sealer of weights and measures. They shall be paid by the county wherein employed, five dollars a day for each day employed therein, which shall not exceed one hundred and twenty days in any one county in any one year, and they shall also receive from such county their actual traveling expenses. The terms of office of all sealers and deputy sealers in all counties other than those of the first to the thirty-fifth classes, both inclusive, shall terminate when this section becomes effective.

SEC. 4. Section thirty-two of said act approved June 16, 1913, as amended, is hereby amended to read as follows:

SEC. 32. Any person who, by himself, or his employee or agent, or as the employee or agent of another, shall use, in the buying or selling of any commodity, or retain in his possession a false weight or measure or weighing or measuring instrument, or shall offer or expose for sale, or sell, except as heretofore specifically allowed in section twenty-seven of this act, or use or retain in his possession any weight or measure or weighing or measuring instrument in any county, city, town, or city and county in which there has been appointed a sealer of weights and measures in accordance with the provisions of this act, which has not been sealed by a sealer within one year, or who shall use or dispose of any condemned weight or measure, or weighing or measuring instrument contrary to law, or any person who, by himself, or his employee or agent, or as the employee or agent of another, shall sell or offer or expose for sale or use or have in his possession for the purpose of selling or using any device or instrument to be used or calculated to falsify any weight or measure, and any person who, by himself, or his employee or agent, or as the employee or agent of another, shall sell or offer or expose for sale any commodity, produce, article or thing in a less quantity than he represents it to be or contain, shall be guilty of a misdemeanor. Possession of any false weight or measure or weighing or measuring instruments or records thereof shall be prima facie evidence of the fact that they were intended to be used in the violation of law.

SEC. 5. A new section is hereby added to said act approved June 16, 1913, as amended, to be numbered section 32*a* and to read as follows:

SEC. 32*a*. No person shall by himself or his employee or agent, or as the employee or agent of another sell or offer or expose for sale any commodity, produce, article

or thing at, by, or according to, true weight or measure, or at, by, or of or according to any weight, measure or count which is greater than the true net weight, measure or count thereof, or which is less than the standard net weight, standard net measure or standard net count, including tolerances as such standards and tolerances are now or may hereafter be established pursuant to the provisions of this act. Any person violating any of the provisions of this section shall be guilty of a misdemeanor.

SEC. 6. Section forty-three of said act approved June 16, 1913, as amended, is hereby amended to read as follows:

SEC. 43. This act when cited or amended may be designated as the "weights and measures act."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, APRIL 20, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 1109, with instructions to amend, respectfully reports the same back, amended as per instructions.

CARR, F. M., Special Committee.

Report read, and, on motion of Senator Tyrrell, adopted.

Bill ordered to print.

Assembly Constitutional Amendment No. 31—Proposed amendment to Article I of the Constitution, relative to eminent domain proceedings.

Resolution read.

COMMITTEE AMENDMENTS.

During reading of resolution, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 12, strike out the word "to."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 13, strike out the words "undertakings or."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 18, after the word "thereto" insert a "comma" and the following: "including damages sustained by reason of an adjudication that there is no necessity for taking the property."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 19, after the "period" insert the following: "The court may, upon motion of any party to said eminent domain proceedings, after such notice to the other parties as the Court may prescribe, alter the amount of such security so required in such proceedings."

Amendment adopted.

Resolution ordered to print.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS, ETC.

Senate Constitutional Amendment No. 5.—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending section 1 of Article IV thereof, relating to legislative powers, and reserving to the people of the State of California

the power to propose laws, statutes and amendments to the Constitution and to enact the same at the polls, independent of the Legislature, and also reserving to the people of the State of California the power to approve or reject at the polls any act or section or part of any act of the Legislature.

On motion of Senator Duncan, Senate Constitutional Amendment No. 5 was referred to Committee on Constitutional Amendments.

Senate Bill No. 587—An act to add a new section to the Political Code to be numbered 2983, relating to the office of attorney for the State Board of Health, and repealing all acts inconsistent therewith.

On motion of Senator Kehoe, Senate Bill No. 587 was ordered to unfinished business.

Senate Bill No. 49—An act to repeal section 55*a* of the Penal Code, relative to soliciting, demanding, or pledging votes for or against any particular bill or measure.

On motion of Senator Duncan, Senate Bill No. 49 was ordered to unfinished business.

Senate Bill No. 692—An act to amend section 1548 of the Political Code of the State of California, relating to postage, expressage, printing and binding of documents and other incidental expenses of the county, or city and county, superintendent of schools.

On motion of Senator Crowley, Senate Bill No. 692 was ordered to unfinished business.

Senate Bill No. 693—An act to amend sections 1712 and 1714 of the Political Code of the State of California, relating to school libraries, what books and apparatus may be bought, how and when they may be purchased, and providing a library fund in cities, and cities and counties.

On motion of Senator Crowley, Senate Bill No. 693 was ordered to unfinished business.

Senate Bill No. 1192—An act to amend section 1475 of the Code of Civil Procedure, relating to the setting off of the recorded homestead and the presentation of claims against said homestead and the estate of the homestead claimant.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1192 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Lyon, Maddux, Nealon, Parkitt, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 465—An act making an appropriation to pay the claim of W. F. Cowan against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 465 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Kelly, Lane, Lewis, Maddux, Nealon, Purkitt, Scott, Sharkey, Shearer, Senter, Stockenbruck, Thompson, and Tyrrell—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR HANS IN THE CHAIR.

At ten o'clock and fifty minutes a.m., Senator Hans of the Fourteenth District was called to the chair.

Senate Bill No. 564—An act making an appropriation to pay the claim of the Petaluma and Santa Rosa Railway Company, a corporation, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 564 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Kelly, Lane, Lewis, Maddux, Nealon, Purkitt, Rominger, Scott, Sharkey, Shearer, Senter, Stockenbruck, Thompson, and Tyrrell—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 700—An act appropriating one thousand five hundred dollars for the restoration and rebuilding of the two old bastions and the old entrance gate and portions of the stockade, and for repairs to existing buildings on the property of the State at Fort Ross, Sonoma County, California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 700 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Irwin, Johnson, Kelly, Lane, Lewis, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Senter, Stockenbruck, Thompson, and Tyrrell—28.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 677—An act to add to the Civil Code of the State of California a new section, to be designated as section 242 of such code, providing in certain cases for the appointment by will or deed of guardians for the person and estate or person or estate, of insane or incompetent persons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 677 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Luce, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 675—An act to add a new section to the Code of Civil Procedure, to be known and designated as section 1764*a* of such code, providing a rule for the selection and designation of guardians of the person and estate, or person or estate of insane or incompetent persons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 675 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 859—An act to authorize the Board of State Harbor Commissioners of San Francisco Harbor to pay the claim of the Fidelity and Deposit Company of Maryland.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 859 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1191—An act appropriating money for the purchase and installation of boilers for the Veterans' Home.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1191 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Luce, Lyon, Maddux, Nealon, Rigdon, Rominger, Scott, Sharkey, Slater, and Stuckenbruck—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1195—An act creating a cash revolving fund for the use of the State of California Irrigation Board and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1125 passed by the following vote:

AYES—Senators Ballard, Benson, Bond, Crosby, Dennison, Evans, Flaherty, Gates, Hans, Ingram, Inman, Lane, Lyon, Madden, Noahs, Rains, Rominger, Scott, Sharkey, Shearer, Slater, Stockbridge, Thompson, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1189—An act to amend section 2024 of the Code of Civil Procedure, relating to taking depositions out of the State.

Bill read third time.

The question being on the passage of the bill,

The roll was called, and Senate Bill No. 1189 passed by the following vote:

AYES—Senators Ballard, Benson, Bond, Crosby, Dennison, Evans, Flaherty, Gates, Hans, Ingram, Inman, Lyon, Madden, Lane, Noahs, Rains, Rominger, Scott, Sharkey, Shearer, Slater, Stockbridge, Thompson, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(OUT OF ORDER).

The following resolution was offered:

By Senator Tyrrell: Senate Concurrent Resolution No. 28—Approving amendments to the charter of the city of Oakland, a municipal corporation, in the county of Alameda, State of California, voted for and ratified by the qualified voters of said city at a general municipal election held thereon on the 17th day of April, 1917.

Resolution ordered to print, and referred to Committee on Municipal Corporations.

THIRD READING OF SENATE BILLS—(RESUMED).

SENATE CONCURRENT RESOLUTION No. 27.

Relative to approving two certain amendments to the charter of the city of San Rafael, county of Marin, State of California, voted for and ratified by the qualified electors of said city of San Rafael at a general municipal election held thereon on the ninth day of April, nineteen hundred seventeen.

WHEREAS, The city of San Rafael in the county of Marin, State of California, contains a population of more than three thousand five hundred inhabitants, and has been ever since the first day of July, nineteen hundred thirteen, and is now organized and acting under a freeholder's charter, adopted under and by virtue of section eight of article eleven of the constitution of the State of California, which charter was duly ratified by a majority of the qualified electors of said city at a special election held for that purpose on the thirteenth day of November, nineteen hundred twelve, and approved by the legislature of the State of California, and filed with the secretary of state March thirty-first, nineteen hundred thirteen (Statutes 1913, page 1549); and

WHEREAS, The city council of said city of San Rafael did by resolution duly adopted by said city council on the fourteenth day of February, nineteen hundred seventeen, and pursuant to section eight of article eleven of the constitution of the State of California, duly propose to the qualified electors of said city of San Rafael certain amendments to the charter of said city of San Rafael to be submitted to the said qualified electors at a general municipal election to be held in said city on the ninth day of April, nineteen hundred seventeen, said amendments being four in number; and

WHEREAS, Said proposed amendments were, and each of them was, published once in The Marin County Tocsin, a weekly newspaper of general circulation published and circulated in said city of San Rafael, said publication being on the

twenty fourth day of February, nineteen hundred seventeen, and copies of said charter amendments were caused to be printed in convenient pamphlet form, and a notice that such copies could be had upon application to the city clerk was thereafter advertised until the date fixed for said election, in The Marin Journal, a weekly newspaper of general circulation printed and published and circulated in the city of San Rafael; and

WHEREAS, The city council of said city did by proclamation duly adopted by said council, and approved by the mayor of said city, order the holding of a general municipal election in the city of San Rafael on the ninth day of April, nineteen hundred seventeen, as provided by the charter of said city, said day being not less than forty, nor more than sixty days after the completion of the publication of said proposed amendments in said weekly newspaper of general circulation in said city of San Rafael, to wit, The Marin County Tocsin, and did provide in said proclamation for the submission of the proposed charter amendments numbered one, two, three and four to the qualified electors of said city for their ratification at said election; and

WHEREAS, Said election was duly called and held on said ninth day of April, nineteen hundred seventeen; and

WHEREAS, The city council of said city of San Rafael in accordance with the law in such cases made and provided, did meet on Friday, the thirteenth day of April, nineteen hundred seventeen, at their usual time and place of meeting, and duly canvassed the returns of said election as certified by the election boards, and duly found, deemed and declared that a majority of the qualified electors of said city voting thereon had voted for and ratified two of said proposed amendments to the charter of said city of San Rafael; and

WHEREAS, The said two amendments to the charter of the city of San Rafael so ratified by a majority of the qualified electors of said city voting thereon at said election are in words and figures as follows:

CHARTER AMENDMENT No. 2.

Section 8 of Article VI of the charter of the city of San Rafael is hereby amended to read as follows:

SEC. 8. No person shall be eligible to hold any office in said city of San Rafael, whether filled by election or appointment, unless he be a resident and elector therein, and shall have resided in said city for three (3) years next preceding the date of such election or appointment.

This section shall not apply to superintendents, principals and teachers in the public schools, or to the city engineer.

CHARTER AMENDMENT No. 4.

Section 9 of Article XIII of the charter of the city of San Rafael is hereby amended to read as follows:

SEC. 9. The maximum time of labor or service required of any laborer, workman, or mechanic employed by the day upon any municipal work, whether employed directly by the city and its officers, or by a contractor, or sub-contractor, shall be eight hours during any one calendar day, and the maximum wages of any such laborer, workman, or mechanic shall be three ($3.00) dollars per day.

State of California,)
County of Marin, } ss.
City of San Rafael.)

This is to certify that we, S. K. Herzog, mayor of the city of San Rafael, and Eugene W. Smith, clerk of the city of San Rafael, have compared the foregoing proposed and ratified amendments to the charter of the city of San Rafael with the original resolution of the council of the city of San Rafael, proposing such amendments, and submitting the same to the qualified electors of said city at a general municipal election held on Monday the 9th day of April, 1917, and find that the foregoing is a full, true, correct and exact copy thereof, and each of them; and we further certify that the facts set forth in the preamble preceding such amendments to said charter are, and each of them is true. That as to all of said amendments this certificate shall be taken as a full and complete certification as to the regularity of all proceedings had and done in connection therewith.

IN WITNESS WHEREOF, we have hereunto set our hands and caused the corporate seal of the city of San Rafael to be attached this 14th day of April, 1917.

S. K. HERZOG,
Mayor of the City of San Rafael.
[SEAL]
EUGENE W. SMITH,
Clerk of the City of San Rafael.

AND WHEREAS, The said proposed amendments to the charter of the city of San Rafael so ratified are now submitted to the legislature of the State of California, for approval or rejection, without power of alteration or amendment in accordance with section eight of article eleven of the constitution of the State of California; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring (a majority of all members elected to each house voting for the adoption of this resolution and concurring thereon), That the said amendments to the said charter of the city of San Rafael hereinbefore set forth as proposed and submitted to and adopted and ratified by the qualified electors of said city of San Rafael be and the same are hereby approved as a whole and as amendments to said charter of the city of San Rafael.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 27 adopted by the following vote:

AYES—Senators Ballard, Beban, Bond, Cartwright, Dennis, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Lane, Leeper, Lewis, Rigdon, Scott, Sharkey, Shearer, Stern, Stuckenbruck, Thompson and Tyrrell—20.

NOES—None.

Title read and approved.

Resolution ordered transmitted to the Assembly.

Senate Bill No. 24.—An act to provide for the issuance of identification certificates and official ballots to duly registered voters, to enable voters to whom such certificates and ballots have been issued to cast their votes wherever they may be within the State of California, on the day of any general or primary election, and to provide the manner in which such votes shall be cast and counted.

Bill read third time.

CALL OF THE SENATE.

The roll was called on the passage of Senate Bill No. 24.

Pending the announcement of the vote, Senator Stuckenbruck moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Ballard, Beban, Bond, Boone, Bonner, Carr, F. M., Carr, W. J., Chandler, Crowley, Dennis, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Lane, Johnson, Kehoe, Lane, Leper, McDonald, Nesbit, Perkins, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Stern, Stuckenbruck, Thompson and Tyrrell—24.

The Secretary announced the absentees.

Time, ten o'clock and fifty minutes a.m.

The Acting President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At ten o'clock and fifty-five minutes a.m., Senators Jones, King, Canepa, and Maddux were brought to the bar of the Senate, and, on motion of Senator Stuckenbruck, were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At ten o'clock and fifty-six minutes a.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Stuckenbruck.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Senate Bill No. 21 refused passage by the following vote:

AYES—Senators Burnett, Canepa, Crowley, Flaherty, Hans, Ingram, Inman, Irwin, King, Lyon, McDonald, Nealon, Parkitt, Rigdon, Scott, Sharkey, Shearer, and Slater—18.

NOES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Gates, Johnson, Jones, Kehoe, Luce, Maddux, Rominger, Rush, Stuckenbruck, Thompson, and Tyrrell—20.

NOTICE OF MOTION TO RECONSIDER.

Senator Stuckenbruck gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 21 was refused passage.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At ten o'clock and fifty-eight minutes a.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Senate Bill No. 440—An act requiring all buildings which are required to be equipped with fire escapes to have attached thereto counterbalanced stairways, counterbalanced ladders, or drop ladders.

Bill read third time, previously.

CALL OF THE SENATE.

The roll was called on the passage of Senate Bill No. 440.

Pending the announcement of the vote, Senator Lyon moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

AYES—Senators Ballard, Breed, Brown, Burnett, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Flaherty, Hans, Ingram, Inman, Kehoe, King, Luce, Lyon, Maddux, Nealon, Parkitt, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—29.

The Secretary announced the absentees.

Time, eleven o'clock a.m.

The President pro tempore directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At eleven o'clock and three minutes a.m., Senators Benson, Jones, Rominger, Carr, F. M., McDonald, Canepa, Gates, Johnson and Irwin, were brought to the bar of the Senate, and, on motion of Senator Lyon, were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and four minutes a.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Lyon.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Senate Bill No. 440 finally passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Jones, Kent, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Slater, Stadtmuller, and Thompson—24.

NOES—Senators Carr, Carter, Cogan, Cole, E. M., Cole, W. J., Ingram, Johnson, Kehoe, Luce, Purkitt, Sharkey, Shearer, and Terrill—13.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—[illegible]

The following report of standing committee has received and read:

ON RULES

SENATE CHAMBER, SACRAMENTO, April 20, 1917.

MR. PRESIDENT—Your Committee on Rules to which was referred the following resolution by Senator Benson:

Resolved, That Rule Forty of the Standing Rules of the Senate be amended to read as follows:

40. On the day succeeding that on which a final vote on any bill, concurrent or joint resolution, or constitutional amendment has been taken, and [illegible] considered on motion of any senator [illegible] reconsideration shall have been given on the day on which such final vote was taken by a Senator voting with the prevailing side, but it shall not be [illegible] consider on the day on which such final vote was taken. Such motion for reconsideration shall have precedence over every other motion except a motion to adjourn. It shall require twenty-one votes to carry any motion to reconsider the vote by which any bill, concurrent or joint resolution has been passed or defeated, and [illegible] votes to carry any motion to reconsider the vote by which any constitutional amendment has been passed or defeated. Notice of reconsideration of the vote by which a senate bill was passed, or a senate joint resolution, senate concurrent resolution or senate constitutional amendment adopted shall not be taken on or after the eighth day preceding the last day of the session. And that the Senate Journal contain and respectfully reports the same back and recommends it be adopted.

BREED, Chairman.

Report read, and, on motion of Senator Benson, adopted.

MOTION TO RECONSIDER

Senator Lyon moved to reconsider the vote whereby Assembly Bill No. 765 was refused passage.

The roll was called, and the motion to reconsider the vote whereby Assembly Bill No. 765 was refused passage, carried by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, W. J., Crowley, Duncan, Evans, Gates, Hans, Ingram, Jones, Irwin, Johnson, Jones, Kehoe, Kent, Lyon, Maddux, Nealon, Purkitt, Rush, Sharkey, Shearer, and Slater—25.

NOES—Senators McDonald, and Scott—2.

Assembly Bill No. 765—An act to define commercial feeding stuffs and to establish a standard therefor, providing for the branding and labeling of same, empowering the State Board of Health to enforce the provisions of the act and providing penalties for the violation of the same.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 765 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Gates, Hans, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, Nealon, Rigden, Rominger, Rush, Sharkey, and Tyrrell—26.

NOES—Senators Brown, Burnett, Flaherty, Ingram, McDonald, Maddux, Purkitt, Scott, Shearer, Slater, and Stuckenbruck—11.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 20, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Breed to introduce a bill entitled: "An act appropriating money for additional support of the Stockton State Hospital for the sixty-eighth fiscal year" has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report,

The roll was called in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigden, Scott, Sharkey, Shearer, and Slater—32.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS—(OUT OF ORDER).

The following bill was introduced in accordance with the above report:

By Senator Breed: Senate Bill No. 1199. An act appropriating money for additional support of the Stockton State Hospital for the sixty-eighth fiscal year.

Bill read first time, and referred to Committee on Finance.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 20, 1917.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 1197—An act appropriating money for the purchase of boilers and additional installation to power plant at Folsom State Prison—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

CHANDLER, Chairman.

Senate Bill No. 1197 ordered on file for second reading.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, April 20, 1917.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 1198—An act to amend section 1239 of the Political Code, relating to the

method of determining the place of residence of an [illegible] had the [illegible] under consideration, and respectfully [illegible] the same back and recommend that it do pass.

FLAHERTY, Chairman.

Senate Bill No. 1198 ordered on file for second reading.

[illegible]

SENATE CHAMBER, SACRAMENTO, APRIL 20, 1917.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 1240, An act [illegible] for sale and intended for personal wear, manufactured in some penitentiary, [illegible] schools or other institutions supported at public expense, and requiring that such [illegible] that such goods are so made, shall be [illegible] and offered for sale, [illegible] the same back and recommend [illegible] do pass.

BROWN, Chairman.

Assembly Bill No. 1240 ordered on file for second reading.

CONSIDERATION OF ASSEMBLY AMENDMENT—(ROLL CALL).

On motion of Senator Hans, the Senate took up for consideration Assembly amendment to Senate Bill No. 655, out at the regular order.

Senate Bill No. 655—An act to amend section 348 of the Code of Civil Procedure of the State of California, relating to the limitation of time within which to bring actions where money is deposited in a bank.

ASSEMBLY AMENDMENT TO SENATE BILL NINETY-SIX HUNDRED FIFTY-FIVE.

AMENDMENT NUMBER ONE.

Beginning with the word "[illegible]" in line 14, strike out the [illegible] and insert in lieu thereof the following: "[illegible] of the account is [illegible]."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 655?

The roll was called, and Assembly amendment to Senate Bill No. 655 concurred in by the following vote:

AYES—Senators Ballou, Benson, Bond, Boynton, Carr, W. J. Chandler, Crawford, Evans, Flaherty, Gates, Hans, Inman, Johnson, Jones, Kehoe, King, McDonald, Maddux, Nourse, Rigdon, Shortridge, Stewart, and Stream—24.

NOES—None.

Senate Bill No. 655 ordered to enrollment.

SECOND READING OF SENATE BILLS—(ROLL CALL).

Senate Bill No. 982—An act granting to the city of Arcata tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Arcata, and regulating the management, use and control thereof.

Bill read second time, ordered engrossed, and on file for third reading.

Senator Kehoe moved that the Senate take up for second reading Senate bills previously reported from committees this day.

Senate Bill No. 1197—An act appropriating money for the purchase of boilers and additional installation to power plant at the Folsom State Prison.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1198—An act to amend section 1239 of the Political Code relating to the method of determining the place of residence of an elector.

Bill read second time, ordered engrossed, and on file for third reading.

RECESS.

At eleven o'clock and eight minutes a.m., on motion of Senator Benson, the President pro tempore declared the Senate at recess until the hour of eleven o'clock and ten minutes a.m.

RECONVENED.

At eleven o'clock and ten minutes a.m., the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 139—An act to amend section 881 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 641—An act to amend sections 851, 852, 853 and 855 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1111—An act to amend section 1 of an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territories to incorporated towns and cities, and for the incorporation of such annexed territory in and as a part of such municipalities, and for the districting, government and municipal control of annexed territory," approved March 19, 1889, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1288—An act to amend sections 2 and 3 of "An act authorizing municipalities to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within municipalities, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same," approved May 26, 1915, in effect August 8, 1915, and adding a new section thereto to be numbered section 8.

On motion of Senator Sharkey, Assembly Bill No. 1288 was passed on file.

Assembly Bill No. 991—An act amending sections 1, 3, 4, 7, 14 and 15 of an act entitled "An act to provide for work upon public roads, streets, avenues, boulevards, lanes and alleys not within the territory of incorporated cities or towns; for the incidental establishment of grades thereof; for the construction therein or thereon of sidewalks, sewers, manholes, bridges, cesspools, gutters, tunnels, curbing, and crosswalks; for the issue of bonds representing the costs and expenses

thereof, for a special fund derived in part from the county road fund and in part by special assessment upon a district, and for the establishment of such districts" approved March 21, 1907, and adding new sections, 9*a* and 13*a*, thereto, providing for added security to laborers and materialmen and the furnishing of material by the county for the making of highway improvements.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 626—An act to amend section 79 of an act to provide for work upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks and providing for the issuance and payment of street improvement bonds to represent certain assessments for cost thereof and providing a method for the payment of such bonds, approved April 7, 1911.

On motion of Senator Kehoe, Assembly Bill No. 626 was passed on file.

Assembly Bill No. 583—An act to amend section 476 of the Penal Code, relating to the issuance of bank checks.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 745—An act to amend section 6 of an act entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911, as amended.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 10 of the bill, strike out the words "friend person," and insert in lieu thereof the word "friend."

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 727—An act to provide a relief fund in the several counties of the State for the needy blind, providing for a commission to be known as the "Blind Relief Commission," and prescribing its powers and duties.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1146—An act to amend section 4247 of the Political Code, relative to salaries and fees of officers in counties of the eighteenth class.

Bill read second time.

On motion of Senator Rush, Assembly Bill No. 1146 was ordered referred to Committee on County Government.

Assembly Bill No. 782—An act to amend section 4246 of the Political Code, relating to salaries and fees of officers in counties of the seventeenth class.

Bill read second time, and ordered on file for third reading.

POSTPONEMENT OF CONSIDERATION.

On motion of Senator Duncan, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 1079 was refused passage, was continued until the next legislative day.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 755—An act to amend sections 2239, 2283, 2287 and 2289 of the Civil Code, relating to trusts.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 755 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Kehoe, King, Nealon, Rominger, Scott, and Sharkey—22.

NOES—Senators Irwin, Purkitt, Shearer, and Slater—4.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1193—An act to add a new section to the Civil Code to be numbered 330, relating to liability for unpaid par value of capital stock of corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1193 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, F. M., Chandler, Crowley, Evans, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, King, Lyon, Nealon, Purkitt, Rush, Sharkey, and Shearer—22.

NOES—Senators Burnett, Carr, W. J., and Rigdon—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1158—An act to amend section 1557 of the Penal Code, relating to the accounts of persons employed to bring back fugitives from the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1158 refused passage by the following vote:

AYES—Senators Duncan, Evans, Flaherty, McDonald, Maddux, Nealon, Rigdon, Rominger, and Tyrrell—9.

NOES—Senators Ballard, Breed, Burnett, Carr, W. J., Chandler, Crowley, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, King, Scott, Sharkey, and Stuckenbruck—16.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following report of standing committee was received and read:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 19, 1917.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 28—Approving amendments to the charter of the city of Oakland, a municipal corporation, in the county of Alameda, State of California, voted for and ratified by the qualified voters of said city at a general nominating municipal election held therein on the 17th day of April, 1917—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

TYRRELL, Chairman.

Senate Concurrent Resolution No. 28 ordered on file.

CONSIDERATION OF CONCURRENT RESOLUTION NO. 28 OUT OF ORDER

Senator Tyrrell asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 28 out of the regular order.

SENATE CONCURRENT RESOLUTION No. 28

Approving amendments to the charter of the city of Oakland, a municipal corporation, in the county of Alameda, State of California, voted for and adopted by the qualified electors of said city at a special municipal election held therein on the 27th day of April, 1917.

WHEREAS, Proceedings have been had and taken for the preparation, submission, adoption and ratification of certain amendments to the charter of the City of Oakland, a municipal corporation, in the county of Alameda, State of California, as set forth in the certificate of the mayor pro tempore and city clerk of the said city of Oakland, to-wit:

CITY OF OAKLAND }
STATE OF CALIFORNIA } ss.
COUNTY OF ALAMEDA }

We, the undersigned, W. H. EDWARDS, Mayor pro tempore of the City of Oakland, State of California, and L. W. CLAMPUS, City Clerk of said City, do hereby certify and declare as follows:

That the City of Oakland, in the County of Alameda, State of California, contains a population of more than three thousand inhabitants and was had and counted the last 1910, and is now populous and contains a homogeneous charter adopted under and by authority of and pursuant to Section XI of the Constitution of the State of California, which charter was duly ratified by a majority of the qualified electors of said City at a regular election duly called and held for that purpose on the 5th day of December, 1916, and approved by the Legislature of the State of California on the 13th day of December, 1916. (Statutes of 1915, page 1551.)

That in pursuance of section 8 of article XI of the Constitution of the State of California, in the year 1916, the Council of the City of Oakland, being the legislative body of said city, and the same is composed of Resolution No. 14426 N. S. passed by said Council on the 21st day of February, 1916, and of Resolution No. 14636 N. S. passed by said Council on the 6th day of March, 1916, and of Resolution No. 14640 N. S. passed by said Council on the 6th day of March, 1917, and of Resolution No. 14667 N. S. passed by said Council the 20th day of March, 1917, duly submitted to the qualified electors of said City of Oakland certain amendments to said charter of said city, to be voted on at the said qualified electors at the general municipal election to be held in said City on the 27th day of April, 1917, which said amendments were duly set up in words and figures following, to-wit:

That in accordance with the provisions of Resolution No. 14426 N. S. passed by the Council of the City of Oakland on February 21, 1917, Section 178 of the Charter of the City of Oakland be amended to read as follows:

Sec. 178. No ordinance or other measure passed by the Council granting either any franchise, permit or privilege to operate, or to be used in connection with, any public utility either wholly or partially within or without the City of Oakland, or authorizing the incurrence of debt, pursuant to any or more than a period longer than one year, or pledge to the use of any real property or of any interest therein, excepting bonds held in trust by said city, or authorizing any lease or permission to use a portion of any street, alley or avenue, shall go into effect until the expiration of sixty (60) days from the date of its passage hereof. At the end of said sixty (60) days such ordinance, measure or action shall be in force and effect, unless within such period there shall be filed with the City Clerk a petition signed by qualified electors equal in number to ten (10) per cent of the entire vote cast for all candidates for Mayor at the last preceding General Municipal Election, provided, that the number of signers to any such petition shall not be less than two thousand, requesting that such ordinance, measure or action be submitted to the electors. In case such petition is filed, such ordinance, measure or action shall not go into effect until approved by a majority of the votes cast thereon at a General or Special Municipal Election.

That in accordance with the provisions of Resolution No. 14636 N. S. passed by the Council of the City of Oakland on March 6, 1917, a new section be added to the Charter of the City of Oakland to be numbered Section 1001, to read as follows:

Section 1001. Any member of the Fire Department sustaining an injury while in the performance of his duty, shall be entitled to receive in addition to the benefits otherwise provided in section 15 of this Charter, such medical, surgical and hospital treatment, including nursing, medicines, medical and surgical supplies, crutches and apparatus, including artificial members, as may reasonably be required at the time

of the injury and within ninety days thereafter to cure and relieve from the effects of the injury, the same to be provided by the City, and the Council may allow such members so injured full pay during the continuance of his disability, not exceeding ninety days.

That in accordance with the provisions of Resolution No. 14640 N. S. passed by the Council of the City of Oakland on March 5, 1917, a new section be added to the charter of the City of Oakland to be numbered Section 924, to read as follows:

Section 924. Any member of the Police Department sustaining an injury while in the performance of his duty, shall be entitled to receive, in addition to the benefits otherwise provided in article 14 of this charter, such medical, surgical and hospital treatment, including nursing, medicines, medical and surgical supplies, crutches and apparatus, including artificial members, as may reasonably be required at the time of the injury and within ninety days thereafter to cure and relieve from the effects of the injury, the same to be provided by the City, and the Council may allow such members so injured, full pay during the continuance of his disability, not exceeding ninety days.

That in accordance with the provisions of Resolution No. 14657 N. S. passed by the Council of the City of Oakland on March 6, 1917, Subdivision 21, of Section 5, of Article III of the Charter of the City of Oakland be amended to read as follows:

VOTE NECESSARY FOR ELECTION—SECOND ELECTION.

(21) The candidate receiving a majority of the votes cast for all candidates for that office shall be declared elected. If at any election held as above provided, there be any office to which no person was elected, then as to such office the said election shall be considered to have been a nominating election for the nomination of candidates, and a second election shall be held to fill said office.

In case no candidate receives a majority of the votes cast for all candidates for the office to be filled, then the two candidates receiving the highest number of votes for such office shall be the candidates and the only candidates for such office, whose names shall be printed upon the ballots to be used at the second election; provided that if there be any person who, under the provisions of this subdivision, would have been entitled to become a candidate for any office except for the fact that such other person received an equal number of votes therefor, then all such persons receiving such equal number of votes shall likewise be candidates for such office and their names shall be printed upon the ballots.

At such second election the candidate for any office who receives the highest number of votes at such election shall be declared elected to such office.

If at any such election the Mayor, Auditor, any Commissioner or any School Director be not elected by reason of a tie vote, then the Council then in office shall by lot choose from the candidates receiving such tie vote the necessary number to fill such office or offices.

All the provisions and conditions above set forth as to the conduct of nominating municipal elections, so far as they may be applicable, shall govern said second elections and all other municipal elections and in said second election the same precincts and polling places as used in said nominating municipal elections shall, if possible, be used.

That said proposed amendments were and each of them was published and advertised as required by law in the official newspaper of said city, to wit: the Oakland Enquirer.

That pursuant to section 4 of the charter of the City of Oakland, a regular nominating municipal election was duly held in said city on Tuesday the 17th day of April, 1917, at which said election the foregoing proposed amendments to the charter of said city were duly submitted to the qualified electors of said city for their ratification pursuant to the resolutions hereinbefore mentioned.

That at said election a majority of the qualified electors voting thereon voted in favor of the ratification of, and did ratify each and all of the proposed amendments to the charter of the City of Oakland hereinabove set forth.

That the City Council of the City of Oakland at a meeting held on the 19th day of April, 1917, at the time and in the manner required by law, duly canvassed the returns of said election, and duly found, determined and declared that a majority of said qualified electors voting thereon had voted for and ratified each and all of said proposed amendments to said charter hereinabove set forth.

IN WITNESS WHEREOF we have hereunto set our hands and caused the seal of said city to be affixed this 19th day of April, 1917.

W. H. EDWARDS.
Mayor pro tempore of the City of Oakland.

[SEAL.]

L. W. CUMMINGS.
City Clerk of the City of Oakland.

AND WHEREAS, The said proposed amendments so ratified as hereinbefore set forth have been duly presented and submitted to the legislature of the State of California for approval or rejection without power of alteration in accordance with section eight of article eleven of the constitution of the State of California; now therefore be it

Resolved by the Senate of the State of California, the Assembly thereof concurring (a majority of all the members elected to each house voting thereon and concurring therein), That such amendments to the charter of the city of Oakland as proposed to and adopted and ratified by the electors of said city, and as hereinbefore fully set forth, be and the same are and each of them is hereby approved as a whole without amendment or alteration for and as amendments to, and as a part of the charter of the city of Oakland.

Resolution read.

The question being on the adoption of the resolution.

The roll was called and Senate Concurrent Resolution No. 28 adopted by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Carter, Carr, F. M., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Jones, Irwin, Johnson, King, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, and Tyrrell—28.

NOES—None.

Title read and approved.

Resolution ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS—(ROLL OF ORDERS).

Senate Bill No. 628—An act providing for the regulation of land titles, and giving the Surveyor-General certain powers in respect thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 628 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Burnett, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Johnson, King, McDonald, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Stuckenbruck, and Tyrrell—23.

NOES—Senators Ballard, Duncan, and Maddux—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 70—An act to be known as the Usury Law, relating to the rate of interest which may be charged for the loan or forbearance of money, goods or things in action, or on accounts after demand, or on judgments, providing penalties for the violation of the provisions hereof and repealing sections 1917, 1918, 1919, and 1920 of the Civil Code and all acts or parts of acts in conflict with this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 70 refused passage by the following vote:

AYES—Senators Brown, Carr, W. J., Ingram, Irwin, King, Lyon, Nealon, Purkitt, Rush, and Stuckenbruck—10.

NOES—Senators Ballard, Benson, Breed, Burnett, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Johnson, Jones, Lane, Maddux, Rigdon, Scott, Sharkey, and Tyrrell—19.

SENATE JOINT RESOLUTION No. 7.

Relative to the devoting revenues from national forests to the construction of works for flood control.

WHEREAS, The streams and rivers of California are subject to destructive floods entailing great loss of property and life; and

WHEREAS, The sources of most of said streams are in national forest reserves, wholly within the State of California, and contain vast quantities of timber estimated to amount to more than ninety-four billion feet, and all of which is exempt from taxation by the state and may not at present be made use of by her people; and

WHEREAS, The government obtains large revenues from said forests, only a lesser portion of which is returned to or expended in the state; therefore be it

Resolved by the Senate and Assembly, jointly, That the legislature of California does hereby recommend to the senators and representatives of the state in congress, to use their best endeavors to secure the setting aside of all revenues derived from national forest reserves in the state, not required for the administrative cost thereof, to create a fund for the construction of dams and other works for the control of floods in streams subject to destructive floods in the State of California.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 7 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Caminetti, Crowley, Duncan, Evans, Flaherty, Hans, Inman, Irwin, Jeffery, Johnson, Jones, King, Lane, Maddux, Nelson, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stackenbruck, and Tyrrell—28.

NOES—None.

Title read and approved.

Resolution ordered transmitted to the Assembly.

Senate Bill No. 869—An act to amend section 4 of an act entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled 'An act to promote the better education and practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the board of regents of the University of California, and to provide penalties for violation thereof'" approved June 12, 1913, as amended.

On motion of Senator Sharkey, Senate Bill No. 869 was ordered re-referred to Committee on Public Health and Quarantine.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committee were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 20, 1917.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 1199—An act appropriating money for additional support of the Stockton State Hospital for the sixty-eighth fiscal year—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

CHANDLER, Chairman.

Senate Bill No. 1199 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 200—An act authorizing the State Board of Prison Directors to make and enforce rules and regulations to establish and maintain an earning system to apply to the inmates of state prisons engaged in productive activity, and making an appropriation to carry out the provisions of this act—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

CHANDLER, Chairman.

Senate Bill No. 200 ordered on file for second reading.

REPORT OF STANDING COMMITTEE

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT

SENATE CHAMBER, SACRAMENTO, April 20, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Joint Resolution No. 10—Relating to the erection of a monument in the Capitol Park at Sacramento, commemorative of the soldiers, sailors and marines who have heretofore defended or shall hereafter defend the nation's honor and integrity in times of war;

Also, Senate Concurrent Resolution No. 27—Relative to approving the proposed amendments to the charter of the city of San Rafael, county of Marin, State of California, voted for and ratified by the qualified electors of said city of San Rafael at a general municipal election held therein on the tenth day of April, 1917;

Also, Senate Bill No. 982—An act granting to the city of Arcata tide and submerged lands of the State of California, excluding the right to extract oil therefrom, to the city of Arcata, and regulating the management, use and control thereof;

Also, Senate Bill No. 1167—An act appropriating money for the purchase of boilers and additional installation in power plant at the Folsom State Prison;

Also, Senate Bill No. 1198—An act to amend section 1239 of the Political Code relating to the method of determining the place of residence of an elector;

And reports that the same have been correctly engrossed.

CANEPA, Chairman.

REPORTS OF STANDING COMMITTEES (OUT OF ORDER)

The following report of standing committee was received and read:

ON HOSPITALS AND ASYLUMS

SENATE CHAMBER, SACRAMENTO, April 20, 1917.

MR. PRESIDENT: Your Committee on Hospitals and Asylums, to which was referred Assembly Bill No. 1450—An act to authorize and empower the board of managers of the Agnews State Hospital to grant, under the conditions herein provided, to the Southern Pacific Railroad Company, a corporation, a right of way and easement for the purpose of constructing, maintaining and operating an industrial spur track over, along and upon a strip of land situate in the county of Santa Clara and belonging to the State of California—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

CROWLEY, Chairman.

Assembly Bill No. 1450 ordered on file for second reading.

MOTION TO RECONSIDER

Senator Purkitt moved to reconsider the vote whereby Senate Bill No. 126 was refused passage.

The roll was called, and the motion to reconsider the vote whereby Senate Bill No. 126 was refused passage carried by the following vote:

AYES—Senators Breed, Chandler, Duncan, Evans, Gates, Hans, Ingram, Johnson, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—23.

NOES—Senators Ballard, Benson, Burnett, Carr, W. J., Crowley, Flaherty, Inman, Jones, and Maddux—9.

Senate Bill No. 126—An act to amend the title and sections 2, 4, 5, 7, 9, 12, 18, 20 and 26 of an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and to provide for the distribution and sale of water by said districts," approved June 10, 1913, and to add thereto a new section to be numbered 28.

Bill read third time, previously.

CALL OF THE SENATE.

The roll was called on the passage of Senate Bill No. 126.

Pending the announcement of the vote, a call of the Senate was moved by Senator Purkitt.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Ingram, Inman, Irwin, Johnson, Jones, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—33.

The Secretary announced the absentees.

Time, eleven o'clock and fourteen minutes a. m.

The President pro tempore directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At eleven o'clock and sixteen minutes a.m., Senators Thompson, Carr, F. M., and Gates were brought to the bar of the Senate, and, on motion of Senator Purkitt were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and seventeen minutes a.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Purkitt.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Senate Bill No. 126 finally passed by the following vote:

AYES—Senators Breed, Brown, Carr, F. M., Chandler, Gates, Hans, Ingram, Irwin, Johnson, King, Lyon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—21.

NOES—Senators Ballard, Benson, Burnett, Canepa, Carr, W. J., Crowley, Duncan, Evans, Flaherty, Inman, Jones, Luce, McDonald, Maddux, Nealon, and Tyrrell—16.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Brown, the following messages from the Assembly were taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 22—Urging Congress to submit to the legislators of the states for their ratification an amendment to the United States Constitution granting women the right to vote.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Joint Resolution No. 22 read, and referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 259—An act to provide for the fighting of forest fires in the San Dimas Canyon in the San Gabriel Mountains, California, and to make an appropriation therefor.

Also: Assembly Bill No. 68—An act to amend section 737 of the Political Code, relating to salaries of superior judges.

Also: Assembly Bill No. 1020—An act to amend section 445 of the Political Code, authorizing the Controller of State to maintain an inheritance tax department and in connection therewith to appoint an inheritance tax attorney and assistants thereto.

Also: Assembly Bill No. 203—An act to amend section 1085g of the Political Code, authorizing the board of supervisors of the several counties of this State to declare unnavigable streams highways for the purpose of fishing and providing for the use of the same.

Also: Assembly Bill No. 1013—An act to regulate and limit the amount that may be produced by tax levies in the aggregate in political subdivisions of this State, creating a state board of administration, providing for the making and filing of budgets by such subdivisions, and repealing all acts and parts of acts in conflict with this act.

Also: Assembly Bill No. 1203—An act to amend section 4278 of the Political Code, relating to the compensation of officers of counties of the forty-ninth class.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 259 read first time, and referred to Committee on Finance.

Assembly Bill No. 68 read first time, and referred to Committee on Finance.

Assembly Bill No. 1020 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 203 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1013 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1203 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 569—An act to provide for the registration of all privately owned high powered rifles in this State, to require the registration by vendors of all future sales of such rifles, to prescribe the duties of certain public officers with reference thereto, to provide penalties for violations hereof, and to make an appropriation for the purposes of this act.

Also: Assembly Bill No. 713—An act to amend section 4274 of the Political Code, relating to salaries and fees of officers in counties of the forty-fifth class.

Also: Assembly Bill No. 481—An act to amend section 4278 of the Political Code, relating to counties of the twenty-ninth class.

Also: Assembly Bill No. 586—An act to provide a system of state sanatoria for the adequate care and treatment for incipient, as well as advanced cases of pulmonary tuberculosis, in the State of California, prescribing the duties of the State Board of Health in relation thereto, providing for the issuance and sale of bonds to defray the expenses incident to the establishment and maintenance of such system, making an appropriation for the expense of printing and sale of said bonds, creating a "State Tuberculosis Fund" and a "State Tuberculosis and Sinking Fund" and providing for the submission of this act to the people at the general election of 1918.

Also: Assembly Bill No. 1276—An act providing for investigations and reports by the State Board of Health regarding specimens having medicolegal bearing in criminal cases and making an appropriation therefor.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 569 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 713 read first time, and referred to Committee on County Government.

Assembly Bill No. 481 read first time, and referred to Committee on County Government.

Assembly Bill No. 586 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1276 read first time, and referred to Committee on Public Health and Quarantine.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Constitutional Amendment No. 37—A resolution to propose to the people of the State of California an amendment of the Constitution of said State by amending section 3 of Article XII thereof, relating to the liability of stockholders and directors;

Also: Assembly Constitutional Amendment No. 40—A resolution to propose to the people of the State of California to amend section 8 of Article VI of the Constitution of said State, relating to assignment of judges pro tempore.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Constitutional Amendment No. 37 read, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 40 read, and referred to Committee on Constitutional Amendments.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 19th passed:

Assembly Bill No. 1403—An act to exclude certain territory from the boundaries of the Sacramento and San Joaquin Drainage District.

Also: Assembly Bill No. 285—An act to provide for semimonthly pay days of laborers in the employ of the State, or of any county, city, or city and county.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1403 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 285 read first time, and referred to Committee on Labor and Capital.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, April 20, 1917.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Assembly Bill No. 981—An act to amend section 2322*a* of the Political Code, relating to inspection of fruit trees and eradication of pests—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

KING, Chairman.

Assembly Bill No. 981 ordered on file for second reading.

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, April 20, 1917.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 1112—An act to amend an act entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911, as amended, by adding two

new sections thereto to be numbered [illegible] providing for possible open offices, and [illegible] the funds of the society, or its employes but [illegible] reports the same back and recommend that it do pass.

BURNETT, Chairman.

Assembly Bill No. 1113 entered on file for second reading.

CASE OF URGENCY.

The following resolution was offered:

By Senator Tyrrell:

Resolved, That Senate Bill No. 1189, [illegible] a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each House, [illegible] and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chandler, Crowley, Dunning, Evans, Flaherty, Hans, Inman, Johnson, King, Luce, Lyon, McDonald, Mathias, Nourse, Parkes, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—31.

NOES—None.

Whereupon the President declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering at this time Senate Bill No. 1199.

Senate Bill No. 1199—An act appropriating money for additional support of the Stockton State Hospital for the sixty-eighth fiscal year.

Bill read second time, considered engrossed, and ordered on file for third reading.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1199 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chandler, Crowley, Dunning, Evans, Flaherty, Hans, Inman, Johnson, King, Luce, Lyon, McDonald, Mathias, Nourse, Parkes, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CASE OF URGENCY.

The following resolution was offered:

By Senator Tyrrell:

Resolved, That Senate Bills Nos. 982, 1197, 1198 present a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provisions of that section requiring that bills shall be read on three several days in each House, is hereby dispensed with, and it is ordered that said bills be read the third time, and placed upon their passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chandler, Crowley, Evans, Flaherty, Hans, Ingram, Inman, Johnson, King, Luce,

Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—31.

NOES—None.

Whereupon, the President declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering at this time Senate Bills Nos. 982, 1197 and 1198.

Senate Bill No. 982—An act granting to the city of Arcata tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Arcata, and regulating the management, use and control thereof.

Bill read second time, previously.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 982 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Crowley, Duncan, Evans, Flaherty, Hans, Inman, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1197—An act appropriating money for the purchase of boilers and additional installation to power plant at the Folsom State Prison.

Bill read second time, previously.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1197 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Inman, Johnson, King, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1198—An act to amend section 1239 of the Political Code, relating to the method of determining the place of residence of an elector.

Bill read second time, previously.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1198 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Burnett, Carr, W. J., Crowley, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—26.

NOES—Senators Ballard, Canepa, Carr, F. M., Chandler, Duncan, Inman, Maddux, Rigdon, and Thompson—9.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT

SENATE CHAMBER, SACRAMENTO, April 20, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 761—An act to amend section [illegible] and to amend sections [illegible] 1929, 1930, 1931, [illegible] 1960, 1980, 1982, 2004, [illegible] 2111 and 2112, of the Political Code, all relating to the municipal court of the State of California—and reports that the same has been correctly engrossed.

CANEPA, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 109—An act making an appropriation to pay any judgment that may be imposed against the State of California, under the provisions of an act entitled "An act providing for the condemnation and purchase of land for highway districts composed of two or more counties of the State of California," approved April 5, 1917, in suits the state of the State of California shall have agreement or agreements with the United States government for assistance in the construction, improvement or maintenance of highways, based for military purposes and authorizing the State Department of Engineering to enter into such agreements, and to pay the cost of making surveys and preparing plans and estimates for the following highways: An extension of the Trinity Highway, from its westerly end in a westerly direction and on the north of Independence in Humboldt County, a highway beginning at or near Oregon in Ventura County, California, and extending to a point near San Jose in Orange County, California, a highway from Jackson's Ranch near Petaluma in San Mateo County, California, to Grossmont Camp in the California National Parks State Park County, California, a highway beginning at Carmel in Monterey County, California, and running thence in a southerly direction to San Simeon in San Luis Obispo County, California, and a lateral highway from a point near Castroville thereon to a point on or near Point Lobos in said Monterey County, a bridge to span San Francisco Bay at or near Dumbarton Point, and a highway from the western boundary line of Marin County, California, to the state highway near the city of Santa Maria, Santa Barbara County, California.

Also: Senate Bill No. 762—An act appropriating the sum of [illegible] thousand dollars to defray the expenses during the ensuing biennial period of organizing, controlling, equipping, instructing and maintaining high schools under communities in the State of California, and for purposing with provided in such companies and to further carry out the purposes of an act entitled "An act to provide for the organization, control and maintenance of high school under communities, and for the promotion of rural practical schools, and appropriating the sum of [illegible] thousand dollars therefor," approved April 5, 1911.

Also: Senate Bill No. 847—An act to provide for the payment, levy and collection of taxes for the support of the state government for the twenty-fifth and seventieth fiscal years;

Also: Senate Bill No. 517—An act to amend [illegible] of the [illegible] of the national memorial museum and peace institute at Vicksburg, Mississippi, and making an appropriation therefor;

Also: Senate Bill No. 395—An act to amend section [illegible] of the Political Code;

Also: Senate Bill No. 919—An act appropriating money to pay the claim of Mark Woerner against the State of California;

Also: Senate Bill No. 717—An act to authorize proceedings for the conversion of territory to municipal corporations under the provisions of an act entitled "An act to provide for the alteration of the boundaries of and for the annexing of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the discharging, government and municipal control of such annexed territory," approved March 19, 1889, and the acts amendatory thereof;

Also: Senate Bill No. 1194—An act to authorize and empower the board of trustees of the State Normal School at San Francisco to sell and convey the lands and buildings of said school; to select and accept a new site for said school and to erect thereon new buildings and improvements and to purchase therefor necessary furniture and equipment; to provide for the transfer and use of certain moneys; and to make an appropriation to carry out the purposes of this act; and to repeal an act entitled "An act to authorize and empower the board of trustees of the San Francisco State Normal School to sell or exchange and convey the lands and buildings of said school; to acquire by purchase, gift, condemnation or otherwise a

new site for said school and to erect thereon buildings suitable and appropriate therefor, or to remodel or reconstruct any building already erected on the site so purchased or acquired, and to purchase therefor necessary and appropriate furniture and equipment; to create a fund into which shall be paid the proceeds of the sale of the present school property and making an appropriation to carry out the purposes of this act," and all other acts or parts of acts in conflict with this act;
And reports that the same have been correctly engrossed.

CANEPA, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 716—An act to define real estate brokers, agents, salesmen, solicitors, to provide for the regulation, supervision, and licensing thereof; to create the office of real estate commissioner and making an appropriation therefor—and reports that the same has been correctly reengrossed.

CANEPA, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Concurrent Resolution No. 28—Approving amendments to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified voters of said city at a general nominating municipal election held therein on the 17th day of April, 1917;

Also: Senate Joint Resolution No. 7—Relative to the devoting revenues from national forests to the construction of works for flood control;
And reports that the same have been correctly engrossed.

CANEPA, Chairman.

SECOND READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 200—An act authorizing the State Board of Prison Directors to make and enforce rules and regulations to establish and maintain an earning system to apply to the inmates of state prisons engaged in productive activity, and making an appropriation to carry out the provisions of this act.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE

In line 5 of the title strike out the comma following the word "activity", and insert in lieu thereof a period; also, strike out the words "and making an appropriation".

Amendment adopted.

AMENDMENT NUMBER TWO

Strike out all of line 6 of the title.

Amendment adopted.

AMENDMENT NUMBER THREE

On page 2 of the printed bill, strike out lines 17 to 20, inclusive.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

RECESS.

At eleven o'clock and twenty minutes a.m., on motion of Senator Benson, the President pro tempore declared the Senate at recess until the hour of eleven o'clock and thirty minutes a.m.

RECONVENED

At eleven o'clock and thirty minutes a.m., the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton F. Brooks at his desk.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER)

On motion of Senator Benson, the following messages from the Assembly were taken up and read out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1917.

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 92.—An act [illegible] the building of [illegible] defects in the administration building of the Mendocino State Hospital.

Also: Assembly Bill No. 949.—An act to appropriate money to pay the claim of Theodore M. Bossey against the State of California.

Also: Assembly Bill No. 1067.—An act to appropriate money to be expended by and under the direction of the commission for the protection of [illegible] and improving the waterways in the Sacramento, San Joaquin and Feather Rivers and such other streams in the State as the Department of Engineering may determine, improving the navigability of such waters and acquiring land for necessary rights of way therefor; making surveys, investigations and plans for flood control; the examination and supervision of dams; the investigation of rainfall, snowfall and runoff affecting navigation and flood control; and giving the Department of Engineering [illegible] and making it unlawful to construct or operate dams in a dangerous condition; and providing penalties for violations of [illegible] such dams [illegible].

Also: Assembly Bill No. 991.—An act to appropriate money to pay the claim of Earl P. Barnes against the State of California.

Also: Assembly Bill No. 1477.—An act granting certain lands in the city and [illegible] San Diego to San Diego Lodge No. [illegible] Independent Order of Odd Fellows of California; and providing for the disposal [illegible] of said lands [illegible] made by said city to said lodge.

E. O. DOROTHY, Chief Clerk of Assembly.
By M. SIMS, Assistant Clerk.

Assembly Bill No. 921 read first time and referred to Committee on Finance.

Assembly Bill No. 943 read first time and referred to Committee on Finance.

Assembly Bill No. 1027 read first time and referred to Committee on Finance.

Assembly Bill No. 945 read first time and referred to Committee on Finance.

Assembly Bill No. 1472 read first time and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1917.

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 209.—An act to create the office of county surveyor in each county in this State, providing for his appointment, qualifications, compensation and duties; transferring to such surveyor certain powers, functions and duties heretofore vested in and performed by county surveyors and members of the board of supervisors; also authorizing the board of supervisors in each county to purchase and obtain all necessary equipment, materials and assistants; [illegible] to carry out the objects of this act; to provide and modify [illegible] an other and necessary assistants; to provide for abolishing the office of county surveyor; and to fix and levy taxes for road purposes.

Also: Assembly Bill No. 7.—An act to amend section 4245 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the sixteenth class.

Also: Assembly Bill No. 85—An act making an appropriation for the construction of a monument to Abraham Lincoln in Inglewood Park Cemetery;

Also: Assembly Bill No. 504—An act making an appropriation for the erection of a monument in memory of deceased members of the G. A. R.;

Also: Assembly Bill No. 563—An act to establish a memorial park to be known as "The Fremont-Pico Peace and Memorial Park"; appointing a commission to be known as the "Fremont-Pico Peace and Memorial Park Commission," prescribing their powers and duties, and providing an appropriation to carry this act into effect;

Also: Assembly Bill No. 1361—An act to amend sections 439 and 440 of the Political Code, relating to employees of the Controller's office and their salaries.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 209 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 7 read first time, and referred to Committee on County Government.

Assembly Bill No. 85 read first time, and referred to Committee on Finance.

Assembly Bill No. 504 read first time, and referred to Committee on Finance.

Assembly Bill No. 563 read first time, and referred to Committee on Finance.

Assembly Bill No. 1361 read first time, and referred to Committee on Finance.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 20, 1917.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 657—An act to amend sections 2, 3, 13, 14, 15 and 30 of an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries, or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission, and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys and creating a reclamation board and defining its powers," approved December 24, 1911, as amended by an act approved May 26, 1913, and as further amended by an act approved June 9, 1915, and to add twenty new sections to said act, to be numbered 54, 72, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48 and 49, relating to the appointment, powers and duties of said reclamation board, and to the method of levying and collecting assessments in the Sacramento and San Joaquin Drainage District or parts thereof, and providing for the early completion of the Sacramento flood control project and the issuance of bonds of the Sacramento and San Joaquin Drainage District therefor, and for the completion of plans for the San Joaquin flood control project—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

JONES, Chairman.

Assembly Bill No. 657 ordered on file for second reading.

PROPOSED AMENDMENTS TO ASSEMBLY BILL NUMBER SIX HUNDRED FIFTY-SEVEN.

On motion of Senator Jones the following proposed amendments to Assembly Bill No. 657 were ordered printed in the Journal:

AMENDMENT NUMBER ONE

On page 1, line 2 of the title, after the comma following the word "three", insert the words "five, eleven,".

AMENDMENT NUMBER TWO.

On page 2, line 4 of the title, after the word "issuance" insert "and validation".

AMENDMENT NUMBER THREE.

On page 2, in the last line of the title, after the words "San Joaquin" insert "and Mokelumne", and in the same line change "project" to "projects".

AMENDMENT NUMBER FOUR.

On page 2, between lines 20 and 21, insert the following:

Section five of said act is hereby amended to read as follows:

Sec. 5. The management and control of said drainage district shall be vested in the reclamation board, which shall consist of three members to be appointed by the governor. One of said members shall be a member of the state water commission, and one shall be chosen from the engineering department of the highway department of the state. Each of the two members last named shall serve without other or further compensation than their salaries. The third member shall receive an annual salary of $[illegible] dollars. All of said members shall receive their actual and necessary traveling expenses. The members shall be appointed by the governor within thirty days after this act shall take effect. All members shall hold office at the pleasure of the governor. In case of a vacancy the same shall be filled by the governor.

AMENDMENT NUMBER FIVE.

On page 2, between lines 20 and 21 and following the preceding amendment, insert the following:

Section eleven of said act is hereby amended to read as follows:

Sec. 11. Any plan of reclamation, flood control, drainage or other improvement that includes or contemplates the construction, enlargement, revetment or alteration of any levee, embankment, canal or other construction along or over the banks of the Sacramento or San Joaquin rivers or any of their tributaries or connected therewith, or upon any land adjacent thereto or within any of the overflow lands thereof, or upon any land susceptible to overflow therefrom, unless heretofore approved by the reclamation board, be approved by said board before construction of the same shall be commenced. Any such plan shall be said board approved by said board, and no such work shall be done or commenced without the permission of said board first obtained.

No river or by-pass levee at any of the places hereinbefore mentioned, nor any levee forming part of any of the plans of flood control adopted by this act or by said reclamation board, shall be cut or opened without permission of said board first obtained.

Before any work of construction on any levee of the Sacramento river flood control project shall be commenced or any work on any such levee already commenced shall be further prosecuted, written permission must be obtained from the California debris commission, such permission to state the time as nearly as practicable, when such levee or levees may be completed and closed with no injury or impairment to navigation and with no damage to the flood control of the Sacramento river. The cut levee of the Sutter by-pass must be built together with the necessary works for handling the drainage waters intercepted thereby before the north or south levees of the Tisdale by-pass shall be closed, provided said levees may be closed at any time after July 10, 1919.

Notwithstanding any provision hereinbefore in this section contained, the owner of any existing levee at any of the places above mentioned shall have the right to raise, widen, or strengthen the same to such extent as said owner may desire, provided, that before such work is commenced, the plans, specifications and method of construction therefor shall be submitted to and approved by the reclamation board, and that the work shall be done subject to the supervision of said board, and that no claim shall ever be made against said reclamation board or said Sacramento and San Joaquin drainage district for compensation, through or by any assessment or otherwise, for any part of such work which may be in excess of the requirements of the plan of flood control for that locality finally adopted and approved by said board.

And provided, further, that any such existing levee may be protected or strengthened in case of emergency during the season of flood water, where it is in danger of injury or destruction therefrom; *provided*, that notice of such work shall be immediately given to the reclamation board, and provided that all such emergency work shall be subject to the subsequent approval of the reclamation board, and that said board shall have power to require its removal or alteration if not so approved.

And provided, further, that no levee, embankment or other structure within any by-pass or overflow channel adopted by said reclamation board shall be raised, widened, strengthened or altered without permission of said reclamation board first obtained.

The construction, enlargement, revetment or alteration of any levee, embankment, canal or other work of reclamation, flood control or drainage at any of the places hereinbefore mentioned, or the doing of any act or construction of any work in this section mentioned, or permitting the same to remain after such construction, which

shall be done without the permission of the reclamation board and in violation of any of the provisions of this section, is hereby declared to be a public nuisance, and the reclamation board is hereby empowered to commence and maintain any suit or suits in the name of the people of the State of California for the prevention or abatement of such nuisance. Any person who shall do any act contrary to or in violation of any of the provisions of this section shall be guilty of a misdemeanor.

AMENDMENT NUMBER SIX.

On page 4, line 10, change "each" to "such".

AMENDMENT NUMBER SEVEN.

On page 7, line 25, after the word "amended" insert ", either by said assessors or in the judicial proceeding hereinafter provided for."

AMENDMENT NUMBER EIGHT.

On page 7, lines 29 and 30, strike out the words "by the board of assessors" and insert "thereof".

AMENDMENT NUMBER NINE.

On page 8, line 12, strike out the word "both".

AMENDMENT NUMBER TEN.

On page 8, line 23, strike out the word "action" and insert "proceeding".

AMENDMENT NUMBER ELEVEN.

On page 10, line 9, strike out the word "proceeding" and insert in lieu thereof the word "proceedings".

AMENDMENT NUMBER TWELVE.

On page 11, line 17, strike out the words "within thirty days from said date", and insert in lieu thereof the following: "payable on or after _____, 19__,".

AMENDMENT NUMBER THIRTEEN.

On page 11, lines 19 and 20, strike out the words "which will remain unpaid on the day (day fixed)" and insert "not paid on or before the _____day of _____, 19____".

AMENDMENT NUMBER FOURTEEN.

On page 11, line 20, before the word "twenty" insert the words "one dollar and".

AMENDMENT NUMBER FIFTEEN.

On page 11, line 22, strike out the word "(Signed)".

AMENDMENT NUMBER SIXTEEN.

On page 11, line 25, after the word "successively," insert the words "prior to the date fixed for payment,".

AMENDMENT NUMBER SEVENTEEN.

On page 11, line 28, after the words "date of" insert the words "payment fixed by".

AMENDMENT NUMBER EIGHTEEN.

On page 12, line 22, strike out "or such project".

AMENDMENT NUMBER NINETEEN.

On page 12, line 34, after the word "treasurer" change the comma to a period, and strike out the word "after" at end of line. Also strike out all of line 35.

AMENDMENT NUMBER TWENTY.

On page 13, line 25, after the word "district" insert the words "shall thereafter,". Also strike out the words "shall thereafter" in line 26.

AMENDMENT NUMBER TWENTY-ONE.

On page 14, line 10, at the beginning of the line, insert "Where bonds have not been authorized upon an assessment,". Also change the capital "T" to small "t" in the word "The".

AMENDMENT NUMBER TWENTY-TWO.

On page 14, lines 27 and 28, strike out the words "shall cause" and insert in lieu thereof the word "causing".

AMENDMENT NUMBER TWENTY-ONE.

On page 14, lines 33 and 34, strike out "[illegible]" and insert "[illegible]".

AMENDMENT NUMBER TWENTY-TWO.

On page 15, line 3, strike out "[illegible]" and insert "[illegible]".

AMENDMENT NUMBER TWENTY-THREE.

On page 15, line 9, strike out the words "[illegible]" and insert "[illegible]".

AMENDMENT NUMBER TWENTY-FOUR.

On page 16, lines 11 and 12, strike out the words "[illegible]".

AMENDMENT NUMBER TWENTY-FIVE.

On page 16, line 14, strike out the words "[illegible]" and insert "[illegible]" before the words "[illegible]".

AMENDMENT NUMBER TWENTY-SIX.

On page 16, line 22, strike out the word "[illegible]" and insert in lieu thereof the word "[illegible]".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 18, line 20, after the period following the figure "[illegible]", strike out the remainder of line 19 and all lines in and including line 20 and insert in lieu thereof the following:

Section [illegible] of said act is hereby amended to read as follows:

Sec. 15. All money collected upon sales or otherwise shall be paid to the county treasurer of the county in which the land is situated, and such money, together with all other money collected for the county [illegible] shall within ten days after receipt by the county treasurer, be by him deposited to the credit of said district in a bank which is a county depositary and issues to the Secretary and Site Property Division [illegible] the county treasurer of the assessment from which such money was collected and after he paid out upon warrants of the [illegible] and the expenses in having [illegible] warrants, [illegible] shall be presented to him and the same [illegible] warrants which there is sufficient money in the fund of such district [illegible] shall be stamped "[illegible]" and the same [illegible] such money was derived, which [illegible] and that the [illegible] shall be [illegible] and such warrant [illegible] and [illegible] as soon as the reclamation board has passed its order or resolution for the levy of such assessment and approved the [illegible]. In case there are not sufficient funds applicable thereto for the purchase of such warrants [illegible] to the state treasurer he shall indorse on such warrants the date of presentation and register the same, and [illegible] warrants shall bear interest at the rate of seven per cent per annum and must be paid in the order of their registration. Such warrants shall be [illegible] in writing for the payment of money, and the period specified for the [illegible] of the principal sum of said warrants or [illegible] thereon, as and shall be due [illegible] from the date of their issuance or renewal, as hereinafter provided. Such warrants shall be [illegible] within four years after their issuance or renewal, be received in payment of any assessment for work or improvements [illegible] such warrants were issued. The reclamation board may, at its option, at any time within four years after the date of previous renewal thereof, renew the [illegible] period of four years upon indorsement of the number of such warrants, by an indorsement thereon of the fact and date of such renewal and return thereof to the state treasurer and controller. Whenever there is sufficient money in the treasury [illegible] to the payment of any outstanding warrants of the district, the state treasurer shall give notice that there is money in the treasury to pay outstanding warrants, stating their numbers in the order of their registration, and notice shall be published for ten days in one newspaper published in the city of Sacramento and one newspaper in the city of Sacramento. After the last publication of such notice the warrants therein mentioned shall cease to bear interest. The [illegible] board shall designate a paper in each of said cities which shall be an official paper of said district for the purpose of such publication. Whenever in the opinion of the reclamation board it shall

appear that the total amount of any assessment previously levied and assessed and which has become a lien upon lands in said drainage district will be greater than required for the purposes for which such assessment was levied, the reclamation board may by resolution entered in its minutes release the lien of and abandon such assessment as to any part thereof not required as aforesaid and not previously ordered to be paid; and a copy of such resolution certified by the secretary of said board and attested with its seal shall be deposited in the office of the county treasurer of each county wherein is situated any land affected by such assessment, and shall be by such county treasurer annexed to the assessment list of such assessment for that county; and in any such case, when any payment has been voluntarily made upon the part of such assessment upon any tract of land so abandoned and released the amount of such overpayment shall be repaid to the person by whom the same was paid, his heirs or assigns; and upon production of the county treasurer's receipt therefor and endorsement thereon by the reclamation board of the fact of such repayment, the reclamation board shall draw a draft on the state controller and the controller shall draw a warrant upon the state treasurer therefor, and the state treasurer shall pay such warrant in the same manner as other warrants against the funds of such assessment. The reclamation board may also in its discretion abandon further proceedings under any assessment at any time prior to the time when the lien of such assessment has accrued. In case of any change of county boundary lines, or creation of any new county, all acts and proceedings in this act provided for in the matter of or relating to or in pursuance of or founded upon any assessment upon lands affected by such change of county boundary lines, or creation of such new county, shall be done and conducted as if such lands were situated in the same county as at the time of appointment of the assessors to make such assessment.

AMENDMENT NUMBER THIRTY.

On page 20, line 15, after the semicolon following the word "project" insert the following: "and no land situated within the said Sacramento assessment district of the Sacramento and San Joaquin drainage district shall be assessed for the cost of any part of the San Joaquin flood control project hereinafter referred to;".

AMENDMENT NUMBER THIRTY-ONE.

On page 20, line 17, at the beginning of line change "ture" to "tute".

AMENDMENT NUMBER THIRTY-TWO.

On page 20, strike out all of lines 20 to 38, inclusive, and all of lines 1 to 15, inclusive, on page 21, and insert in lieu thereof the following:

Commencing at the point on the west line of section six, township two north, range six east, Mount Diablo base and meridian where the said west line of section six intersects the center line of Disappointment slough; thence running from said point of beginning down the center line of Disappointment slough to the center line of the San Joaquin river; thence down the center of the San Joaquin river to the mouth of Whiskey slough; thence up the center line of Whiskey slough to the center of the dredger cut along the north and west sides of McDonald island; thence westerly and southwesterly along said dredger cut to its intersection with Middle river; thence up the center line of Middle river to the dredger cut running northwesterly along the southwesterly side of Mandeville island; thence northwesterly along the center line of said dredger cut to its intersection with Connection slough; thence westerly along the center line of Connection slough to its intersection with Old river; thence due west to the center line of Holland cut, so called, being the dredger cut along the easterly side of the Holland tract, thence northerly along said Holland cut to the center of Sand Mound slough; thence southwesterly and westerly along Sand Mound slough and Taylor slough to the northeast corner of section twenty-one, township two north, range three east, Mount Diablo base and meridian; thence westerly along the channel between Jersey island and the Spring tract to the center of Dutch slough; thence down the center line of Dutch slough to the San Joaquin river; thence due north to the center line of the San Joaquin river; thence down the center of San Joaquin river to the westerly boundary of the Sacramento and San Joaquin drainage district.

AMENDMENT NUMBER THIRTY-THREE.

On page 23, line 25, after the word "determine" insert the word "upon".

AMENDMENT NUMBER THIRTY-FOUR.

On page 24, line 15, after the word "lands" insert the word "affected".

AMENDMENT NUMBER THIRTY-FIVE.

On page 25, line 23, strike out the comma after the word "assessed".

AMENDMENT NUMBER THIRTY-SIX

On page 28, line 4, strike out the words "at the time of their execution" and insert in lieu thereof the words "either January first or July first".

AMENDMENT NUMBER THIRTY-SEVEN

On page 28, line 11, strike out the words "be made payable" and insert a comma following the word "shall" in said line.

AMENDMENT NUMBER THIRTY-EIGHT

On page 28, line 12, after the word "bonds" insert the following words: "be made payable".

AMENDMENT NUMBER THIRTY-NINE

On page 29, line 3, strike out "$ ", "and insert " dollars".

AMENDMENT NUMBER FORTY

On page 33, line 23, after the word "and" insert the following: "which are investigated and approved by the commissioner of banks or hereafter purchased by a law of this state to conduct such investigation and give such approval and by authority of which approval said bonds are declared to be legal investments for savings banks".

CONSIDERATION OF ASSEMBLY AMENDMENTS

The Senate took up for consideration Assembly amendments to Senate Bill No. 658—An act to amend sections 1, 2, 14, 15, 16, 19, 20, 26, 28, 30, 34, 35, 39, 40, 59, 61b and 153 of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, and as amended to add to said act sections to be numbered and designated as 2a, 14a, 15a, 15b, 15c, 15d, 19a, 19b, 30a, 30b, 30c, 30d, 30e, 32a, 39a, 39b, 39c, 39d, 39e, 39f, 53a, 67a and 112.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SIX HUNDRED FIFTY-EIGHT

AMENDMENT NUMBER ONE

Strike out all of line 6, on page 3 of the printed bill, and substitute the following: "of residence of any petitioner and any fact going to the qualifications of petitioners under this act."

AMENDMENT NUMBER TWO

Strike out everything beginning with line 9, on page 3 of the printed bill, to and including line 29, on page 6, and substitute the following:

SEC. 2. In order to propose the organization of an irrigation district, a petition shall be presented to the board of supervisors of the county in which the lands within the proposed district, or the greater portion thereof, are situated, signed by the required number of holders of title or evidence of title, including such aforesaid possessory rights to lands within such proposed district, and representing the requisite majority in value of said land, or a petition shall be presented to said board of supervisors signed by not less than five hundred petitioners, each petitioner to the number of at least five hundred to be an elector in the proposed district, or to be some person, corporation, association or partnership, the holder of title to lands in said proposed irrigation district, or evidence of title to lands in said proposed irrigation district, including the holders of possessory rights under receipts or other evidence of the rights of entrymen or purchasers under any laws of the United States or of this state, the said petitioners signing said petition shall include the owners of not less than twenty per cent in value of the land within said proposed irrigation district according to the equalized county assessment roll or rolls for the year last preceding, which petition shall set forth generally the boundaries of the proposed district and also shall state generally the source or sources (which may be in the alternative) from which said lands are proposed to be irrigated, and shall pray that the territory embraced within the boundaries of the proposed district may be organized as an irrigation district under the provisions of this act. The petition may consist of any

number of separate acreages, and must be accompanied with a bond and sufficient undertaking, to be approved by the board of supervisors, in double the amount of the probable cost of organizing said district, conditioned that the sureties shall pay all of said costs in case said organization shall not be effected. Said petition shall be presented at a regular meeting of said board and shall be published for at least two weeks before the time at which the same is to be presented in some newspaper of general circulation printed and published in the county where said petition is presented together with a notice stating the time of the meeting at which the same will be presented, and if any portion of the lands within said proposed district lie within another county or counties, then said petition and notice shall be published, as above provided, in a newspaper published in each of said counties. When contained upon more than one instrument, one copy only of such petition need be published, but the names attached to all of said instruments must appear in such publication. On or before the day on which said petition is presented to said board of supervisors, a copy of said petition shall be filed in the office of the state engineer. When said petition is presented, said board of supervisors shall hear the same and shall proceed to determine whether or not said petition complies with the requirements hereinbefore set forth and whether or not the notice required herein has been published as required, and must hear all competent and relevant testimony offered in support of or in opposition thereto. Said hearing may be adjourned from time to time for the determination of said facts, not exceeding two weeks in all. No defect in the contents of the petition or in the time or form of the notice or signatures, or lack of signatures thereto, shall vitiate any proceedings thereon: *provided*, such petition or petitions have a sufficient number of qualified signatures attached thereto. The determination of the board shall be expressed by resolution. If it shall determine that any of the requirements hereinbefore set forth have not been complied with, the matter shall be dismissed, but without prejudice to the right of the proper number of persons to present a new petition covering the same matter or to present the same petition with additional signatures, if such additional signatures are necessary to comply with the requirements of this act. If the board of supervisors shall determine that the petitioners have complied with the requirements hereinbefore set forth, it shall cause a copy of the resolution so declaring to be forwarded to the state engineer and shall postpone further hearing of said petition until a report shall be received from the state engineer. Upon receiving a copy of said resolution, the state engineer shall make or cause to be made such preliminary investigation as may be practicable, with a view to determining the feasibility of the project proposed to be undertaken. He shall report as soon as practicable, but at all events within ninety days, in writing, on the matter to the board of supervisors from which the copy of said resolution was received, and such board of supervisors at their next regular meeting following the receipt of said report shall set a time for the consideration of said report, *provided*, that such time shall not be less than one week from such regular meeting of said board of supervisors; *and provided, further*, that notice of such time shall be given by registered mail to such party as shall have been designated for that purpose by the petitioners or by publication, for at least three days in one daily newspaper published in the county in which the lands within the proposed district, or the greater portion thereof, are situated. A failure to give such last mentioned notice however, shall not affect the validity of subsequent proceedings. If the state engineer shall report that the supply of water available for the use of the proposed district, or that may be acquired by any practicable means, including the condemnation of existing rights, is not sufficient or that the project is not feasible for any other reasons or reason and if such report shall be filed with the said board of supervisors before the expiration of ninety days from and after the date of the adoption of the aforesaid resolution, the hearing of the petition shall again be continued for not more than two months and shall then be dismissed, unless the board of supervisors shall be petitioned in writing by three-fourths in number of the holders of title or evidence of title including possessory rights, to land within said proposed district to grant the same; *provided*, that if such petition is not received the board of supervisors may modify the plans for the proposed district in accordance with recommendations by the state engineer. If the report of the state engineer shall not compel the continuance of the matter as aforesaid, or if no report is received or if the state engineer makes a written statement that he has been unable to make such report, or if no report is made at the first regular meeting after the expiration of said ninety days, the board of supervisors shall, at the meeting at which said report shall have been set for hearing, proceed to a final hearing of the petition. If said board shall, after receiving an adverse report from the state engineer as aforesaid, decide to modify the plan as set forth in said petition or shall be requested in writing by three-fourths in number of the holders of title or evidence of title, including possessory rights, to the lands within said proposed district to grant said petition, said board shall then proceed at the time set to a final hearing of the matter. On a final hearing herein provided for, the board may adjourn from day to day, but not for a longer time, until a determination of the matter is reached. On said final hearing said board shall make such changes in the proposed boundaries as it may deem advisable and shall define and establish such boundaries, but said board shall not modify said boundaries so as to exclude from

such proposed district any territory which is susceptible of irrigation from any of the sources proposed, unless said board shall be satisfied the place for such proposed district, or lands proposed to be included, will not, in the judgment of said board, be benefited by irrigation by means of any such sources or works to be included herein, such proposed district. Lands already irrigated and figured lands may be included by the district if, in the judgment of the board of supervisors such land will be benefited or if the water rights thereon or the right to the use of water thereon should, in the judgment of the board of supervisors, be taken or acquired for the district. Any person whose lands are susceptible of irrigation from any of the proposed sources may, upon his application, in the manner as said board, have such lands included within such proposed district.

AMENDMENT NUMBER THREE

Strike out everything beginning with line 26 on page 6 to the middle line 10 and including line 29, on page 8 and inserting the following:

Sec. 3. A new section to be known as section 2a is to be inserted which shall read as follows:

Sec. 2a. The state engineer shall have authority and it shall be his duty to give information, so far as may be necessary to persons contemplating the formation of irrigation districts under the provisions of this act. Whenever the engineering and investigations of proposed irrigation districts shall be made at the request of the state, the state engineer shall make such surveys and such investigations as such proposed irrigation district authorized, provided the completion of surveys and investigation, the state engineer shall have authority to withhold from appropriation any unappropriated water that is to be needed therefor.

AMENDMENT NUMBER FOUR

Strike out everything beginning with line 30 on page 8 to and including line 37, page 8 of the printed bill and substitute the following:

Sec. 4. Section fourteen of said act is hereby amended to read as follows:

Sec. 14. The board of directors shall hold a regular meeting on the first Tuesday of each month at the place selected as the office of the board, provided that the board may, by resolution duly entered upon its minutes, fix some other time for its regular monthly meeting, but no change in the time of holding regular meetings of the board shall be made until after the resolution provided with thereof has been published once a week for two successive weeks in a newspaper published in the county in which the office of the district is kept. Special meetings of the board of directors may be held as fixed by resolution for the proper transaction of the business of the district but a special meeting shall be ordered by a majority of the board. The order must be entered of record, and five days notice thereof must be given to each director not joining in the order. The order must specify the business to be transacted and no other business shall be transacted at such special meeting unless all the members are present and consent to the consideration of any business not specified in said order. All meetings of the board must be public and there shall be a quorum for the transaction of business, provided, however, that when the board consists of three members only then in such case two shall constitute a quorum for the transaction of business, and on all questions requiring a vote, a majority of the board, or a motion to adjourn to a stated time, there shall be a concurrence of at least the number constituting a quorum. A smaller number of directors than a quorum may adjourn from day to day. All records of the board shall be open to public inspection during business hours. Whenever any act is required to be done or proceeding taken by this act, or by an act supplemental or amendatory thereto on the first Tuesday in any month, such act may be done or proceeding had upon the day specified in the previous terms before referred to as the time for the regular meeting of the board of directors: provided, also, that when a day other than the first Tuesday in the month shall have been specified as the time for the regular meeting of the board of directors, then after the newly elected officers of the district shall take office at noon on the day fixed for the regular monthly meeting of said board in March and said board shall meet for reorganization and the transaction of any other business of the district in the afternoon of said day.

AMENDMENT NUMBER FIVE

Strike out everything, beginning with line 1, on page 9 of the printed bill, up to and including line 32, on page 11, and substitute the following:

Sec. 5. A new section is hereby added to said act after section fourteen to be numbered fourteen *a* and to read as follows:

Sec. 14*a*. The board of directors at their regular monthly meeting in January of each year shall render and immediately thereafter cause to be published a certified statement of the financial condition of the district, showing particularly the receipts and disbursements of the last preceding year, together with the source of such receipts and purpose of such disbursements. Said publication shall be made in least

once a week for two weeks, in some newspaper, published in the county where the office of the board of directors of such district is situated.

AMENDMENT NUMBER SIX.

Strike out everything, beginning with line 33, on page 11, of the printed bill, to and including line 18, on page 12, and substitute the following:

SEC. 6. Section fifteen of said act is hereby amended to read as follows:

SEC. 15. The board of directors shall have the power and it shall be their duty, to manage and conduct the business and affairs of the district; make and execute all necessary contracts; employ and appoint such agents, officers, and employees as may be required, and prescribe their duties. The board and its agents and employees shall have the right to enter upon any land to make surveys, and may locate the necessary irrigation works and the line for canal or canals, and the necessary branches for the same, on any lands which may be deemed best for such location. Said board shall also have the right to acquire, by purchase, lease, contract, condemnation, or other legal means, all lands, and waters, and water rights, and other property necessary for the construction, use, supply, maintenance, repair and improvements of said canal, or canals, and works, whether in this or in other states or in a foreign nation, including canals, and works constructed and being constructed by private owners, lands for reservoirs for the storage of needful waters, and all necessary appurtenances, and also where necessary or convenient to said ends to acquire and hold the stock of other corporations, domestic or foreign, owning waters, canals, waterworks, franchises, concessions or rights. Said board may also acquire, own and manage such canals, reservoirs and other works jointly with other irrigation districts and irrigation corporations and may acquire the right to carry water through the canals of other irrigation districts and corporations and may likewise grant the right to carry water through canals owned by it to other irrigation districts and irrigation corporations in this or adjoining states.

AMENDMENT NUMBER SEVEN.

Strike out everything, beginning with line 19, on page 12, of the printed bill, to and including line 11, on page 13, and substitute the following:

SEC. 7. A new section is hereby added to said act after section fifteen to be numbered fifteen *a* and to read as follows:

SEC. 15*a*. No purchase or lease of any waters, or water rights, or canals, or reservoirs, or reservoir sites, or irrigation works, or other property of any nature or kind, or stock in any other corporation, for any price, aggregate rental or consideration, or exchange of bonds at par, in excess of ten thousand dollars, in any district whose area does not exceed fifty thousand acres, or in excess of fifty thousand dollars in any district whose area is over fifty thousand acres and not more than two hundred thousand acres, nor in excess of one hundred thousand acres, shall be final or binding on the district, nor shall the purchase price, rental or consideration or any part thereof, be paid or rendered until a petition of a majority of the holders of title, or evidence of title, and of possessory rights as aforesaid to lands within the district, such holders of title, or evidence of title, and of possessory rights representing a majority in value of said land, according to the last equalized assessment roll of the district, if such has theretofore been made, and if such has not been made, then according to the equalized county assessment roll covering lands of such district, shall have been filed with the board and an order of the board made thereon confirming such purchase, or until a petition shall be presented to said board of directors, signed by not less than five hundred petitioners, each petitioner to be an elector in the district or to be some person, corporation, association or partnership, holder of title to lands in said district or evidence of title to land in said district, including the holders of possessory rights under receipts or other evidence of the rights of entrymen or purchasers under any law of the United States or of this state, said petitioners to include the owners of not less than twenty per cent in value of the land within said district according to the equalized county assessment roll or rolls for the year last preceding, and an order of the board made thereon confirming said purchase; *provided*, that such petition shall not be required where the property to be purchased or the lease was specified in the plans approved by the irrigation district bond commission and adopted by the board of directors as provided in section thirty of this act, or was among the purposes specified for any bond issue authorized by vote of the electors of said district.

AMENDMENT NUMBER EIGHT.

Strike out everything, beginning with line 12, on page 13, of the printed bill, to and including line 22, on page 13, and substitute the following:

SEC. 8. A new section is hereby added to said act to be numbered fifteen *b*, and to read as follows:

SEC. 15*b*. The board of directors of any irrigation district may also construct the necessary dams, reservoirs, and works for the collection of water for said district, and do any and every lawful act necessary to be done, that sufficient water may be furnished to each land owner in said district for irrigation and domestic purposes;

provided, that where, within irrigation districts [illegible] water companies have been organized to furnish water to certain specified lands within said districts, the board of directors of such districts are hereby authorized and empowered to contract for the delivery of water for such lands as be within the boundaries of said water companies, through said mutual water companies only. The said board is hereby authorized and empowered to take conveyances, leases, contracts or other assurances for all property acquired by it under the provisions of this act, in the name of such irrigation district, to and for the uses and purposes herein expressed, and to institute and maintain any and all actions and proceedings, suits at law or in equity necessary or proper in order to fully carry out the provisions of this act, or to enforce, maintain, protect or preserve any and all rights, privileges and franchises granted to or acquired in pursuance thereof. And in all courts, actions, suits or proceedings, the said board may sue, appear and defend in person, or by attorneys, and in the name of such irrigation district.

AMENDMENT NUMBER NINE.

Add the following new sections:

SEC. 9. A new section is hereby added to said act to be numbered fifteen *c* and to read as follows:

SEC. 15*c*. It shall be the duty of the board of directors of any irrigation district to establish equitable by-laws, rules and regulations for the distribution and use of water among the owners of said lands, which must be granted in [illegible] form for distribution in the district. Said board shall have power necessarily to perform all such acts as shall be necessary to fully carry out the purposes of this act.

SEC. 10. Section fifteen and one-half of the said act is hereby amended to be numbered fifteen *d* and to read as follows:

SEC. 15*d*. The board of directors, when they deem it advisable for the best interests of the district, and the convenience of the electors thereof, may at any time, but not less than sixty days before an election to be held in the district, change the boundaries of the divisions or election precincts of the district, or of both; provided, such changes shall be made so as to keep each division as nearly equal in area and population as may be practicable. Such change of boundaries of the divisions and precincts must be shown on the minutes of the board. The board of directors of any irrigation district now or that may hereafter be organized in the state, shall also have the power, and such board is hereby vested with the authority, to lease the system of canals and works in the district, or any part thereof, whenever such leasing may be for the benefit of the district; provided, that when the directors of any irrigation district contemplate the leasing of the canals and works of such district, they shall give notice of such contemplation by publishing the same in some newspaper published in the county in which such irrigation district lies, at least three weeks prior to the making of any lease, and such lease shall be made to the highest bidder. But such board shall have the right to reject any and all bids. Such lease shall in no way interfere with any rights that may have been established by law, at the time such lease is made; *and further provided*, that the board of directors shall require a good and sufficient bond to secure faithful performance of the lease by the lessees.

SEC. 11. Section sixteen of said act is hereby amended to read as follows:

SEC. 16. In case of condemnation proceedings the board shall proceed, in the name of the district, under the provisions of title seven, part three of the Code of Civil Procedure of the State of California, and all proceedings, procedures and process in said title provided shall be applicable to the condemnation proceedings herein-under.

SEC. 12. Section nineteen of said act is hereby amended to read as follows:

SEC. 19. An election, which shall be known as the general irrigation district election, shall be held in each irrigation district on the first Wednesday in February in each odd-numbered year, at which a successor shall be chosen to each officer whose term shall expire in March next thereafter. The person receiving the highest number of votes for each office to be filled at such election shall be elected thereto. The elective officers of an irrigation district shall be as many directors as there are divisions in the district, and an assessor, a collector and a treasurer; *provided*, that if any two or more offices shall have been consolidated as provided in section seven or section twenty-seven hereof, only one person shall be elected to fill such consolidated offices. The term of office of each elective officer of an irrigation district elected at or after the general irrigation district election in one thousand nine hundred nineteen shall be four years, or until his successor is elected and has qualified.

SEC. 13. A new section is hereby added to said act to be numbered nineteen *a* and to read as follows:

SEC. 19*a*. Within ten days after receiving their certificates of election hereinafter provided for, said officers shall take and subscribe the official oath, and file the same in the office of the board of directors, and execute the bond hereinafter provided for. The assessor shall execute an official bond in the sum of five thousand dollars, and the collector an official bond in the sum of twenty thousand dollars, and the district treasurer an official bond in the sum of fifty thousand dollars; each of said bonds

to be approved by the board of directors, *provided*, that the board of directors may, if it shall be deemed advisable, fix the bonds of the treasurer and collector, respectively, to suit the conditions of the district, the maximum amount of the treasurer's bond not to exceed fifty thousand dollars, and the minimum amount thereof not to be less than ten thousand dollars; and the maximum amount of the collector's bond not to exceed twenty thousand dollars, and the minimum amount of the collector's bond not to be less than five thousand dollars. Each member of said board of directors shall execute an official bond in the sum of five thousand dollars, which said bonds shall be approved by the judge of the superior court of said county where such organization was effected, and shall be recorded in the office of the county recorder thereof, and filed with the secretary of said board. All official bonds herein provided for shall be in the form prescribed by law for the official bonds of county officers and the premiums thereon may be paid by the district, *provided*, that in case any district organized under this act is appointed fiscal agent of the United States or by the United States in connection with any federal reclamation project, each of said officers shall execute a further and additional official bond in such sum as the secretary of the interior may require, conditioned for the faithful discharge of the duties of his office and the faithful discharge by the district of its duties as fiscal or other agent of the United States under any such appointment or authorization, and any such bond may be sued upon by the United States or any person injured by the failure of such officer or the district to fully, promptly and completely perform their respective duties.

SEC. 14. A new section is hereby added to said act to be numbered nineteen *b* and to read as follows:

Sec. 19b. If an election is not held as herein provided, then upon the filing of a petition with the secretary of the board of directors of such district, signed by ten per cent of the electors residing within the boundaries of any such irrigation district, requesting that a special election be called for the election of such officers, the directors of such district shall thereupon call a special election thereof for the election of such officers, such election to be held within not less than fifteen, nor more than thirty days after the filing of such petition.

SEC. 15. Section twenty of said act is hereby amended to read as follows:

Sec. 20. At noon of the first Tuesday in March next following their election, except as provided in section fourteen of this act, the officers who shall have been elected at the preceding general irrigation district election shall enter upon the duties of their respective offices. On the first Tuesday in March next following each election, the directors shall meet and organize as a board, elect a president and appoint a secretary, who shall each hold office during the pleasure of the board.

SEC. 16. Section twenty-six of said act is hereby amended to read as follows:

Sec. 26. A director shall be a resident and freeholder of the irrigation district and a resident of the division which he is elected to represent.

SEC. 17. Section twenty-eight of said act is hereby amended to read as follows:

Sec. 28. In any district the board of directors thereof must, upon a presentation of the petition therefor, by a majority of the holders of title, or evidence of title, of said district, evidenced as above provided, order that on and after the next ensuing general election for the district, there shall be either three or five directors.

SEC. 18. Section thirty of said act is hereby amended to read as follows:

Sec. 30. For the purpose of constructing or purchasing necessary irrigation canals and works, and acquiring the necessary property and rights therefor, and for the purpose of acquiring waters, water rights, reservoirs, reservoir sites, and other property necessary for the purposes of said district, and otherwise carrying out the provisions of this act, the board of directors of any such district must, as soon after such district has been organized as may be practicable, and also whenever thereafter the board of directors shall find that the construction fund raised by the last previous bond issue is insufficient, or that the construction fund has been exhausted by expenditures herein authorized therefrom and it is necessary to raise additional money for said purposes, estimate and determine the amount of money necessary to be raised. For the purpose of ascertaining the amount of money necessary to be raised for such purposes, or any of them, said board shall cause such surveys, examinations, drawings and plans to be made as shall furnish the proper basis for the said estimate. All such surveys, examinations, drawings and plans, and the estimate of cost based thereon shall be made under the direction of a competent irrigation engineer and shall be certified by him.

SEC. 19. A new section is hereby added to said act to be numbered thirty *a* and to read as follows:

Sec. 30a. The board of directors shall then submit a copy of the said engineer's report to the commission authorized by law to approve bonds of irrigation districts for certification as legal investments for savings banks and for the other purposes specified in the act creating said commission. Said commission shall forthwith examine said report and any data in its possession or in the possession of said district and shall make such additional surveys and examinations at the expense of the district as it may deem proper or practicable, and as soon as practicable thereafter shall make to the board of directors of said district a report which shall

contain such matters as in the judgment of the said commission may be desirable, provided that it may state generally the information of said commission regarding the supply of water available for the proposed district, the acreage of the land proposed to be irrigated as to its fertility and the difficulty of irrigation, the probable amount of water needed for its irrigation and the probable need of drainage, the cost of works, water rights and other property necessary for a complete and satisfactory project, and whether in the opinion of it is advisable to proceed with the proposed bond issue.

SEC. 20. A new section is hereby added to said act to be numbered thirty-b and to read as follows:

SEC. 30b. If after such examination and investigation the said commission shall deem it advisable that the said plans be modified or that the amount of the bonds proposed to be issued be changed, or that under such configuration of the said commission shall recommend such plans or works seem likely to prove feasible, or that in its opinion it is not advisable to proceed with the proposed bond issue, it shall so report to the board of directors of the district in writing. After receiving the said report, said board of directors shall determine and shall declare by resolution that the proposed plan of works is satisfactory and that the said project is feasible, shall make an order determining the amount of bonds that should be issued in order to raise the money necessary therefor, and proceed *further*, that if any district shall have been in existence and have been approved by said irrigation district bond commission as herein provided it shall be unlawful for said district to make any material change in said plans therein without the consent of said commission.

SEC. 21. A new section is hereby added to said act to be numbered section thirty-c and to read as follows:

SEC. 30c. Thereafter said board when petitioned by a majority of the holders of title, or evidence of title and of permanent rights to lands within the district, such holders of title, or evidence of title and of such permanent rights representing a majority in value of said lands according to the assessed assessment roll of the district, if such less than five hundred, and if such less and less than five hundred then according to the equalized county assessment roll covering the lands in such district, or when petitioned by not less than five hundred petitioners, every petition to the number of at least five hundred to be an elector in the district, or to be some person, corporation, association or partnership, the holder of title to land in the district or of evidence of title to land in said district, and which said petitioners signing said petition shall include the owners of not less than twenty per cent in value of the land within the irrigation district according to the equalized county assessment roll as will for the year last preceding shall immediately call a special election, at which shall be submitted to the electors at such district possessing the qualifications prescribed by this act, the question whether or not the bonds of said district in the amount as set forth in said petition shall be issued.

SEC. 22. A new section is hereby added to said act to be numbered thirty-d and to read as follows:

SEC. 30d. Notice of such election must be given by posting notices at three public places in each election precinct in said district for at least twenty days and also by publication of such notice in some newspaper published in the county where the office of the board of directors of such district is supposed to be kept, once a week for at least three successive weeks. Such notice must specify the time of holding the election, the amount of bonds proposed to be issued, and said election must be held and the result thereof determined and declared in all respects as nearly as practicable in conformity with the provisions of this act governing the election of officers; *provided*, that no informalities in conducting such an election shall invalidate the same if the election shall have been otherwise fairly conducted.

SEC. 23. A new section is hereby added to said act to be numbered thirty-e and to read as follows:

SEC. 30e. At said election questions as to the issuance of bonds may be submitted separately on the same ballot if estimates of the cost of the respective projects have been made and the irrigation district bond commission has reported thereon and the aforesaid petition has requested that said questions be so submitted and the respective propositions have been stated in the notice of the election. At such election the ballots shall contain a general statement of the proposition or propositions to be voted on, including the amount of bonds proposed to be issued for each purpose, but no informality in such statement shall invalidate the election. Each proposition shall be followed by the words "yes" and "no", on separate lines, with a small inclosed space after each of said words. The electors shall vote for or against any proposition by stamping a cross (X) in the voting space after the word "yes" or "no" respectively. On the ballot shall be printed the following under the heading "Instructions to voters": "To vote for a proposition, stamp a cross (X) in the voting space after the word 'yes' following the proposition. To vote against a proposition, stamp a cross (X) in the voting space after the word 'no' following the proposition." If a majority of the votes cast for and against

any proposition are for "yes", the board of directors shall cause bonds in the amount specified in such proposition to be issued; if a majority of the votes cast for and against any proposition are for "no", the result of the vote on such proposition shall be so declared and entered of record. Whenever thereafter a petition of the character hereinbefore provided for in this section is presented to the board it shall be their duty, if found in its minutes and shall thereupon submit such propositions to said electors in the same manner and with like effect as at such previous election.

SEC. 24. A new section is hereby added to said act to be numbered thirty-two *a* and to read as follows:

SEC. 32*a*. When bonds are issued bearing date other than January first or July first, it shall be lawful for such bonds to provide that upon the first day of January or July next, or any subsequent day thereafter, the same would be payable under the provisions of section thirty-one of this act, or to make the last interest coupon payable upon the date when the principal of said bond is payable.

SEC. 25. Section thirty-three of said act is hereby amended to read as follows:

SEC. 33. Said bonds and the interest thereon shall be paid from revenue derived from an annual assessment upon the land within the district, and all the land within the district shall be and remain liable to be assessed for such payments as hereinafter provided.

SEC. 26. Section thirty-five of said act is hereby amended to read as follows:

SEC. 35. The assessor must, between the first Monday in March and the first Monday in June in each year, assess all real estate in the district, to the persons who own, claim or have possession or control thereof, at its full cash value, as follows: He must prepare an assessment book, with appropriate headings, in which must be listed all such property within the district, in which must be specified, in separate columns across the page, the following: (1) the name of the person to whom the property is assessed. If the name is not known to the assessor, the property shall be assessed to "unknown owners"; (2) land by township, range, section or fractional section and when such land is now subdivided, by lots and blocks, or such other description sufficient to identify it, giving an estimate of the number of acres and occupied city and town lots, naming the city or town and the number and block according to the system of numbering in such city or town; (3) the cash value of real estate other than city or town lots; (5) the cash value of city and town lots; (6) the total value of all property assessed; (7) the total value of all property after equalization by the board of directors; (8) such other things as the board of directors may require. Improvements on any lands or lots in the district shall be exempt from taxation for any of the purposes mentioned in this act. Any property which may have escaped the payment of any assessment for any year shall, in addition to the assessment for the then current year, be listed for that year and the succeeding and with the same penalties as are provided for in such current year. The term improvements as used in this section includes trees, vines, shrubs and all growing crops and all buildings and structures of whatever kind or description erected or being erected upon said lands or city or town lots.

SEC. 27. Section thirty-nine of the said act is hereby amended to read as follows:

SEC. 39. The board of directors must, within twenty days after the close of its annual or a board of equalization, levy an assessment upon the lands within the district in an amount sufficient to raise the interest due or that will become due on all outstanding bonds at the purpose on the first day of the next ensuing January and the first day of the next ensuing July, or that the board of directors believes will become due on either of said dates on bonds authorized but not sold, also sufficient to pay the principal of the bonds of the district that have matured or that will mature during the ensuing calendar year, also sufficient to pay unpaid arrearages due or that will become due from the district before the time for levying the next annual assessment on account of contracts or charges for lands, water rights acquired by said district under the laws of California, also sufficient to pay in full the amount of all unpaid assessments of the district issued in accordance with this act and the amount of any other assessments of obligations of the district which shall have been contracted or incurred, and sufficient to raise such amount not exceeding two per centum of the assessed value of the lands within the district according to the last date equalized assessment roll thereof, as the board of directors shall determine may be needed to be raised by assessment for the general expenses of the district during the ensuing calendar year.

SEC. 28. A new section is hereby added to said act to be numbered thirty-nine *a* and to read as follows:

SEC. 39*a*. The secretary of the board must compute and enter in a separate column of the assessment book the respective sums in dollars and cents to be paid as an assessment on the property therein enumerated. When collected, the assessment shall be paid into the district treasury and be apportioned to the several proper funds.

SEC. 29. A new section is hereby added to said act to be numbered thirty-nine *b* and to read as follows:

SEC. 39*b*. If on the penalty of the neglect or refusal of the board of directors to cause such assessment and levies to be made as in this act provided, then the duly

equalized assessment made by the county assessor of the county in each of the respective counties in which the district is situated shall be the basis of assessment for the district, and the board of supervisors of the county in which the office of the board of directors of said district is situated shall cause an assessment roll of said district to be prepared, and shall perform the very duties set forth in this act, in the same manner and with like effect as if the same had been made, by said board of supervisors and all expenses incident thereto shall be borne by said district and may be collected by suit at law, which shall be commenced by the district attorney at the request of the board of supervisors caused and assessment roll so to be prepared, unless the amount of such expenses shall be paid within thirty days from the time when proper demand shall have been made therefor. In case of the neglect or refusal of the treasurer or treasurer of any irrigation district to perform the duties imposed by law, then the tax collector and the treasurer of the county in which the office of the board of directors of such district is situated hereby respectively performing such duties and shall be accountable therefor upon their official bonds, and, in case any money has been collected shall collect any assessment for such irrigation district, he shall pay the same to the county treasurer, who shall place such sums to separate funds to the credit of the district and shall disburse the same for the proper purposes for which such assessments have been levied and shall not pay any money therefrom to the treasurer of said district until said county treasurer shall be satisfied that all of the valid obligations for which such assessments were levied and for which payment has been demanded have been paid.

SEC. 30. A new section is hereby added to said act to be numbered thirty-one *c* and to read as follows:

SEC. 39c. It shall be the duty of the district attorney of each county in which the office of any irrigation district is located to ascertain from time to time whether the duties relating to the levying and collection of assessments, as in this act provided, have been performed, and if he shall learn that the board of directors or any official of any such irrigation district has failed or refused to perform any such duty, said district attorney shall so notify the board of supervisors or the county official required by this act to perform such duty, as such case and cause such board of supervisors or such county official shall proceed to the performance of such duty within thirty days after the receipt of such notice, the district attorney shall take such action in court as may be necessary to compel the performance of such duty and said district attorney shall give such notice to other officials, and shall take such action, as may be necessary to secure the performance by them proper exercise of the other duties relating to the levying and collection of assessments, as in this act provided, that for the enforcement of the levying and collection of any assessment hereafter required to be levied and collected for the payment of any debt hereafter incurred, in case complaint shall be made to the attorney general of the State of California that the district attorney of any county has not performed any duty devolving upon him by the provisions of this section, or that he is not proceeding with due diligence or in the proper manner in the performance of any such duty, the attorney general shall make an investigation and if it shall be found that such charge or charges are true, said attorney general shall take such measures as may be necessary to enforce the performance of the duties relating to the levying and collection of assessments, as in this act provided.

SEC. 31. A new section is hereby added to said act to be numbered thirty-one *d* and to read as follows:

SEC. 39d. If as the result of the neglect or refusal of any official or officials to perform any duty relating to the levying and collection of assessments, as in this act provided, it shall be impossible for such duty to be performed within the time specified and such duty shall subsequently be performed, then the time within which all dates consequent upon the performance of such duty shall be performed shall be extended so as to allow the elapsing of the intervals required by this act to elapse between the performance of such duties, and the assessment herein provided for shall not become delinquent for at least thirty days after the date of publication of the notice that such assessments are due and payable, as provided in section forty-one of this act.

SEC. 32. A new section is hereby added to said act to be numbered thirty-nine *c* and to read as follows:

SEC. 39e. In the event any land within said district subject to assessment for the purposes of the district has not been assessed to the county assessor or does not appear upon the county assessment roll adopted by said board of supervisors as the basis of assessment for the district, the land so omitted belonging to any person, association, corporation, or municipality shall be forthwith assessed by the county assessor upon an order of the board of supervisors and a description of the property so omitted shall be written in the roll prepared for the purpose of district assessments. In such case, before any assessment is levied, the board of supervisors must meet and equalize said assessment with that of the assessment of other lands in said district. The same notice shall be given by the board of supervisors of such meeting for the purpose of equalizing the assessment to be made as herein directed as is provided in this act to be given by the board of directors of an irrigation district when the said board is to meet for the purpose of equalizing assessments. All the powers and duties respecting the collection of all assessments on possession of, claim to, or right to the

possessors of land may exceeded in acreage three thousand eight hundred twenty, three thousand eight hundred twenty-one, three thousand eight hundred twenty-two, three thousand eight hundred twenty-three, three thousand eight hundred twenty-four, three thousand eight hundred twenty-five and three thousand eight hundred twenty-nine of the Political Code, as regards county assessors shall apply, so far as applicable to irrigation district assessors.

SEC. 33. A new section is hereby added to said act to be numbered thirty-nine *f* and to read as follows:

SEC. 39*f*. Whenever any tolls and charges for the use of water have been fixed by the board of directors, it shall be lawful to make the same payable on adjustment, and in case the same tolls or charges remain unpaid at the time hereinbefore specified for levying the annual assessment the amount due for such tolls and charges may be added to and become a part of the assessment levied upon the land upon which the water has been used, and the same shall be collected and enforced.

SEC. 34. Section forty of the said act is hereby amended to read as follows:

SEC. 40. The assessment roll shall be a lien against the property assessed from and after the first Monday in March for any year.

SEC. 35. A new section is hereby added to said act to be numbered fifty-three *a* and to read as follows:

SEC. 53*a*. During the construction of any irrigation works to be paid for out of the proceeds of any bonds issued and sold or contracted to be sold by the state irrigation district bond commission as provided by the act creating said commission, the state engineer shall have access to all plans, specifications and records of such construction, and shall from time to time make such representations and such reports to the board of directors of the district as he shall deem to be in the interest of the public or of the district.

SEC. 36. Section fifty-nine of the said act is hereby amended to read as follows:

SEC. 59. The board of directors may, at any time, when in their judgment it may be deemed advisable, and a majority thereof shall submit to the qualified electors of the district the question whether or not the said assessment shall be levied for the purpose of raising money to be applied to any of the purposes provided in this act. Such question must be called upon the notice prescribed and the same shall be held and the result thereof determined and declared in all respects in conformity with the provisions of section 30 of this act. The notice must specify the amount of money proposed to be raised and the purpose for which it is intended to be used. At such election the ballots shall contain the words "Assessment—Yes" or "Assessment—No." If two-thirds or more of the votes cast are "Assessment—Yes," the board shall, at the time of the annual levy hereunder, levy an assessment sufficient to raise the money so voted. Provided, that in case of an unexpected emergency by which the flow of water to the canal or other works is interrupted, the amount of the indebtedness incurred in the repair of the works or said district caused by such interruption, not to exceed in any one year forty thousand ($40,000) dollars, may, prior to making of the assessment hereinbefore provided for, be levied by the adoption of a resolution by an affirmative vote of two-thirds of the board of directors, in the place of the levying of the annual assessment provided for in this act, without the submission of the question of such levy to a vote as in this section hereinbefore provided.

SEC. 37. Section sixty-one *b* of said act is hereby amended to read as follows:

SEC. 61*b*. The board of directors of irrigation districts may acquire by purchase or condemnation, the irrigation works, canals and ditches through which lands in said districts have been or may be supplied with water for irrigation, and may exchange bonds of such irrigation district for such system or canals or works or for any portion thereof, or for any interest therein, or for the capital stock of any corporation owning such system or any portion thereof, upon such terms and conditions as the said board of directors may deem best.

SEC. 38. A new section is hereby added to said act to be numbered sixty-seven *a* and to read as follows:

SEC. 67*a*. Whenever an object for which money has been specifically provided by assessment or by proceeds of bonds has been accomplished and any money remained thereafter unexpended, the same shall be at the disposition of the board of directors be transferred to the general fund and thereafter be available for any of the purposes of this act.

SEC. 39. A new section is hereby added to said act to be numbered one hundred twelve and to read as follows:

SEC. 112. Wherever there is indicated in any section, proceeding or legislative enactment or act of the legislature relating to "irrigation districts" and wherever the words "irrigation district" are or have been used in any section or proceeding in any court or in any act or resolution of the legislature such words shall be construed to mean an irrigation district organized or to be organized under the provisions of an act of the legislature entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, or of the

acts of which it is supplemental or amendatory or of the acts supplemental or amendatory thereof.

AMENDMENT NUMBER [illegible]

Amending the title to said bill so that the said title shall read as follows: "An act to amend sections one, two, fourteen, fifteen, sixteen, eighteen, twenty, twenty-six, twenty-eight, thirty, thirty-three, thirty-five, thirty-seven, forty, [illegible] and fifteen and one half of an act entitled 'An act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts and also to provide for the distribution of water for irrigation purposes,' approved March 31, 1897, and [illegible] designated as [illegible] seven a, and one hundred twelve."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 658?

The roll was called, and Assembly amendments to Senate Bill No. 658 concurred in by the following vote:

Ayes—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, [illegible], Lyon, [illegible], Nealon, Rigdon, Rominger, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

Noes—None.

Senate Bill No. 658 ordered to enrollment.

THIRD READING OF SENATE BILLS—"ONE ON ORDER"

Senate Bill No. 761—An act to repeal sections 1949 and 2027 of the Political Code, and to amend sections 1918, 1919, 1924, 1925, 1926, 1927, 1928a, 1928b, 1928c, 1929, 1930, 1931, 1932, 1934, 1943, 1944, 1951, 1953, 1954, 1955, 1956, 1957, 1958, 1960, 1961, 1962, 2006, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2085, 2086, 2107, 2111 and 2112 of the Political Code, all relating to the National Guard of the State of California.

In the absence of the author, Senate Bill No. 761 was ordered passed to retain its place on the file.

Senate Bill No. 853—An act to regulate and limit the amount that may be produced by tax levies in the aggregate by political subdivisions of this State, and repealing all acts and parts of acts in conflict with this act.

In the absence of the author, Senate Bill No. 853 was ordered passed to retain its place on the file.

Senate Bill No. 716—An act relating to the regulation of real estate brokers, agents, salesmen and dealers in the State of California.

Bill read third time, previously.

CALL OF THE SENATE

The roll was called on the passage of Senate Bill No. 716.

Pending the announcement of the vote, Senator Gates moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones,

Kehoe, King, Luce, Lyon, Maddux, Nealon, Rigdon, Rominger, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—31.

The Secretary announced the absentees.

Time, eleven o'clock and thirty-one minutes a.m.

The President pro tempore directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At eleven o'clock and thirty-three minutes a.m., Senators Burnett, Chandler, Jones and Hans were brought to the bar of the Senate, and, on motion of Senator Gates, were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and thirty-four minutes a.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Gates.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Senate Bill No. 716 finally passed by the following vote:

AYES—Senators Benson, Breed, Carr, F. M., Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Jones, King, Luce, Lyon, McDonald, Maddux, Rominger, Rush, Scott, Sharkey, Slater, and Tyrrell—22.

NOES—Senators Ballard, Brown, Burnett, Carr, W. J., Duncan, Irwin, Johnson, Kehoe, Nealon, Rigdon, Shearer, Stuckenbruck, and Thompson—13.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATE CONSTITUTIONAL AMENDMENT No. 31.

A resolution to propose to the people of the State of California an amendment to the constitution by adding a new section fifteen to article thirteen, relating to revenue and taxation.

The legislature of the State of California, at its forty-second session, commencing on the eighth day of January, nineteen hundred seventeen, two-thirds of the members elected to both the senate and assembly, respectively, voting therefor, hereby proposes to the people of the State of California the following amendment to the constitution of the State of California:

First—A new section fifteen is hereby added to article thirteen of the constitution to read as follows:

SEC. 15. Notwithstanding express provisions in this constitution contained the legislature subject to provisions of section one of article four by a vote of three-fourths of the members elected to each house thereof, may provide by general laws such other methods of levying, equalizing and collecting taxes as in its judgment may be desirable. Any law so passed and signed by the governor shall be subject to referendum under the provision of this constitution.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Constitutional Amendment No. 31 rejected by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, W. J., Chandler, Evans, Gates, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Nealon, Rigdon, Sharkey, and Thompson—19.

NOES—Senators Canepa, Carr, F. M., Crowley, Duncan, Flaherty, Hans, Irwin, Lyon, McDonald, Maddux, Purkitt, Scott, Shearer, Slater, Stuckenbruck, and Tyrrell—16.

Senate Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by adding a new article thereto, to be numbered XXIV, establishing a State Athletic Commission and regulating boxing and sparring in the State.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Constitutional Amendment No. 19 rejected by the following vote:

AYES—Senators Burnett, Canepa, Crowley, Flaherty, McDonald, Nealon, Rush, and Scott—8.

NOES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Gates, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Purkitt, Rigdon, Rominger, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—29.

Senate Bill No. 811—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications.

On motion of Senator Ballard, Senate Bill No. 811 was ordered to unfinished business.

Senate Bill No. 1134—An act to amend section 131 of the Civil Code, relating to judgment in an action for divorce, and repealing section 132 of said Civil Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1134 refused passage by the following vote:

AYES—Senators Burnett, Maddux, Scott, and Stuckenbruck—4.

NOES—Senators Ballard, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Jones, Kehoe, King, Luce, McDonald, Nealon, Purkitt, Rigdon, Rominger, Sharkey, Shearer, Slater, Thompson, and Tyrrell—20.

Senate Bill No. 579—An act to amend section 626 of the Penal Code, relating to the limit of deer that may be killed.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 579 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 669—An act to amend section 268 of the Political Code, relating to salaries of officers and attaches of the Senate and adding a new section to said code to be known as 268a, relating to salaries of officers and attaches of the Assembly.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 669 refused passage by the following vote:

AYES—Senators Benson, Brown, Carr, W. J., Chandler, Duncan, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Maddux, Purkitt, Sharkey, Shearer, Slater, and Thompson—20.

NOES—Senators Ballard, Breed, Burnett, Canepa, Carr, F. M., Crowley, Evans, Flaherty, Hans, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Stuckenbruck, and Tyrrell—18.

LEAVE OF ABSENCE.

At eleven o'clock and forty minutes a.m., Senator Ballard was, on motion of Senator Benson, granted leave of absence for the balance of this legislative day.

CASE OF URGENCY.

Senate Bill No. 761—An act to repeal sections 1959 and 2027 of the Political Code, and to amend sections 1918, 1919, 1924, 1925, 1926, 1927, 1928*a*, 1928*b*, 1928*d*, 1929, 1930, 1931, 1932, 1932½, 1933, 1934, 1951, 1953, 1954, 1955, 1956, 1957, 1958, 1960, 1980, 1982, 2006, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2026, 2086, 2107, 2111 and 2112 of the Political Code, all relating to the National Guard of the State of California.

Bill read third time, previously.

Section 43, setting forth the urgency clause, read.

The question being: Shall this section, setting forth the urgency feature of this bill, be passed?

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Lacy, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—36.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 761 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Lacy, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATE CONSTITUTIONAL AMENDMENT No. 8.

A resolution to propose to the people of the State of California an amendment to the constitution by amending sections one, two, three, four, five, six, seven, eight, nine, ten, twelve, thirteen, fifteen, sixteen, seventeen, nineteen and twenty-three of article four and by repealing sections fourteen and twenty-three *a* of said article, all relating to the legislative department.

Resolved by the Senate, the Assembly concurring, That the legislature of the State of California at its forty-second regular session commencing on the eighth day of January, one thousand nine hundred seventeen, two-thirds of the members elected to each of the two houses of the said legislature voting therefor, hereby proposes to the people of the State of California the following amendments to the constitution of this state:

First—Section one of article four of the constitution is hereby amended to read as follows:

Section 1—The legislative power of this state shall be vested in a legislative body which shall be designated "the senate of the State of California" but the people reserve to themselves the power to propose laws and amendments to the constitution, and to adopt or reject the same, at the polls independent of the senate, and also reserve the power, at their own option, to so adopt or reject any act, or section or part of any act, passed by the senate. The enacting clause of every law shall be "The people of the State of California do enact as follows:". The first power reserved to the people shall be known as the initiative. Upon the presentation to the secretary of state of a petition certified as herein provided to have been signed

[illegible] be subject to referendum, as hereinafter provided. If any law so petitioned for be rejected, as [illegible] secretary of state shall submit it to the people for approval or rejection at the next [illegible] expenses of the state, and urgency [illegible] petition certified as herein provided, [illegible] for all candidates for governor at the [illegible] nor was elected, asking that any act [illegible] be submitted to the electors for their [illegible] approval or rejection, [illegible] shall submit to the electors for their [illegible] his discretion, prior to [illegible] approved by a majority of the qualified [illegible] petition is filed against any section or [illegible] effect. [illegible] of this section may be [illegible] If any provisions or provisions of two or more measures [illegible] the same [illegible] measures submitted to an election under the provisions of this section shall be treated and tallied with the measures for and against such measure by the measures and measures chosen shall be [illegible] in the same manner as now provided by law as to amendments to the constitution proposed by

the senate; and the persons to prepare and present such arguments shall, until otherwise provided by law, be selected by the presiding officer of the senate. If for any reason any initiative or referendum measure, proposed by petition as herein provided, be not submitted at the election specified in this section, such failure shall not prevent its submission at a succeeding general election, and no law or amendment to the constitution, proposed by the senate, shall be submitted at any election unless at the same election there shall be submitted all measures proposed by petition of the electors, if any be so proposed, as herein provided. Any initiative or referendum petition may be presented in sections, but each section shall contain a full and correct copy of the title and text of the proposed measure. Each signer shall add to his signature his place of residence, giving the street and number if such exist. His election precinct shall also appear on the paper after his name. The number of signatures attached to each section shall be at the pleasure of the person soliciting signatures to the same. Any qualified elector of the state shall be competent to solicit said signatures within the county or city and county of which he is an elector. Each section of the petition shall bear the name of the county or city and county in which it is circulated, and only qualified electors of such county or city and county shall be competent to sign such section. Each section shall have attached thereto the affidavit of the person soliciting signatures to the same, stating his own qualifications and that all the signatures to the attached section were made in his presence and that to the best of his knowledge and belief each signature to the section is the genuine signature of the person whose name it purports to be, and no other affidavit thereto shall be required. The affidavit of any person soliciting signatures hereunder shall be verified free of charge by any officer authorized to administer oaths. Such petition so verified shall be prima facie evidence that the signatures thereon are genuine and that the persons signing the same are qualified electors. Unless and until it be otherwise proven upon official investigation, it shall be presumed that the petition presented contains the signatures of the requisite number of qualified electors. Each section of the petition shall be filed with the clerk or registrar of voters of the county or city and county in which it was circulated, but all said sections circulated in any county or city and county shall be filed at the same time. Within twenty days after the filing of such petition in his office the said clerk, or registrar of voters, shall determine from the records of registration what number of qualified electors have signed the same, and if necessary the board of supervisors shall allow said clerk or registrar additional assistants for the purpose of examining such petition and provide for their compensation. The said clerk or registrar, upon the completion of such examination, shall forthwith attach to said petition, except the signatures thereto appended, his certificate, properly dated showing the result of said examination, and shall forthwith transmit said petition, together with his said certificate, to the secretary of state and also file a copy of said certificate in his office. Within forty days from the transmission of the said petition and certificate by the clerk or registrar to the secretary of state, a supplemental petition identical with the original as to the body of the petition but containing supplemental names, may be filed with the clerk or registrar of voters, as aforesaid. The clerk or registrar of voters shall within ten days after the filing of such supplemental petition make like examination thereof, as of the original petition, and upon the completion of such examination shall forthwith attach to said petition his certificate, properly dated, showing the result of said examination, and shall forthwith transmit a copy of said supplemental petition, except the signatures thereto appended, together with his certificate to the secretary of state. When the secretary of state shall have received from one or more county clerks or registrars of voters a petition certified as herein provided to have been signed by the requisite number of qualified electors, he shall forthwith transmit to the county clerk or registrar of voters of every county or city and county in the state his certificate showing such fact. A petition shall be deemed to be filed with the secretary of state upon the date of the receipt by him of a certificate or certificates showing said petition to be signed by the requisite number of electors of the state. Any county clerk or registrar of voters shall, upon receipt of such copy, file the same for record in his office. The duties herein imposed upon the clerk or registrar of voters shall be performed by such registrar of voters in all cases where the office of registrar of voters exists. The initiative and referendum powers of the people are hereby further reserved to the electors of each county, city and county, city and town of the state, to be exercised under such procedure as may be provided by law. Until otherwise provided by law, the legislative body of any such county, city and county, city or town may provide for the manner of exercising the initiative and referendum powers herein reserved to such counties, cities and counties, cities and towns, but shall not require more than fifteen per cent of the electors thereof to propose any initiative measure nor more than ten per cent of the electors thereof to order the referendum. Nothing contained in this section shall be construed as affecting or limiting the present or future powers of cities or cities and counties having charters adopted under the provisions of section eight of article eleven of this constitution. In the submission to the electors of any measure under this section, all officers shall be guided by the general laws of this state, except as herein otherwise provided. This section is self-executing, but legislation may be enacted to facilitate its operation, but in no way limiting or restricting either the provisions of this section or the

powers herein reserved. Wherever the words "senatorial district," "senatorial" or "senator" are used in this constitution, the same shall hereafter be construed to mean the senate hereby established, and any act requiring the votes of members of either or both houses of the legislature shall hereafter mean only the votes of the members of the senate hereby established.

Second—Section two of said article is hereby amended to read as follows:

Sec. 2. The sessions of the senate shall be annual unless the governor shall in the interim convene the senate by proclamation to extraordinary session. All sessions other than extraordinary shall commence at twelve o'clock m. on the first Monday after the first day of January of each odd-numbered year and shall remain in session for a period of sixty days; provided, that a session of thirty days may be taken every other month, beginning thirty days after the first Monday after the first day of January; *provided further*, that, during the last month of each regular session the senate shall take no action upon any bills except such as may have been vetoed by the governor.

Third—Section three of said article is hereby amended to read as follows:

Sec. 3. The senate shall consist of forty senators, to be elected by districts numbered as hereinafter provided.

Fourth—Section four of said article is hereby amended to read as follows:

Sec. 4. No person shall be a member of the senate who has not been a citizen and inhabitant of the state three years and of the district for which he shall be chosen one year next before his election.

Fifth—Section five of said article is hereby amended to read as follows:

Sec. 5. The term of office shall be four years and the first election of senators after the adoption of this constitution shall be on the first Tuesday after the first Monday in November one thousand nine hundred twenty. The senators of the twenty members elected in that year from the odd-numbered districts shall be classified so the expiration of the second year so that one-half of the membership shall be elected every two years.

Sixth—Section six of said article is hereby amended to read as follows:

Sec. 6. For the purpose of choosing members of the senate the state shall be divided into forty senatorial districts as nearly equal in population as may be, and composed of contiguous territory. Each senatorial district shall choose one senator. The senatorial districts shall be numbered from one to forty inclusive in numerical order, commencing at the northeast boundary of the state, and ending at the southern boundary thereof. In the formation of such districts no county or city, or city and county, shall be divided, unless a compact and thickly populated portion thereof shall form two or more districts, nor shall a part of any county or city and county be united with any other county or city and county, to form any district. The census taken under the direction of the congress of the United States in the year one thousand nine hundred ten and every ten years thereafter, shall be the basis of fixing and adjusting the legislative districts; and the census shall be the first session after such census shall have taken and tabulated the population so as to preserve them as nearly equal in population as may be. But in making such adjustment no persons who are not eligible to become citizens of the United States under the naturalization laws shall be counted as forming a part of the population of any district. Until such districting as herein provided for shall be made, the forty senatorial districts shall consist of the forty senatorial districts as now established by law.

Seventh—Section seven of said article is hereby amended to read as follows:

Sec. 7. The senate shall choose its officers, pay wages of its employees, elections and returns of its members.

Eighth—Section eight of said article is hereby amended to read as follows:

Sec. 8. A majority of the senate shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and may compel the attendance of absent members in such manner, and under such penalties, as may be provided.

Ninth—Section nine of said article is hereby amended to read as follows:

Sec. 9. The senate shall determine the rules of its proceedings, and may, with the concurrence of two-thirds of all the members elected, expel a member.

Tenth—Section ten of said article is hereby amended to read as follows:

Sec. 10. The senate shall keep a journal of its proceedings, and publish the same, and the yeas and nays of the members on any question, shall, at the desire of any three members present, be entered on the journal.

Eleventh—Section twelve of said article is hereby amended to read as follows:

Sec. 12. When vacancies occur in the senate, the governor, or the person exercising the functions of the governor, shall issue writs of election to fill such vacancies.

Twelfth—Section thirteen of said article is hereby amended to read as follows:

Sec. 13. The doors of the senate shall be open, except on such occasions as, in the opinion of the senate, may require secrecy.

Thirteenth—Section fourteen of said article is hereby repealed.

Fourteenth—Section fifteen of said article is hereby amended to read as follows:

Sec. 15. No law shall be passed except by bill. Nor shall any bill be put upon its final passage until the same, with the amendments thereto, shall have been printed for the use of the members; nor shall any bill become a law unless the same

be read on three several days (unless in case of urgency, two-thirds of the senate shall, by a vote of yeas and nays to be entered upon the journal, dispense with this provision), and on the final passage of all bills they shall be read at length, and the vote shall be by yeas and nays upon each bill separately, and shall be entered on the journal; and no bill shall become a law without the concurrence of a majority of the members.

Fifteenth—Section sixteen of said article is hereby amended to read as follows:

Sec. 16. Every bill which may have passed the senate shall, before it becomes a law, be presented to the governor. If he approve it, he shall sign it; but if not, he shall return it, with his objections, to the senate, which shall enter such objections upon the journal and proceed to reconsider it. If after such reconsideration, it again pass the senate by yeas and nays two-thirds of the members elected voting thereto, it shall become a law, notwithstanding the governor's objections. If any bill presented to the governor contains several items of appropriation of money, he may object to one or more items, while approving other portions of the bill. In such case, he shall append to the bill at the time of signing it, a statement of the items to which he objects, and the reasons therefor, and the appropriation so objected to shall not take effect unless passed over the governor's veto, as hereinbefore provided. The governor shall transmit to the senate a copy of such statement, and the items so objected to shall be separately reconsidered in the same manner as bills which have been disapproved by the governor.

Sixteenth—Section seventeen of said article is hereby amended to read as follows:

Sec. 17. The senate shall have the sole power of impeachment. When sitting for that purpose, the members shall be upon oath or affirmation, and no person shall be convicted without the concurrence of two-thirds of the members elected.

Seventeenth—Section nineteen of said article is hereby amended to read as follows:

Sec. 19. No member of the senate shall, during the term for which he shall have been elected, hold or accept any office, trust, or employment under this state; *provided*, that this provision shall not apply to any office filled by election by the people.

Eighteenth—Section twenty-three of said article is hereby amended to read as follows:

Sec. 23. The members of the senate shall receive for their services the sum of three thousand dollars each for each regular session, to be paid at such times as may be provided by law, and the sum of ten dollars for each day while in attendance at a special or extraordinary session, and mileage to be fixed by law, all paid out of the state treasury. Such mileage shall not exceed ten cents per mile. The senate may provide for the appointment and compensation of all of its officers, employees and attaches, but in no case shall the total expense for officers, employees and attaches exceed the sum of four hundred dollars per day for any regular or biennial session, nor the sum of two hundred dollars per day at any special or extraordinary session, nor shall the pay of any officer, employee or attache be increased after he is elected or appointed.

Nineteenth—Section twenty-three *a* of said article is hereby repealed.

Resolution read.

The question being on the adoption of the resolution,

The roll was called, and Senate Constitutional Amendment No. 8 rejected by the following vote:

AYES—Senators Brown, Burnett, Carr, W. J., Evans, Gates, Hans, Ingram, Inman, Kehoe, King, Luce, Maddux, Nealon, Purkitt, Rominger, Rush, Sharkey, Shearer, and Slater—19.

NOES—Senators Benson, Breed, Canepa, Carr, F. M., Chandler, Crowley, Duncan, Flaherty, Irwin, Johnson, Jones, McDonald, Rigdon, Scott, Stuckenbruck, Thompson, and Tyrrell—17.

Senate Bill No. 109—An act making an appropriation to pay any assessment that may be imposed against the State of California under the provisions of an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, to pay the share of the State of California under any agreement or agreements with the United States government for cooperative work in the construction, improvement or maintenance of highways useful for military purposes and authorizing the State Department of Engineering to enter into any such agreements; and to pay the cost of

making surveys and preparing plans and estimates for the following highways: An extension of the Trinity-Humboldt State Road, from its westerly end, in a westerly direction, and to the town of Bridgeville, in Humboldt County; a highway beginning at or near Oxnard in Ventura County, California, and extending to a point near San Juan in Orange County, California; a highway from Jackson's Ranch, near Pescadero in San Mateo County, California, to Governor's Camp in the California Redwood Park, Santa Cruz County, California; a highway beginning at Carmel in Monterey County, California, and running thence in a southerly direction to San Simeon in San Luis Obispo County, California, and a lateral highway from a point most feasible thereon to a point at or near Julian in said Monterey County; a bridge to span San Francisco Bay at or near Dumbarton Point; and a highway from the western boundary line of Kern County, California to the state highway near the city of Santa Maria, Santa Barbara County, California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 109 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Burnett, Cannon, Carr, F. M. Chan, W. J. Chandler, Crowley, Dennis, Evans, Flaherty, Gates, Hansen, Hewitt, Irwin, Johnson, Jones, Kehoe, King, Lane, Lyon, Mahoney, Newlin, Higbee, Scott, Shearer, Slater, Stankovich, Thompson and Tyrrell—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 762—An act appropriating the sum of thirty thousand dollars to defray the expenses during the sixty-ninth and seventieth fiscal years, of organizing, controlling, equipping, instructing and maintaining high school cadet companies in the State of California and for promoting rifle practice in said companies and to further carry out the purposes of an act entitled "An act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 762 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Burnett, Cannon, Carr, F. M. Chan, W. J. Chandler, Crowley, Dennis, Evans, Flaherty, Gates, Hans, Hewitt, Irwin, Johnson, Jones, Kehoe, King, Lane, Lyon, Mahoney, Newlin, Pierson, Rush, Scott, Shearer, and Slater—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 847—An act to provide for the assessment, levy and collection of taxes for the support of the State government for the sixty-ninth and seventieth fiscal years.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 847 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—34.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 917—An act to provide for the celebration of the National Memorial Reunion and Peace Jubilee at Vicksburg, Mississippi, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 917 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—36.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 395—An act to amend section 1552 of the Political Code.

On motion of Senator Purkitt, Senate Bill No. 395 was ordered to unfinished business.

Senate Bill No. 919—An act appropriating money to pay the claim of Mark Woermer against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 919 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—36.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 717—An act to validate proceedings for the annexation of territory to municipal corporations under the provisions of an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the districting, government and municipal control of such annexed territory," approved March 19, 1889, and the acts amendatory thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 717 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon,

McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—31.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1194—An act to authorize and empower the board of trustees of the State Normal School at San Francisco to sell and convey the lands and buildings of said school; to select and accept a new site for said school and to erect thereon new buildings and improvements and to purchase therefor necessary furniture and equipment; to provide for the transfer and use of certain moneys, and to make an appropriation to carry out the purposes of this act; and to repeal an act entitled "An act to authorize and empower the board of trustees of the San Francisco State Normal School to sell or exchange and convey the lands and buildings of said school; to acquire by purchase, gift, condemnation or otherwise a new site for said school and to erect thereon buildings suitable and appropriate therefor, or to remodel or reconstruct any building already erected on the site so purchased or acquired, and to purchase therefor necessary and appropriate furniture and equipment; to create a fund into which shall be paid the proceeds of the sale of the present school property and making an appropriation to carry out the purposes of this act", and all other acts or parts of acts in conflict with this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1194 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chandler, Crowley, Flaherty, Gates, Ingram, Johnson, Jones, Kehoe, King, Luce, McDonald, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, and Tyrrell—24.
NOES—Senators Duncan, Irwin, Maddux, Nealon, Purkitt, Stuckenbruck, and Thompson—7.

Title read and approved.

Bill ordered transmitted to the Assembly.

CASE OF URGENCY.

The following resolution was offered:

By Senator Brown:

Resolved, That Senate Bill No. 200 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Benson, Breed, Brown, Burnett, Canepa, Chandler, Crowley, Duncan, Flaherty, Gates, Ingram, Irwin, Johnson, Jones, Kehoe, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Thompson—28.
NOES—None.

Whereupon, the President declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering at this time Senate Bill No. 200.

Senate Bill No. 200—An act authorizing the State Board of Prison Directors to make and enforce rules and regulations to establish and maintain an earning system to apply to the inmates of State prisons engaged in productive activity.

Bill read second time, considered engrossed, and ordered on third reading file.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 200 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Burnett, Caminetti, Chandler, Crowley, Duncan, Flaherty, Gates, Ingram, Irwin, Johnson, Jones, Kehoe, McDonald, Nealon, Purkitt, Rominger, Rush, Scott, Shearer, Sherry, and Stockenbruck—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 853—An act to regulate and limit the amount that may be produced by tax levies in the aggregate by political subdivisions of this State, and repealing all acts and parts of acts in conflict with this act.

On motion of Senator Benson, Senate Bill No. 853 was ordered to unfinished business.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 20, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 200—An act authorizing the State Board of Prison Directors to make and enforce rules and regulations to establish and maintain an earning system to apply to the inmates of state prisons engaged in productive activity—and reports that the same has been correctly engrossed.

CANEPA, Chairman.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 20, 1917.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 481—An act to amend section 4258 of the Political Code, relating to counties of the twenty-ninth class—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

INMAN, Chairman.

Assembly Bill No. 481 ordered on file for second reading.

RECESS.

At eleven o'clock and thirty-six minutes a.m., on motion of Senator Benson, the President pro tempore declared the Senate at recess until the hour of eleven o'clock and forty minutes a.m.

RECONVENED.

At eleven o'clock and forty minutes a.m., the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Kelloe, the following messages from the Assembly were taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 820—An act to add a new section to the Political Code to be numbered 1615c, providing for transportation and supplies from funds for crippled school children;

Also: Assembly Bill No. 1207—An act to incorporate and validate certain proceedings in Butte Creek Irrigation District;

Also: Assembly Bill No. 1117—An act to amend section 1[illegible] of the Penal Code, relating to inducing divorce and [illegible];

Also: Assembly Bill No. 850—An act to amend section 542 of the Code of Civil Procedure, relating to [illegible] and personal property [illegible];

Also: Assembly Bill No. 1238—An act to amend section 103 of the Code of Civil Procedure, relating to justices' clerks;

Also: Assembly Bill No. 1469—An act to add a new section to the Penal Code, to be numbered 6[illegible], relating to fish [illegible];

Also: Assembly Bill No. 964—An act to amend section 322 of the Civil Code, relative to the liability of stockholders;

Also: Assembly Bill No. 944—An act to provide for a bounty on coyotes' [illegible] scalps.

E. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 820 read first time, and referred to Committee on Education.

Assembly Bill No. 1207 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 1117 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 850 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1238 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1469 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 964 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 944 read first time, and referred to Committee on Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 19—Relative to approving two certain amendments to the charter of the city of San Rafael, county of Marin, State of California, voted for and ratified by the qualified electors of said city of San Rafael at a general municipal election held thereon on the 9th day of April, 1917.

E. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Concurrent Resolution No. 19 read, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Constitutional Amendment No. 61—A resolution to propose to the people of the State of California an amendment to Article VI, section 1, of the Constitution of the State of California, relating to judicial powers;

Also: Assembly Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 2 of Article IV thereof, relating to the sessions and business of the Legislature.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Constitutional Amendment No. 61 read, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 4 read, and referred to Committee on Constitutional Amendments.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 19th passed Assembly Bill No. 211—An act to regulate the payment of wages; establishing regular pay days; providing penalties for the violation of its provisions; and authorizing the commissioner of the bureau of labor statistics to enforce the same.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 211 read first time, and referred to Committee on Labor and Capital.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 696—An act to amend sections 9, 16, and 21, of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, as amended;

Also: Assembly Bill No. 173—An act to provide for work in and upon highways, streets, avenues, lanes, alleys, courts, places and sidewalks in counties, and upon property and rights of way owned by counties, and for establishing and changing the grade of the same, and providing for the issuance and payment of improvement bonds to represent certain assessments for the cost thereof;

Also: Assembly Bill No. 700—An act to amend section 690 of the Code of Civil Procedure;

Also: Assembly Bill No. 455—An act making appropriations for the support of the government of the State of California for the sixty-ninth and seventieth fiscal years;

Also: Assembly Bill No. 1464—An act to amend section 628*b* of the Penal Code, relating to the protection of fish;

Also: Assembly Bill No. 616—An act to amend section 270*a* of the Penal Code, relating to the nonsupport of wife.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 696 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 173 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 700 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 455 read first time, and referred to Committee on Finance.

Assembly Bill No. 1464 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 616 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1083—An act appropriating money to pay the claim of the Union League Holding Company.

Also: Assembly Bill No. 920—An act appropriating money for the purchase and installation of new boilers at the Mendocino State Hospital.

Also: Assembly Bill No. 1138—An act appropriating money to pay the claim of Mark Woermer against the State of California.

Also: Assembly Bill No. 217—An act making an appropriation for the survey, location and construction of a highway between Susanville in Lassen County and a point on the line between California and Nevada approximately two miles east of Constantia in said county;

Also: Assembly Bill No. 1422—An act to amend sections 86, 87, 88, 90, 91, 92, 93, and 94 of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended;

Also: Assembly Bill No. 763—An act to amend an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic thereon, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 14, 1907, as amended, by amending sections 3, 9, 10, and 20 thereof.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1083 read first time, and referred to Committee on Finance.

Assembly Bill No. 920 read first time, and referred to Committee on Finance.

Assembly Bill No. 1138 read first time, and referred to Committee on Finance.

Assembly Bill No. 217 read first time, and referred to Committee on Finance.

Assembly Bill No. 1422 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 763 read first time, and referred to Committee on Public Health and Quarantine.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 618—An act to amend section 162 of the Civil Code, relating to the separate property of the wife;

Also: Assembly Bill No. 619—An act to amend section 270b of the Penal Code, relating to the providing for minor children;

Also: Assembly Bill No. 1354—An act to amend section 6 of an act entitled "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps, unless the same are recorded," approved March 15, 1907, as amended;

Also Assembly Bill No. 1299—An act to amend sections 1746, 1747, 1886, and 1887 of the Political Code, relating to school bonds and interest;

Also: Assembly Bill No. 237—An act to amend section 200 of the Code of Civil Procedure, relating to exemptions from liability to act as a juror;

Also: Assembly Bill No. 995—An act to amend section 1696 of the Political Code, relating to the duties of teachers;

Also: Assembly Bill No. 836—An act to amend sections 1595, 1596, 1597, 1598 and 1602 of the Political Code, relating to the holding of school elections.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 618 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 619 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1354 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1299 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 237 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 995 read first time, and referred to Committee on Education.

Assembly Bill No. 836 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 815—An act making an appropriation to pay the claims of various persons against the State of California.

Also: Assembly Bill No. 1344—An act to establish a marine school at the port of San Francisco, to provide for the support and maintenance thereof, to make an appropriation therefor, and to authorize the Governor to accept and to receive gifts from the United States in conformity with the provisions of an act of congress approved March 4, 1911.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 815 read first time, and referred to Committee on Finance.

Assembly Bill No. 1344 read first time, and referred to Committee on Finance.

ADJOURNMENT.

At twelve o'clock noon, on motion of Senator Benson, the President pro tempore declared the Senate adjourned until Saturday, April 21st, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Saturday, April 21, 1917.

The Senate met at eleven o'clock a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Campo, Carr, F. M., Carr, W. J., Chandler, Crowley, Dunn, Estudillo, Fredericks, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Lane, Leon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Scott, Stanley, Sherrer, Sutter, Stuckenbruck, Thompson, and Tyrrell—37.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, April 20, 1917, its further reading was dispensed with, on motion of Senator Crowley.

LEAVES OF ABSENCE.

Senator Rush was, on motion of Senator Slater, granted leave of absence for this day.

Senator Chamberlin was, on motion of Senator Lyon, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Crowley, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. Angelo Rossi, Mr. Arthur J. Falvey, and Master Arthur J. Falvey, Jr., of San Francisco.

POSTPONEMENT OF CONSIDERATION.

On motion of Senator Duncan, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 1079 was refused passage, was continued until the next legislative day.

SECOND READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 1240.—An act requiring the labeling of articles offered for sale and intended for personal wear, manufactured in state penitentiaries, reform schools or other institutions supported at public expense, and requiring that notice that such goods are on sale, shall be conspicuously posted in places where said goods are offered for sale.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1450.—An act to authorize and empower the board of managers of the Agnews State Hospital to grant, under the conditions herein provided, to the Southern Pacific Railroad Company, a corporation, a right of way and easement for the purpose of constructing, maintaining and operating an industrial spur track over, along and upon a strip of land situate in the county of Santa Clara and belonging to the State of California.

Bill read second time, ordered on file for third reading.

Assembly Bill No. 657.—An act to repeal section 17 and to amend section 30 of an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board and defining its powers," approved December 24, 1911, as amended by an act approved May 26, 1913, and

as further amended by an act approved June 9, 1915, and to add thirty-four new sections to said act, to be numbered 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, and 65, relating to the powers and duties of said reclamation board, and providing for the early completion of the Sacramento flood control project, and of the San Joaquin flood control project when adopted, and the issuance of bonds of the Sacramento and San Joaquin Drainage District therefor, and to the method of levying and collecting assessments.

On motion of Senator Inman, Assembly Bill No. 657 was passed on file.

Assembly Bill No. 981—An act to amend section 2322a of the Political Code, relating to inspection of fruit trees and eradication of pests.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, after the word "larva", strike out the balance of said line 12, and all of lines 13 and 14 up to and including the comma after the word "weeds".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 3, of the printed bill, after the word "Larva", strike out the balance of line 3 and line 4, and the word "thereon", and the comma after the word "thereon", on line 5.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 7, of the printed bill, strike out the comma, and the balance of the line after the word "larva", and the words "noxious weeds", on line 8.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 12, of the printed bill, after the comma after the word "aforesaid", strike out the balance of said line 12, also all of lines 13 and 14 up to and including the comma after the word "growing".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 29, of the printed bill, after the comma after the word "infested", strike out the balance of said line 29, also all of line 31, and the word "growing", and the comma in line 32.

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 3, of the printed bill, after the word "larvae," strike out the comma and the balance of the paragraph, and insert in lieu thereof a period.

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 1112—An act to amend an act entitled "An act for the regulation and control of fraternal benefit societies," approved

May 1, 1911, as amended, by adding three new sections thereto to be numbered 31*a*, 31*b*, and 31*c*, providing for penalties upon officers and others for borrowing the funds of the society, or for giving or receiving any compensation in relation thereto.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 481—An act to amend proposed amendment to section 4258 of the Political Code, relating to counties of the twenty-ninth class (Siskiyou).

Bill read second time, and ordered on file for third reading.

THIRD READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 477—An act to add a new section to the Political Code, to be numbered 1734*a*, providing for the annexation of elementary school districts.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Kehoe moved to refer Assembly Bill No. 477 to Senator Carr, W. J., as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 8, beginning with the word "except", strike out everything down to and including the first word "district" in line 10 and insert in lieu thereof the following: "shall set the same for hearing at a regular meeting thereof and shall publish in a newspaper of general circulation in the county once each week for at least two weeks prior to such hearing a notice containing a general statement of the purpose of such petition and the time and place when and where the petition will be heard, and shall require the clerk of the board of supervisors to mail a copy of such notice to each of the trustees of such school district at least ten days prior to such hearing. The board of supervisors must at the time and place mentioned in such notice hear the persons interested in the petition and unless it shall be shown that said elementary school district is already paying through the county high school tax a reasonable amount toward the cost of such high school, shall make an order annexing such elementary school district to such high school district; *provided*, that if within sixty days after such order is made, a protest against such annexation signed by a majority of the electors of such elementary school district as shown by the affidavit of one of the protestants shall be filed with the board of supervisors, the board of supervisors shall rescind such order, and the high school board may thereupon deny the privileges of such high school to the pupils of such elementary school district."

AMENDMENT NUMBER TWO.

On page 2, beginning with the word "provided", in line 18, strike out the remainder of the paragraph and insert in lieu thereof the following: "*and provided, further*, that such order of annexation shall not become effective until the first Monday in March immediately following the making thereof."

AMENDMENT NUMBER THREE.

On page 2, line 34, after the word "annexation" insert the following: "or dividing the territory in such elementary school district between the high school districts so petitioning, after notice and hearing as hereinbefore provided".

AMENDMENT NUMBER FOUR.

On page 4, line 4, strike out the word "shall" and insert in lieu thereof the word "may".

AMENDMENT NUMBER FIVE.

On page 4, line 6, after the word "district" insert the following: "after notice and hearing as hereinbefore provided".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 21, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 477, with instructions to amend, respectfully reports the same back, amended as per instructions.

CARR, W. J., Special Committee.

Report read, and, on motion of Senator Kehoe, adopted.

Bill ordered to print.

Assembly Bill No. 727—An act to provide a relief fund in the several counties of the State for the needy blind, providing for a commission to be known as the "Blind Relief Commission," and prescribing its powers and duties.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Inman moved to refer Assembly Bill No. 727 to Senator Shearer as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 2, before the word "in" insert "and cities and counties".

AMENDMENT NUMBER TWO.

In line 6, same page, after the word "counties" insert the words "and cities and counties".

AMENDMENT NUMBER THREE.

In line 9, same page, after the word "counties" add the words "and cities and counties".

AMENDMENT NUMBER FOUR.

On page 2, line 16, after the word "county" add the words "and city and county".

AMENDMENT NUMBER FIVE.

On page 2, line 28, after the word "auditor" add the words "or auditor of the city and county".

AMENDMENT NUMBER SIX.

On page 3, line 6, after the word "county" add the words "or city and county".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 21, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 727, with instructions to amend, respectfully reports the same back, amended as per instructions.

SHEARER, Special Committee.

Report read, and, on motion of Senator Inman, adopted.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Ballard moved to refer Assembly Bill No. 727 to Senator Lyon, as a Special Committee of One to amend as follows:

AMENDMENT NUMBER ONE.

On page 3, line 20, of the printed bill, strike out the period after the word "act" and insert in lieu thereof a semicolon and add the following: "*provided, however*, that the provisions of this act shall not apply to any county or city and county whose charter provides for an officer known as superintendent of charities whose

duty it is to give proof to the county board, [illegible] from such county or city and county."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 21, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 727, with instructions to amend, respectfully reports the same back, amended as per instructions.

LYON, Special Committee.

Report read, and, on motion of Senator Ballard, adopted.

Bill ordered to print.

Assembly Bill No. 606.—An act to amend section 3818 of the Political Code, relating to redemption from tax sale.

On motion of Senator Benson, Assembly Bill No. 606 was referred to Committee on Revenue and Taxation, to retain its place on file.

Assembly Bill No. 674.—An act to amend section 3766 of the Political Code, relating to the manner of publication of the delinquent tax list.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Evans moved to refer Assembly Bill No. 674 to Senator Gates, as a Special Committee of One, to amend as follows:

AMENDMENT TO TEXT.

On line 3 of the printed bill, after the word "publication", insert the phrase "once a week".

AMENDMENT TO TITLE.

On line 7 of the printed bill, after the word "publication", insert the phrase "once a week".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 21, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 674, with instructions to amend, respectfully reports the same back, amended as per instructions.

GATES, Special Committee.

Report read, and, on motion of Senator Evans, adopted.

Bill ordered to print.

SECOND READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 1288.—An act to amend sections 2 and 3 of "An act authorizing municipalities to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within municipalities, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same," approved May 26, 1915, in effect August 8, 1915, and adding a new section thereto to be numbered section 8.

Bill read second time.

AMENDMENTS FROM FLOOR.

During second reading of bill, the following amendments were offered and their adoption moved by Senator Sharkey:

AMENDMENT NUMBER ONE.

On page 1, line 2, of the title after the word "of" insert the following: "An act entitled".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 8, of the title, strike out the words "in effect August 8, 1915, and adding" and insert in lieu thereof the following: "and to add".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 9, of the title, strike out the last word, "section".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 1, strike out the words "said act" and insert in lieu thereof the following: "an act entitled an act authorizing municipalities to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within municipalities, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same," approved May 26, 1915.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 4, line 21, after the word "act" insert the following: "to be numbered 8 and".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 626—An act to amend section 79 of an act to provide for work upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for cost thereof and providing a method for the payment of such bonds, approved April 7, 1911.

Bill read second time.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, lines 23 and 24, strike out the words: "also the expenses of making the assessment for any in this act;".

Amendment adopted.

AMENDMENTS FROM FLOOR.

During second reading of bill, the following amendments were offered and their adoption moved by Senator Sharkey:

AMENDMENT NUMBER ONE.

On page 1, line 2, of the title, after the word "act" insert the following: "entitled 'An act'".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 10, of the title after the word "bonds" insert quotation marks.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, after the word "act" insert the following: "entitled 'An act'".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 9, after the word "bonds" insert quotation marks.

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

LEAVE OF ABSENCE.

At twelve o'clock and fifteen minutes p.m., Senator Maddux was, on motion of Senator Slater, granted leave of absence for the balance of this legislative day.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 8—An act to increase the number of judges of the superior court of the county of Fresno, and to provide for the appointment of an additional judge.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 8 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, King, Lyon, Rominger, Shearer, Slater, Stuckenbruck, and Thompson—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 107—An act appropriating five thousand five hundred dollars for restoring, repairing and preserving the old custom house in the city of Monterey, California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 107 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, King, Lyon, Purkitt, Rominger, Scott, Sharkey, Shearer, Slater, and Stuckenbruck—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 108—An act appropriating three thousand five hundred dollars for restoring, repairing and preserving the old theater in the city of Monterey, California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 108 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, King, Lyon, Purkitt, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 229—An act making an appropriation to aid in the construction of a breakwater in Monterey Bay, California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 229 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, King, Lyon, Purkitt, Rominger, Scott, Shearer, Slater, and Stuckenbruck—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 343—An act appropriating money for the construction of a cottage for disturbed patients at the Stockton State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 343 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, King, Lyon, Nealon, Purkitt, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 342—An act appropriating money for the purchase of 483 acres of land to be used as a farm by the Stockton State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 342 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, King, Lyon, Nealon, Purkitt, Rominger, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 348—An act appropriating money for the construction of workers' cottage for men at the Agnews State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 348 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Barnett, Canepa, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, King, Lyon, Purkitt, Rominger, Scott, Slater, Stuckenbruck, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR TYRRELL IN THE CHAIR

At twelve o'clock and twenty minutes p.m., Senator Tyrrell of the Sixteenth District was called to the chair.

Assembly Bill No. 398—An act appropriating money to enable the State Normal School at Los Angeles to hold Saturday sessions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 398 passed by the following vote:

AYES—Senators Benson, Breed, Barnett, Canepa, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, King, Lyon, Norton, Purkitt, Rominger, Scott, Slater, Stuckenbruck, Thompson, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 414—An act appropriating money for the construction of administration building at the Norwalk State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 414 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Barnett, Canepa, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, King, Lyon, Purkitt, Rominger, Scott, Slater, Stuckenbruck, Thompson, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 415—An act appropriating money for the construction of three patients' cottages at the Norwalk State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 415 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Barnett, Canepa, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, King, Purkitt, Rominger, Scott, Slater, Stuckenbruck, Thompson, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 447—An act appropriating money for the maintenance and support of the Los Angeles Exposition.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 447 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Kehoe, King, Lyon, Purkitt, Rominger, Scott, Slater, Stucklenbruck, Thompson, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 448—An act appropriating money for the construction and equipment of a heating plant at the Lick Observatory of the University of California.

On motion of Senator Jones, Assembly Bill No. 448 was passed on file.

Assembly Bill No. 453—An act appropriating money for the construction of trades building at the Whittier State School.

On motion of Senator Benson, Assembly Bill No. 453 was passed on file.

Assembly Bill No. 454—An act appropriating money for equipment and general repairs and alterations to buildings, structures and equipment at the Whittier State School.

On motion of Senator Benson, Assembly Bill No. 454 was passed on file.

Assembly Bill No. 513—An act appropriating money for the equipment of trades building and gymnasium at the California School for Girls.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 513 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Kehoe, King, Lyon, Purkitt, Rominger, Scott, Shearer, Slater, Thompson, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 515—An act appropriating money for the construction of trades building and gymnasium at the California School for Girls.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 515 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Irwin, Johnson, Kehoe, King, Lyon, Purkitt, Rominger, Scott, Shearer, Slater, Thompson, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 516—An act appropriating money for the furnishing of four cottages at the California School for Girls.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 516 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Irwin, Johnson, Kehoe, King, Lyon, Purkitt, Rominger, Scott, Shearer, Slater, Thompson, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 517—An act appropriating money for service connections to new buildings at the California School for Girls.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 517 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Irwin, Johnson, Kehoe, King, Lyon, Purkitt, Rominger, Scott, Shearer, Slater, Thompson, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 520—An act appropriating money for the construction of three cottages at the California School for Girls.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 520 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, Kehoe, King, Lyon, Purkitt, Rominger, Scott, Shearer, Slater, Thompson, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 525—An act to provide for the return to the owners thereof of any funds deducted from teacher's retirement salaries in excess of the amounts directed by law to be so deducted; prescribing the procedure relative thereto, and making an appropriation therefor.

On motion of Senator Benson, Assembly Bill No. 525 was passed on file.

Assembly Bill No. 651—An act making an appropriation for the painting of the State Capitol Building.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 651 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Gates, Hans, Ingram, Irwin,

Johnson, Kehoe, King, Lyon, Purkitt, Rominger, Scott, Shearer, Slater, Thompson, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR BENSON IN THE CHAIR.

At twelve o'clock and twenty-five minutes p.m., Senator Benson of the Twenty-seventh District was called to the chair.

Assembly Bill No. 857—An act making an appropriation for the payment of the claim of the Amador Central Railroad Company for excess taxes paid to the State of California for the calendar years 1912, 1913 and 1914.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 857 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, W. J., Chandler, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, King, Lyon, McDonald, Purkitt, Rigdon, Rominger, Scott, Shearer, Slater, Thompson, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., the hour of recess was extended until twelve o'clock and forty minutes p.m.

Assembly Bill No. 1015—An act to appropriate money to pay the claim of Union Tank Line Company upon a judgment rendered against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1015 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, E. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Lyon, McDonald, Purkitt, Rigdon, Rominger, Scott, Slater, Thompson, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1090—An act appropriating money to pay the claim of J. H. Farraher.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1090 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Lyon, McDonald, Purkitt, Rigdon, Rominger, Scott, Shearer, Slater, Thompson, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1091—An act appropriating money to pay the claim of N. E. Conklin.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1091 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Chandler, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Jones, Johnson, Jones, Kehoe, King, Lyon, McDonald, Purkitt, Rigdon, Rominger, Scott, Shearer, and Thompson—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1092—An act appropriating money to pay the claim of D. F. Conway.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1092 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Chandler, Crowley, Flaherty, Gates, Ingram, Johnson, Jones, Kehoe, King, Lyon, McDonald, Rigdon, Rominger, Scott, Shearer, Slater, Stockenduck, Thompson, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1116—An act to provide for the reforestation, the cutting of fire lanes and fire trails on the Angeles National Forest and to make an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1116 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Johnson, Jones, Kehoe, King, Lyon, McDonald, Rominger, Scott, Shearer, Slater, Stockenduck, Thompson, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1131—An act appropriating money for the use of the Railroad Commission in the regulation of utilities within incorporated cities during the sixty-ninth and seventieth fiscal years.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1131 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Lyon, McDonald, Purkitt, Rigdon, Rominger, Shearer, Slater, Thompson, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1188—An act appropriating money to pay the cost of printing, publishing and distributing state textbooks free to the

school children of the State in accordance with the provisions of the Constitution.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1188 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, King, Lyon, Rominger, Scott, Shearer, Slater, Thompson, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1230—An act appropriating money for the purchase of laundry machinery for the Napa State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1230 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Chandler, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, King, Lyon, McDonald, Rigdon, Rominger, Scott, Shearer, Slater, Thompson, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1231—An act appropriating money for the construction of power house and the purchase of machinery for same for the Napa State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1231 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, Lyon, McDonald, Rigdon, Rominger, Shearer, Slater, Thompson, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1232—An act appropriating money for the installation of electric elevators at the Napa State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1232 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, Lyon, McDonald, Purkitt, Rominger, Scott, Shearer, Thompson, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SPECIAL ORDER.

Senator Jones moved that Assembly Bill No. 657 be made a special order for Monday, April 23d, at eleven o'clock and fifteen minutes a.m.

Motion carried.

ADJOURNMENT.

At twelve o'clock and forty five minutes p.m., on motion of Senator Kehoe, the Acting President declared the Senate adjourned until Monday, April 23, at eleven o'clock a.m.

IN SENATE

SENATE CHAMBER,

SACRAMENTO, Monday, April 23, 1917.

The Senate met at eleven o'clock a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Carter, Cary, F. M., Cary, W. J., Chamberlin, Chandler, Crowley, Dennett, Dunn, Elsworth, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Lane, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rosendale, Rush, Scott, Slater, Stevens, Stiles, Stuckenbruck, Thompson, and Tyrrell—39.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Saturday, April 21, 1917, its further reading was dispensed with, on motion of Senator Crowley.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Irwin, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. and Mrs. J. E. Smith, Mr. and Mrs. M. W. Harlan and Mrs. J. R. Whisner of Sacramento; Mr. and Mrs. W. P. Byron and Miss Margaret Dickenson of Lemoore, and Mr. R. H. Parker of San Francisco.

On request of Senator Slater, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. Edson C. Merritt of Santa Rosa.

On request of Senator Duncan, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to H. C. Compton of Chico.

PRESENTATION OF PETITIONS.

The following petitions were presented and ordered printed in the Journal:

To the Hon. Arthur H. Breed, President of the Senate, and to the Senate of the State of California:

The undersigned beg to respectfully petition your Honorable Body, and make the following statement:

The land owners in the drainage district, and certain commercial bodies interested in the State, and, therefore, in the flood control project for the Sacramento River two months ago delegated representatives to a meeting in Sacramento to consider legislation to be had during the present session to make effective the cooperation of the State and Federal governments in improving the navigation and controlling the floods of the Sacramento River.

At that meeting were delegates from the State Association of Reclamation Districts, from the San Joaquin and Sacramento River Improvement Association, from the Delta Association and from the Chambers of Commerce of San Francisco, Oakland, Sacramento and Stockton.

That meeting, as the first condition and foundation of its action, by vote endorsed the Reclamation Board as now constituted, and declared for its continuance in charge of its part of the flood control project.

It also ordered that an executive committee of five be appointed to draft a bill for the proper assessment of the district lands and the bonding thereof, to provide the land owners' share of the cost of the flood control project. The members of the committee so appointed and charged are all land owners in the drainage district and all liable for their share of the cost of this great project.

This committee, taking the Gebhart Bill, Assembly Bill 657, as easiest of amendment to conform to the purpose of the meeting, have presented the results of its work in the Assembly Bill 657, which is now before your Honorable Body.

The Senate committee has put into this bill an amendment which is contrary to the views and wishes of the meeting which appointed us, and, as we believe, contrary to the wish of the majority of men in the Sacramento assessment district who must pay the cost of the work to be done. The amendment proposes to abolish the present Reclamation Board and substitute therefor a board consisting of one member of the Water Commission, one member of the Highway Commission or State Engineer's office, to serve ex-officio, and a third member to be appointed by the Governor.

We beg respectfully to state that a board, of which the majority are ex-officio members, with other duties absorbing their time, will be able to give only perfunctory attention to the vast and important affairs of this drainage district, which is now the scene of the second greatest engineering project undertaken in this country.

We submit, also, that the land owners, who must bear the burden of the cost of this great work, supplementing that borne by the Federal and State governments surely deserve that you consider their preference and wishes as to the instrumentality of the State which is to care for their interests. As in every organized form such owners have endorsed the present Reclamation Board, and they are the interested parties, we feel confident that your Honorable Body will give heed to their wishes and make no change.

We beg to state further that the amendment changing the present Reclamation Board has appeared without previous notice, as a surprise to the land owners, and at a time when they can make themselves felt only through us, appointed as their agents. This amendment was not mentioned at the public hearing on the bill by the Senate committee, and at no time have the land owners had the opportunity to be heard or express their opposition thereto.

A. E. ANDERSON,
T. T. C. GREGORY,
C. E. WILLIAMS,
JNO. P. IRISH,
JESSE POUNDSTONE,

Executive Committee, representing the State Association of Reclamation Districts, the San Joaquin and Sacramento River Improvement Association, the Delta Association and the Chambers of Commerce of San Francisco, Oakland, Sacramento and Stockton.

Also:

To the Honorable Senate and Assembly of California.

We, the undersigned voters of the county of Los Angeles, do hereby make a vigorous protest against the passage of the bill, fathered by Assemblyman Prendergast, providing that impounded dogs not claimed may be sold to be vivisected.

We most earnestly urge every Senator and Assemblyman to use his voice and vote to defeat this barbarous measure, that would have a most brutalizing effect upon society.

MRS. C. GROVES, and four others.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 1047. An act appropriating money to pay the claim of Nicholas Brice against the State of California.

Also: Senate Bill No. [illegible]. An act appropriating money to pay the claim of Frank De La Piedra against the State of California.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 1047 and 1048 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 29. Relative to revision of statutes affecting the public schools of the State.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Concurrent Resolution No. 29 read and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 20th passed:

Assembly Bill No. 969. An act to prohibit the unlawful taking by participation the keeping or storing of water in canals, lateral or other conveyances, by any of the waters or streams of this State, within the limits of any canal or ditch.

Also: Assembly Bill No. 1413. An act to add a new chapter to the Penal Code, to be known as Chapter 16 to Title XIII of Part I, to consist of sections 593a, 593b, 593c, 593d, 593e, defining the crime of unlawful possession and prohibition thereof.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 903 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1413 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. [illegible]. An act to prohibit the kidnapping of any child and to provide that offenses shall be triable in the County of California within the boundaries of the Irrigation District [illegible] be subject to the jurisdiction levied in said district.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 155 read first time, and referred to Committee on Irrigation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 28. Approving amendment to the charter of the city of Oakland, a municipal corporation, in the county of Alameda, State of California, and that [illegible] the qualified electors of said city at a general municipal election held therein on the 17th day of April, 1917.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Concurrent Resolution No. 28 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 304. An act appropriating money for repairs and improvements to buildings and equipment at the Industrial Home for the Adult Blind.

Also: Senate Bill No. 301. An act appropriating money to complete the heating plant of the California School for the Deaf and the Blind.

Also: Senate Bill No. 302—An act appropriating money to complete the electric wiring of the California School for the Deaf and the Blind;

Also: Senate Bill No. 303—An act appropriating money for medical teaching in the University of California;

Also: Senate Bill No. 557—An act to authorize the board of trustees of the San Jose State Normal School to exchange certain land belonging to said school for other land belonging to the San Jose high school district.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 300, 301, 302, 303, and 557 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 1155—An act making an appropriation for the purchase of an automobile for the use of the Governor of the State of California;

Also: Senate Bill No. 1164—An act making an appropriation for a portrait of former Governor Hiram W. Johnson, and directing the State Board of Control to carry out the provisions hereof;

Also: Senate Bill No. 1167—An act appropriating money for the construction of sewage disposal system at the Folsom State Prison;

Also: Senate Bill No. 297—An act appropriating money to be used for water development at the Industrial Home for the Adult Blind;

Also: Senate Bill No. 298—An act appropriating money for the purchase of a burial plot for the Industrial Home for the Adult Blind;

Also: Senate Bill No. 299—An act appropriating money for the purchase of equipment for the Industrial Home for the Adult Blind.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 1155, 1164, 1167, 297, 298, and 299 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 282—An act appropriating money for repairs and improvements to buildings, structures and equipment at the Folsom State Prison;

Also: Senate Bill No. 291—An act appropriating money for the purchase of live stock at the San Quentin State Prison;

Also: Senate Bill No. 293—An act appropriating money for the construction of new additions to farm buildings for San Quentin State Prison;

Also: Senate Bill No. 295—An act appropriating money for the purchase of machinery and equipment for the San Quentin State Prison;

Also: Senate Bill No. 296—An act appropriating money for the improvement of the grounds of the Industrial Home for the Adult Blind;

Also: Senate Bill No. 283—An act appropriating money for employees' cottages at the Folsom State Prison;

Also: Senate Bill No. 864—An act to appropriate money for the payment of compensation benefits accruing by reason of personal injury resulting from accident to State officers and employees while performing services accruing out of and incidental to their employment.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 282, 291, 293, 295, 296, 283, and 864 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 260—An act appropriating money for the construction of a tubercular hospital at the Stockton State Hospital;

Also: Senate Bill No. 192—An act appropriating money for the construction of a pathological laboratory at the Napa State Hospital;

Also: Senate Bill No. 246—An act appropriating money for the construction of cottage for low grade adult females at the Sonoma State Home;

Also: Senate Bill No. 265—An act appropriating money for the completion of the buildings of Riverside Citrus Experiment Station of the University of California;

Also: Senate Bill No. 280—An act appropriating money for the construction of a prison school building at the Folsom State Prison;

Also: Senate Bill No. 281—An act appropriating money for the purchase of new machinery and equipment for the machine and blacksmith shops at the Folsom State Prison.

E. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 260, 192, 246, 265, 280 and 281 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 196—An act appropriating money for [illegible] and equipment for the San Diego State Normal School;

Also: Senate Bill No. 200—An act appropriating money for repairs and improvements including fire protection at the Women's Relief Corps Home;

Also: Senate Bill No. 202—An act appropriating money for the [illegible] of directors of the Women's Relief Corps Home;

Also: Senate Bill No. 223—An act appropriating money for a water system at the Santa Barbara State Normal School;

Also: Senate Bill No. 224—An act appropriating money to cover the cost of furnishing workers' cottage for men at the Agnews State Hospital;

Also: Senate Bill No. 240—An act appropriating money for laundry and heating systems at the University of California Farm School at Davis.

E. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 205, 206, 207, 221, 224, and 240 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 241—An act appropriating money for the construction and equipment of a creamery at the University of California Farm School at Davis;

Also: Senate Bill No. 46—An act appropriating money for painting the temporary buildings of Humboldt State Normal School;

Also: Senate Bill No. 170—An act appropriating money for the care and maintenance of grounds of the Fresno State Normal School;

Also: Senate Bill No. 191—An act appropriating money for the construction of a convalescent cottage for females at the Napa State Hospital;

Also: Senate Bill No. 195—An act appropriating money for the construction of a tubercular ward on the grounds of the Veterans' Home;

Also: Senate Bill No. 201—An act to appropriate money to maintain the model and training schools at the several state normal schools;

Also: Senate Bill No. 204—An act appropriating money for the improvement of the grounds of the San Diego State Normal School.

E. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 241, 46, 170, 191, 195, 201, and 204 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 171—An act appropriating money for the completing of the plant and equipment of the Fresno State Normal School;

Also: Senate Bill No. 243—An act appropriating money for the construction of small buildings at the University of California Farm School at Davis;

Also: Senate Bill No. 244—An act appropriating money for repairs and improvements to buildings, structures and equipment at the Veterans' Home;

Also: Senate Bill No. 247—An act appropriating money for the construction and equipment of bakery building at the Sonoma State Home;

Also: Senate Bill No. 250—An act appropriating money to cover the cost of water softening plant at the Mendocino State Hospital;

Also: Senate Bill No. 252—An act appropriating money for repairs to flooring at the Mendocino State Hospital;

Also: Senate Bill No. 258—An act appropriating money to cover the cost of four continuous baths for the Stockton State Hospital.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 171, 243, 244, 247, 250, 252, and 258 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 581—An act to appropriate money for paving in front of the San Diego State Normal School;

Also: Senate Bill No. 668—An act to appropriate money for the repair of the Naval Reserve Armory at San Diego, California;

Also: Senate Bill No. 856—An act making an appropriation for the support of the Department of Sanitary Engineering under the direction of the State Board of Health;

Also: Senate Bill No. 871—An act appropriating money for the support of the Advisory Pardon Board during the sixty-ninth and seventieth fiscal years;

Also: Senate Bill No. 1140—An act to accept the provisions and benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled and approved February 23, 1917, to provide for the promotion of vocational education; to create a vocational education fund and making an appropriation therefor.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 581, 668, 856, 871 and 1140 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 263—An act appropriating money to pay the claim of the board of regents of the University of California;

Also: Senate Bill No. 266—An act appropriating money to pay the claim of the board of regents of the University of California;

Also: Senate Bill No. 284—An act appropriating money for the erection and repairing barns, sheds and buildings at the State Agricultural Park;

Also: Senate Bill No. 285—An act appropriating money for the improvement of grounds and erection of stock barns at the State Agricultural Park;

Also: Senate Bill No. 286—An act appropriating money for the construction and equipment of addition to the training school building of the Chico State Normal School.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 263, 266, 284, 285 and 286 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 933—An act appropriating money for the support of the State Board of Health, in the control of contagious diseases, during the sixty-ninth and seventieth fiscal years;

Also: Senate Bill No. 1122—An act to appropriate money for a water system at the California School for Girls;

Also: Senate Bill No. 47—An act appropriating money for the equipment and furnishing of buildings at Humboldt State Normal School;

Also: Senate Bill No. 48—An act appropriating money for the construction of buildings, sidewalks, sewers and grading of grounds on the property of the Humboldt State Normal School;

Also: Senate Bill No. 197—An act appropriating money for the painting of buildings at the Veterans' Home.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 933, 1122, 47, 48 and 197 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 308—An act [illegible] the construction and maintenance of a State Printing Office [illegible] the [illegible] appropriation.

Also: Senate Bill No. [illegible]—An act [illegible] a revolving fund for engineering department in [illegible] pursuant to Chapter [illegible] of Statutes of 1913 and Chapter [illegible] of Statutes of 1915.

Also: Senate Bill No. 714—An act [illegible] a revolving fund for the state purchasing department.

Also: Senate Bill No. [illegible]—An act [illegible] the support of the state purchasing department during the [illegible] and [illegible] fiscal years.

Also: Senate Bill No. 716—An act [illegible] relating to [illegible] and [illegible] other [illegible] [illegible].

Also: Senate Bill No. [illegible]—An act [illegible] the [illegible] of a vault, Secretary of State's office.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 308, 714, 716 and [illegible] ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. [illegible]—An act [illegible] April [illegible], 1911, and [illegible]. An act [illegible] section 14 of Article XIII of the Constitution of the State of California [illegible] the [illegible] of the University of California [illegible] the [illegible] of the University of California [illegible] and to repeal an act approved February 13, 1905, entitled "An act to provide for the permanent support and maintenance of the University of California for the year of a tax of twenty-five cents on a [illegible] and to repeal an act approved February 27, 1905, entitled "An act to provide additional support and maintenance and for the acquisition and improvement of property and improvements of the University of California for the year of a tax of twenty-five cents and the creation of a fund therefor," approved March 30, 1905.

Also: Senate Bill No. [illegible]—An act [illegible] the [illegible] of kitchen [illegible] and [illegible] in the Veterans' Home.

Also: Senate Bill No. [illegible]—An act [illegible] the claims of various contractors against the State of California in connection with the construction of the Fresno Normal School.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 304, 1003 and 502 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 415—An act making an appropriation to pay the claim of the city of Los Angeles against the State of California.

Also: Senate Bill No. 416—An act making an appropriation for the payment of certain assessments for sewer work upon the property of the State of California known as the Normal School property on Vermont avenue, in the city of Los Angeles, State of California.

Also: Senate Bill No. 773—An act appropriating money for the purpose of constructing a barn to be used in connection with the California Polytechnic School at San Luis Obispo.

Also: Senate Bill No. 1091—An act to amend sections 2282, 2285, 2286 and 2289 of the Political Code, relating to the support and maintenance of orphans, half orphans and abandoned children.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 415, 416, 773 and 1091 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 1178—An act authorizing the State Board of Control for and on behalf of the State of California to retransfer a certain tract of land back to original owners;

Also: Senate Bill No. 147—An act to amend section 1 of an act entitled "An act to fix the salaries of the State Forester, Deputy Forester and Assistant Forester," approved March 22, 1909, and repealing all acts and parts of acts inconsistent herewith;

Also: Senate Bill No. 242—An act appropriating money for necessary buildings, equipment and live stock for animal husbandry department at the University of California Farm School at Davis;

Also: Senate Bill No. 292—An act appropriating money for construction and equipment of small buildings at the San Quentin State Prison;

Also: Senate Bill No. 400—An act to appropriate money to pay the expense of improving certain streets in the city of Berkeley adjoining the grounds of the University of California.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 1178, 147, 242, 292 and 400 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 310—An act appropriating money for the construction and equipment of new laundry and bakery at the Mendocino State Hospital;

Also: Senate Bill No. 489—An act appropriating money to pay the claim of the county of San Bernardino for additional reimbursement, as determined by investigation of the State Tax Commission.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 310 and 489 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 907—An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather Rivers of the State of California, by controlling the floods, removing the debris and continuing the improvement of the Sacramento River, California, in accordance with the plans of the California Debris Commission contained in the report of said commission submitted August 10, 1910, and transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on June 27, 1911, and printed in House of Representatives Document No. 81 of the first session of the sixty-second United States Congress, as modified by the report of said commission submitted February 8, 1913, approved by the Chief of Engineers of the United States Army and the Board of Engineers for Rivers and Harbors and printed in Rivers and Harbors Committee Document No. 5, sixty-third United States Congress, first session, in so far as said plan provides for the rectification and enlargement of river channels and the construction of weirs; and making an appropriation for such work; and providing for the continuance of such work as provided by section 2 of an act of the Congress of the United States entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes," approved March 1, 1917;

Also: Senate Bill No. 417—An act making an appropriation for the payment of certain assessments for main outfall sewer levied upon the property of the State of California known as the Normal School property, on Vermont avenue, in the city of Los Angeles, State of California.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 907 and 417 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 622—An act to amend sections 2316, 2318, 2319, 2320, 2321, 2319a and 2319b of the Political Code, to add sections 2318d and 2319c to said sections to the Political Code, relating to the State Commissioner of Horticulture and prescribing the powers, duties and compensation of such State Commissioner of Horticulture and the officers and employees appointed by said commissioner and prescribing methods, manner and procedure for the enforcement of such powers and duties and providing for the appointment of additional officers, fixing their compensation and prescribing their duties.

Also, Senate Bill No. 509—An act to provide for the transportation and supervision of courses in physical education for the elementary, secondary and normal schools of the State and appropriating ten thousand dollars therefor.

Also, Senate Bill No. 617—An act to repeal section 391 of the Political Code, relating to the compensation of the officers of the Insurance Commissioner.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 460, 509 and 617 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, APRIL 23, 1917.

MR. PRESIDENT—I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 682—An act appropriating money for the purpose of rehabilitating the scientific institutions and grounds for certain benevolent purposes;

Also, Senate Bill No. 250—An act appropriating money to meet the cost of grading and filling ground on farm of Stockton State Hospital;

Also, Senate Bill No. 930—An act to amend section 8 and 10 of an act entitled "An act to establish and support a farmers' of some agriculture," approved March 4, 1883;

Also, Senate Bill No. 1007—An act making an appropriation for the purchase by the State Agricultural Society of a large tract and moderate acres therefor;

Also, Senate Bill No. 1012—An act to appropriate money to pay the claim of George F. Gray against the State of California.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 682, 250, 930, 1007 and 1012 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, APRIL 23, 1917.

MR. PRESIDENT—I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 1036—An act appropriating money to pay the claim of Annie Paul against the State of California;

Also, Senate Bill No. 1037—An act appropriating money to pay the claim of Frank B. Perkell against the State of California;

Also, Senate Bill No. 1038—An act appropriating money to pay the claim of William A. Anderson against the State of California;

Also, Senate Bill No. 1039—An act appropriating money to pay the claim of Patrick Sullivan against the State of California;

Also, Senate Bill No. 1040—An act appropriating money to pay the claim of C. D. Christofferson against the State of California;

Also, Senate Bill No. 1041—An act appropriating money to pay the claim of C. Schmidt Broderson against the State of California.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 1036, 1037, 1038, 1039, 1040 and 1041 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, APRIL 21, 1917.

MR. PRESIDENT—I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 1042—An act appropriating money to pay the claim of Thomas J. Stewart against the State of California;

Also, Senate Bill No. 1043—An act appropriating money to pay the claim of S. I. Cozad against the State of California;

Also, Senate Bill No. 1044—An act appropriating money to pay the claim of Bela Friedman against the State of California;

Also, Senate Bill No. 1045—An act appropriating money to pay the claim of Fred Thonhoff against the State of California;

Also: Senate Bill No. 1046—An act appropriating money to pay the claim of Harland Wehr against the State of California.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 1042, 1043, 1044, 1045 and 1046 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on April 20th passed as amended, Senate Bill No. 585—An act to amend section 1741 of the Political Code, relating to the powers and duties of high school boards—and respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 248—An act appropriating money for the construction and equipment of laundry building at the Sonoma State Home;

Also: Senate Bill No. 1029—An act appropriating money for the support of the California Historical Survey Commission during the sixty-ninth and seventieth fiscal years;

Also: Senate Bill No. 1079—An act to provide for the forfeiture of certain lands to the State in the event of the nonpayment of delinquent interest upon any part of the unpaid portion of the purchase price thereof, together with penalties and costs as herein provided, as well as for the forfeiture of all moneys previously paid thereon, whether for principal or interest; prescribing the duties of certain public officers with respect thereto; providing for the giving of notice hereof; prescribing certain remedies; and making an appropriation for the purposes of this act;

And respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendment to Senate Bill No. 248—An act appropriating money for the construction and equipment of laundry building at the Sonoma State Home.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER TWO HUNDRED FORTY-EIGHT.

AMENDMENT NUMBER ONE.

On page 1, line 1 of the printed bill, after the word "thousand" and before the word "dollars" insert the words "five hundred".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 248?

The roll was called, and Assembly amendment to Senate Bill No. 248 concurred in by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Senate Bill No. 248 ordered to enrollment.

The Senate took up for consideration Assembly amendments to Senate Bill No. 1029—An act appropriating money for the support of the Historical Commission during the sixty-ninth and seventieth fiscal years.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE THOUSAND FORTY-NINE

AMENDMENT NUMBER ONE

On page 1 of the printed bill, in line 3, at the end, strike out the words "industrial commission" and insert in lieu thereof the words "California railroad tax commission".

AMENDMENT NUMBER TWO

On page 1 of the printed bill, in line 4, strike out the words "Commission" and insert in lieu thereof the words "California railroad tax commission".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 1029?

The roll was called, and Assembly amendments to Senate Bill No. 1029 concurred in by the following vote:

AYES—Senators Ballard, Breed, Brown, Brusie, Campbell, Carr, E. M., Carr, W. J., Chandler, Chandler, Chandler, Cowan, Dennis, Edwards, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Lane, McDonald, Meadows, Nourse, Parkitt, Rigdon, Rominger, Rush, Scott, Shirkey, Shearer, Stone, Stockbridge, and Thompson—35.

NOES—None.

Senate Bill No. 1029 ordered to enrollment.

The Senate took up for consideration Assembly amendments to Senate Bill No. 585—An act to amend section 4141 of the Political Code relating to the powers and duties of high school boards.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED EIGHTY-FIVE

AMENDMENT NUMBER ONE

On page 2 of the printed bill, in line 21, after the word "thereof" insert a comma and add "or upon high school property, on joint meeting of high school boards".

AMENDMENT NUMBER TWO

On page 2, line 24, strike out the word "shall" and insert in lieu thereof the word "may".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 585?

The roll was called, and Assembly amendments to Senate Bill No. 585 concurred in by the following vote:

AYES—Senators Ballard, Breed, Brown, Brusie, Campbell, Carr, E. M., Carr, W. J., Chandler, Chandler, Chandler, Dennis, Edwards, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Lane, McDonald, Meadows, Nourse, Rigdon, Rominger, Rush, Scott, Shirkey, Shearer, Stone, Stockbridge, and Thompson—36.

NOES—None.

Senate Bill No. 585 ordered to enrollment.

The Senate took up for consideration Assembly amendments to Senate Bill No. 1079—An act to provide for the forfeiture of certain lands to the state in the event of the nonpayment of delinquent interest upon any part of the unpaid portion of the purchase price thereof, together with penalties and costs as herein provided, as well as for the forfeiture of all moneys previously paid thereon, whether for principal or interest; prescribing the duties of certain public officers with respect thereto; providing for the giving of notice hereof, prescribing certain remedies; and making an appropriation for the purposes of this act.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE THOUSAND SEVENTY-NINE.

AMENDMENT NUMBER ONE.

On page 2, line 12 of the printed bill, after the word "six" strike out the word "of".

AMENDMENT NUMBER TWO.

On page 4, line 23 of the printed bill, after the word "granted" strike out the word "title".

AMENDMENT NUMBER THREE.

On page 5, line 22 of the printed bill, after the word "of" and before the word "purchase" strike out the letter "a".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 1079?

The roll was called, and Assembly amendments to Senate Bill No. 1079 concurred in by the following vote:

AYES—Senators Breed, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, Jones, Kehoe, King, McDonald, Maddux, Nourse, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stockenbruck, and Thompson—28.

NOES—None.

Senate Bill No. 1079 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 23, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 878—An act to add a new section to the Civil Code, to be numbered 3320, providing for the damages recoverable from banks on the nonpayment of checks;

Also: Senate Bill No. 1081—An act to amend section 1891 of the Political Code, relating to school districts situated in two or more counties;

Also: Senate Bill No. 1082—An act to amend section 1728 of the Political Code, relating to the formation of joint union high school districts;

Also: Senate Bill No. 1083—An act to add a new section to the Political Code, to be numbered section 1543b, and to repeal section 1723 thereof, relating to the jurisdiction of county superintendents of schools over joint and joint union school districts;

Also: Senate Bill No. 321—An act to amend section 1662 of the Political Code, relating to elementary schools and kindergartens, school age, kindergarten age, deaf children, exclusion of children, and special classes of the elementary school;

Also: Senate Bill No. 322—An act to amend section 1619 of the Political Code, relating to the duties of boards of school trustees and city boards of education;

Also: Senate Bill No. 323—An act to amend section 1751 of the Political Code, relating to the admission of pupils to high schools;

Also: Senate Bill No. 326—An act to add a new section to the Political Code to be numbered 1750c, providing for the establishment and maintenance by high school boards of special classes and part-time vocational courses and authorizing said boards to furnish transportation for teachers of agriculture supervising project work;

Also: Senate Bill No. 421—An act to repeal Article III of Chapter 3 of Title VII of Part IV of division third of the Civil Code of the State of California, and to enact a new Article III of Chapter 3 of Title VII of Part IV of division third of the Civil Code of the State of California, relating to bills of lading;

Also: Senate Bill No. 174—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when

[illegible]

March 22, 1917, as amended.

Also: Senate Bill No. [illegible]—An act to amend the Penal Code, by adding a new section thereto, to be numbered [illegible], relating to the hunt of pheasants or ruffed or [illegible] on public grounds.

Also: Senate Bill No. [illegible]—An act to amend section [illegible] of the Penal Code, relating to the misappropriation of moneys or property by the [illegible] and concerning the offense of [illegible] and proceedings for the apprehension and [illegible] thereof.

Also: Senate Bill No. 173—An act to amend sections [illegible] of an act entitled "An act [illegible] the [illegible] of [illegible] and [illegible] the [illegible] of [illegible] and [illegible] and all of said [illegible] approved March [illegible], 1915, and adding [illegible] thereto [illegible] sections designated as sections [illegible] and [illegible]."

Also: Senate Bill No. 761—An act to amend section [illegible] of an act entitled "An act to provide for the formation of [illegible] in the various counties of this State and to provide for the [illegible] of [illegible] and [illegible] and for the creation of [illegible] and [illegible] and [illegible] and [illegible] and [illegible] and [illegible] approved March [illegible], 1907, and amended by an act approved March [illegible], 1909."

Also: Senate Bill No. 194—An act to amend an act [illegible] "An act to provide for the [illegible] of [illegible] Commission," approved April [illegible], 1913.

Also: Senate Bill No. [illegible]—An act to amend section [illegible] of the Penal Code, relating to the hours of the school day and the [illegible] of time. One hundred copies are ordered to be printed in school journal each day.

And reports that the same have been carefully compared and examined by the Committee on the twenty-first day of April, 1917, as correct copies.

BOWNSHER, Acting Chairman.

ON THE CALENDAR

SENATE CHAMBER, SACRAMENTO, April [illegible], 1917.

Mr. President: Your Committee on Judiciary, to which was referred Assembly Bill No. 741—An act to amend sections [illegible] of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of the marriage and deaths, the compilation of biographical statistics relating thereto, the establishment of State Bureau of Vital Statistics, the appointment and duties of State and local registrars of vital statistics, the establishment of state and local registrars of vital statistics, to prescribe the duties and fees of registrar, county clerks, coroners, and others performed in relation to such registration and to fix penalties for violations of this act, to create the offices of State and local registrars of vital statistics, to provide for the appointment and fees of same; to repeal all laws and parts of acts in conflict herewith," approved May [illegible], 1915—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to Committee on Public Health and Quarantine.

KEHOE, Chairman.

Assembly Bill No. 741 ordered re-referred to Committee on Public Health and Quarantine.

Also:

Mr. President: Your Committee on Judiciary, to which was referred Assembly Bill No. 14—An act to amend section 749 of the Penal Code, relating to the appointment of a photographic examiner in counties of the fourth class of second, and prescribing his duties and compensation—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to Committee on Finance.

KEHOE, Chairman.

Assembly Bill No. 14 ordered re-referred to Committee on Finance.

Also:

Mr. President: Your Committee on Judiciary, to which was referred Assembly Bill No. 459—An act to amend an act entitled "An act to establish public courts in cities of the first and one-half class, to fix the jurisdiction of said courts and to

provide for the officers thereof, to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an act entitled "An act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof," which became a law under the provisions of the Constitution of the State of California without the Governor's approval, on the 10th day of March, 1901, and all acts amendatory of said act or supplementary thereto," approved June 6, 1913, by amending section 6 of said act.

Also: Assembly Bill No. 697—An act to amend section 2 of an act entitled "An act to provide for direct legislation by cities and towns including initiative and referendum," approved January 2, 1912.

Also: Assembly Bill No. 1457—An act to add a new section to the Penal Code, to be numbered 537d, relating to the defrauding of garage keepers, dealers in automobiles, and repairmen.

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Assembly Bills Nos. 459, 607 and 1457 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 486—An act to increase the number of judges of the superior court of the county of Alameda, and for the appointment of such additional judges;

Also: Assembly Bill No. 1128—An act to add a new section to the Civil Code to be numbered 322a, relating to the exoneration from personal liability of persons holding stock in a corporation as executors, administrators, guardians or trustees, and of persons holding stock as collateral security.

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

KEHOE, Chairman.

Assembly Bills Nos. 486 and 1128 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 23, 1917.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Concurrent Resolution No. 19—Relative to approving two certain amendments to the charter of the city of San Rafael, county of Marin, State of California, voted for and ratified by the qualified electors of said city of San Rafael at a general municipal election held therein on the ninth day of April, 1917—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

TYRRELL, Chairman.

Assembly Concurrent Resolution No. 19 ordered on file.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, April 23, 1917.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was **referred Assembly Bill No. 1020—An act to amend section 445 of the Political Code, authorizing the Controller of State to maintain an inheritance tax department and in connection therewith to appoint an inheritance tax attorney and assistants thereto—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to Committee on Finance.**

BENSON, Chairman.

Assembly Bill No. 1020 re-referred to Committee on Finance.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 23, 1917.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 586—An act to provide a system of state sanatoria for the adequate care and treatment for incipient, as well as advanced, cases of pulmonary tuberculosis, in the State of California, prescribing the duties of the State Board of Health in relation thereto, providing for the issuance and sale of bonds to defray the expenses incident to the establishment and maintenance of such system,

[illegible] and recommends that it be re-referred to Committee on Finance.

CARR, F. M., Chairman.

Assembly Bill No. 580 re-referred to Committee on Finance.

Also:

Mr. President: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. [illegible]—An act to amend an act entitled "An act [illegible]," approved March [illegible] [illegible] has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to Committee on Finance.

CARR, F. M., Chairman.

Assembly Bill No. 764 re-referred to Committee on Finance.

Also:

Mr. President: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. [illegible]—An act to amend an act entitled "An act to prevent [illegible]" [illegible] 1897, entitled "An act [illegible]" [illegible] approved April [illegible] [illegible] has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

CARR, F. M., Chairman.

Assembly Bill No. 1124 ordered on file for second reading.

Also:

Mr. President: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 658—An act providing for the inspection of animals slaughtered [illegible].

Also, Assembly Bill No. 1123—An act to prevent the sale of impure and unwholesome milk [illegible] milk, to provide rules and regulations therefor, and to empower cities, [illegible] counties and groups of [illegible] to establish inspection service; to provide for the enforcement of [illegible].

Has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

CARR, F. M., Chairman.

Assembly Bills Nos. 658 and 1123 ordered on file for second reading.

Also:

Mr. President: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 174—An act to provide for the [illegible] and respectfully reports the same back with amendments and recommends that, as amended, it do pass.

CARR, F. M., Chairman.

Assembly Bill No. 174 ordered on file for second reading.

Also:

Mr. President: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1270—An act [illegible] has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to Committee on Finance.

CARR, F. M., Chairman.

Assembly Bill No. 1270 re-referred to Committee on Finance.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 23, 1917.

Mr. President: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1419—An act [illegible] has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

JOHNSON, Chairman.

Assembly Bill No. 1419 ordered on file for second reading.

SENATOR BALLARD IN THE CHAIR.

At eleven o'clock and ten minutes a.m., Senator Ballard of the Thirty-eighth District was called to the chair.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Assembly Bill No. 657, heretofore set as a special order for eleven o'clock and fifteen minutes a.m., the same was taken up for consideration.

Assembly Bill No. 657—An act to amend sections 2, 3, 13, 14, 15 and 20 of an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries, or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission, and to make report thereof, making an appropriation to pay the expenses of said examinations and surveys and creating a reclamation board and defining its powers," approved December 24, 1911, as amended by an act approved May 26, 1913, and as further amended by an act approved June 8, 1915, and to add twenty new sections to said act, to be numbered 1½, 7½, 32, 33, 34, 35, 36, 37,

38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48 and 49, relating to the appointment, powers and duties of said reclamation board, and to the method of levying and collecting assessments in the Sacramento and San Joaquin Drainage District or parts thereof, and providing for the early completion of the Sacramento flood control project and the issuance of bonds of the Sacramento and San Joaquin Drainage District therefor, and for the completion of plans for the San Joaquin flood control project.

Bill read second time.

[illegible]

The hour of twelve o'clock and thirty minutes p.m. having arrived, the Acting President declared the regular afternoon recess (twelve o'clock p.m.).

[illegible]

At two o'clock p.m., the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

[illegible]

The following report of standing committee was received and read:

[illegible]

SENATE CHAMBER, SACRAMENTO, April 23, 1917.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 22, Giving Consent to amend to the Constitution of the United States five more amendments to the United States Constitution granting women the right to vote, have had the same under consideration, and cheerfully begs to report back said resolution and recommend that it be adopted.

RUSH, Chairman.

Assembly Joint Resolution No. 22 ordered on file.

[illegible]

ASSEMBLY JOINT RESOLUTION No. 22.

Relative to urging Congress of nations to the consideration of the seventy-five [illegible] amendments to the United States Constitution granting women the right to vote.

WHEREAS, The women of the United States are being called upon to share the burden and sacrifice incidental to the present unofficial crisis; and

WHEREAS, They are [illegible] to vote; [illegible]

Resolved, That should the [illegible] equal sums with the men in an [illegible] together

Resolved by the Assembly, the Senate concurring thereon, That we the [illegible] Congress the submission to the legislatures of the states the [illegible] amendment to the United States Constitution granting women the right to vote.

Resolution read.

The question being on the adoption of the resolution,

The roll was called, and Assembly Joint Resolution No. 22 adopted by the following vote:

AYES—Senators Ballard, Beeson, Black, Boyce, Brown, Cartwright, Clark, F. M. Chamberlin, Crowley, Dennett, Evans, Flaherty, Ingram, Jones, Lewis, Johnson, Jones, Kehoe, King, McDonald, Meadows, Nourse, Parker, Rominger, Rush, Scott, Slater, Stuckenbruck, and Thompson—29.

NOES—None.

Assembly Joint Resolution No. 22 ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES — OUT OF ORDER.

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 23, 1917.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1425—An act to establish and permanently locate the boundary line between the county of Riverside and the county of San Bernardino—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

INMAN, Chairman.

Assembly Bill No. 1425 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 23, 1917.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 741—An act to amend sections 1, 2, 3, 4, 5, 7, 10, 13, 14, 18, 21 and 23 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of state and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of state and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

CARR, F. M., Chairman.

Assembly Bill No. 741 ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, April 23, 1917.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 67—A resolution to propose to the people of the State of California an amendment to Article XI of the State Constitution by adding a new section thereto, relating to the reimbursement of official funds held by the treasurer of Los Angeles County—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

BALLARD, Chairman.

Assembly Constitutional Amendment No. 67 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 1 of Article II thereof, relating to the right of suffrage—has had the same under consideration, and respectfully reports the same back with amendments, without recommendation.

BALLARD, Chairman.

Assembly Constitutional Amendment No. 1 ordered on file.

RESOLUTIONS.

The following resolution was offered:

By Committee on Contingent Expenses:

Resolved, That there is hereby appropriated out of the contingent fund of the Senate the sum of five hundred fifty dollars, or as much thereof as may be needed, for the purpose of purchasing, sealing, stamping, marking and expressing all papers and documents belonging to Senators to their places of residence at the close of the

[illegible]

NEALON, Chairman.

Resolution read.

Senator Nealon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Beban, Boyd, Brown, Cannon, Chace, E. M. Cloverdale, Chandler, Crosby, Dennett, Finn, Flaherty, Gerdes, Gibson, Hans Johnson, Lane, Rush, Shelley, Stubblefield, Publow, Hopkins, Irwin, Sims, Stern Stephenson and Thompson—24.

NOES—None.

Also:

Resolved, That the Committee be and he is hereby authorized and directed to draw his warrant for the compensated time of the Senate on Bills in various Files and pending special orders for the purpose and upon the basis set forth in the statements hereto and the State Treasurer is hereby directed to pay the same:

The Weekly Company, Co., total of 3 weeks thus far use of April	$3.18
American Express Company, transportation	2.25
Wells Fargo Express, transportation	2.40
Total	$11.83

NEALON, Chairman.

Resolution read.

Senator Nealon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Beban, Boyd, Brown, Cannon, Chace, E. M. Cloverdale, Lyons, Dennett, Finn, Gerdes, Gibson, Hans, Johnson, Lane, Rush, Shelley, Stubblefield, Publow, Hopkins, Irwin, Sims, Stern, Stephenson and Thompson—26.

NOES—None.

SENATOR BALLARD IN THE CHAIR

At two o'clock and twenty-five minutes p.m., Senator Ballard of the Thirty-eighth District was called to the chair.

CONSERVATION OF STATE WATER—(REPORT)

Assembly Bill No. 657.—An act to amend sections 2, 3, 12, 14, 15 and 30 of an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries, or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereon, making an appropriation to pay the expenses of such examinations and surveys and creating a reclamation board and defining its powers," approved December 24, 1911, as amended by an act approved May 26, 1913, and as further amended by an act approved June 9, 1915, and to add twenty new sections to said act, to be numbered 34, 34½, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48 and 49, relating to the appointment, powers and duties of said reclamation board, and to the method of levying and collecting assessments in the Sacramento and San Joaquin Drainage District or parts thereof, and providing for the early

completion of the Sacramento flood control project and the issuance of bonds of the Sacramento and San Joaquin Drainage District therefor, and for the completion of plans for the San Joaquin flood control project.

COMMITTEE AMENDMENTS

During second reading of bill, the following committee amendments were offered and, on motion of Senator Jones, were considered in the following order:

AMENDMENT NUMBER FOUR

On page 2, between lines 20 and 21, insert the following:

Section six of said act is hereby amended to read as follows:

Sec. 5. The management and control of said drainage district shall be vested in the reclamation board, which shall consist of three members to be appointed by the governor. One of said members shall be a member of the state water commission, and one shall be chosen from the commission established on the highway department of the state. Each of the two members first named shall serve without other or further compensation than that now provided. The third member shall receive as annual salary of five thousand dollars. All of said members shall execute their oath and bonds, according to law. The members shall be appointed by the governor either there does other this act shall take effect. All vacancies shall be filled upon the nomination of the governor. In case of a vacancy the same shall be filled by the governor.

AYES AND NOES DEMANDED

A roll call was demanded by Senators Jones, Parkin and Benson on the adoption of Amendment No. 4.

The roll was called and Amendment No. 4 adopted by the following vote:

Ayes—Senators Boggs, Bogue, Burnett, Cain, W. J. Chandler, Dennis, Gates, Hans, Irwin, Johnson, Jones, Kehoe, Kent, Lane, McDonald, Marron, Nelson, Pendegast, Rigdon, Scott, Stevens, Stockwelder and Thompson—23.

Noes—Senators Black, Cox, F. M. Crosby, Elderidge, Dodge, Inman, Sharkey and Tyrrell—8.

AMENDMENT NUMBER FIVE

On page 2, between lines 20 and 21 and following the preceding amendment, insert the following:

Section eleven of said act is hereby amended to read as follows:

Sec. 11. Any plan of reclamation, flood control, drainage or other improvement that includes or contemplates the construction, enlargement, maintenance or operation of any levee, embankment, canal or other structure along or near the banks of the Sacramento or San Joaquin rivers or any of their tributaries by removal thereof, or upon any land adjacent thereto, or within any of the overflow basins thereof, or upon any land adjacent to overflow waterways, unless hereinbefore approved by the reclamation board, shall be approved by said board before construction of the same shall be commenced. Any such plans shall be filed and approved by said board, and no such work shall be done or commenced without the permission of said board first obtained.

No river or by-pass levee at any of the places hereinbefore mentioned, nor any levee forming part of any of the plans of flood control adopted by this act or by said reclamation board, shall be cut or altered without permission of said board first obtained.

Before any work of construction on any by-pass levee of the Sacramento river flood control project shall be commenced, or any work on any such levee already constructed shall be further prosecuted, written permission must be obtained from the California fish commission, and permission to state the time as nearly as practicable when such levee or levees may be constructed and closed with least injury or impairment to navigation and with best advantage to the flood control of the Sacramento river. The construction of the Sutter by-pass must be made together with the necessary works for handling the drainage waters entrapped upon lands in the north and south levees of the Sutter by-pass shall be closed, provided said levees may be closed at any time after June 30, 1919.

Notwithstanding any provisions hereinbefore in this section contained, the owner of any existing levee at any of the places above mentioned shall have the right to raise, widen or strengthen the same to such height as such owner may desire, provided, that before such work is commenced the plans, specifications and method of construction therefor shall be submitted to and approved by the reclamation board.

[illegible]

AMENDMENTS TO THE AMENDMENT

Senator Jones moved to amend the proposed amendment No. 5 by striking out the following:

[illegible]

Amendment to amendment No. 5 adopted.

Senator Kelso moved to amend the proposed Amendment No. 5 by striking therefrom the following:

[illegible]

wherever the same may appear.

AYES AND NOES DEMANDED

A roll call was demanded by Senators Kelso, Jones, and Pickett on the amendment offered by Senator Kelso.

The roll was called, and the amendment offered by Senator Kelso adopted by the following vote:

AYES—Senators Boland, Bowen, Burgess, Carr, W. J. Chappelear, Chandler, Dawson, Hays, Jackson, Jones, Jones, Kelso, McDonald, Meadow, Nadon, Parker, Scott, Sharkey, Simpson, Stone and Swindenbank—22.

NOES—Senators Bond, Carr, F. M., Evans, Hudson, Gates, Jones, Kelso, Rigdon, Rush, Thomson, and Tyson—11.

Senator Jones moved that Amendment No. 5 be adopted as amended

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Purkitt, Stuckenbruck, and Jones.

The roll was called, and Amendment No. 5 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, McDonald, Maddux, Nealon, Purkitt, Rigdon, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—Senators Inman, and Resh—2.

AMENDMENT NUMBER THIRTY-TWO.

On page 20, strike out all of lines 29 to 38, inclusive, and all of lines 1 to 15, inclusive, on page 21, and insert in lieu thereof the following:

Commencing at the point on the west line of section six, township two north, range six east, Mount Diablo base and meridian where the said west line of section six intersects the center line of Disappointment slough; thence running from said point of beginning down the center line of Disappointment slough to the center line of the San Joaquin river, thence down the center of the San Joaquin river to the mouth of Whiskey slough; thence up the center line of Whiskey slough to the center of the dredger cut along the north and west sides of McDonald island; thence westerly and southwesterly along said dredger cut to its intersection with Middle river; thence up the center line of Middle river to the dredger cut running northwesterly along the southwesterly side of Mandeville island; thence northwesterly along the center line of said dredger cut to its intersection with Connection slough; thence westerly along the center line of Connection slough to its intersection with Old river; thence due west to the center line of Holland cut, so called, being the dredger cut along the easterly side of the Holland tract; thence northerly along said Holland cut to the center of Sand Mound slough, thence southwesterly and westerly along Sand Mound slough and Taylor slough to the northeast corner of section twenty-one, township two north, range three east, Mount Diablo base and meridian; thence westerly along the channel between Jersey island and the Spring tract to the center of Dutch slough; thence down the center line of Dutch slough to the San Joaquin river, thence due north to the center line of the San Joaquin river; thence down the center of San Joaquin river to the westerly boundary of the Sacramento and San Joaquin drainage district.

Senator Jones moved that Amendment No. 32 be adopted.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Purkitt, Duncan, and Jones.

The roll was called, and the amendment rejected by the following vote:

AYES—Senators Ballard, Breed, Burnett, Carr, W. J., Evans, Gates, Jones, Kehoe, Thompson, and Tyrrell—10.

NOES—Senators Brown, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Flaherty, Ingram, Inman, Irwin, Johnson, King, Lyon, McDonald, Nealon, Purkitt, Rigdon, Scott, Sharkey, Shearer, Slater, and Stuckenbruck—22.

AMENDMENT NUMBER ONE.

On page 1, line 2 of the title, after the comma following the word "three", insert the words "five, eleven,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 4 of the title, after the word "issuance" insert "and validation".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, in the last line of the title, after the words "San Joaquin" insert "and Mokelumne", and in the same line change "project" to "projects".

Amendment adopted.

AMENDMENT NUMBER ONE.

On page 4, line 19, strike "such" and "such".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 7, line 25, after the word "provided", insert "[illegible] half [illegible] or in the [illegible] [illegible] provided [illegible]".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 7, lines 29 and 30, strike out the words "for the benefit of [illegible]" and insert "[illegible]".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 8, line 12, strike out the word "[illegible]".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 8, line 23, strike out the word "[illegible]" and insert "[illegible]".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 10, line 9, strike out the word "[illegible]" and insert in lieu thereof the word "[illegible]".

Amendment adopted.

AMENDMENT NUMBER [illegible].

On page 11, line 17, strike out the words "[illegible]" and insert in lieu thereof the following: "[illegible] [illegible]".

Amendment adopted.

AMENDMENT NUMBER [illegible].

On page 11, lines 19 and 20, strike out the words "[illegible]" and insert in lieu thereof the following: "[illegible] [illegible]".

Amendment adopted.

AMENDMENT NUMBER [illegible].

On page 11, line 20, strike out the words "[illegible]" and insert the words "[illegible]".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 11, line 22, strike out the word "[illegible]".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 11, line 23, after the word "[illegible]" insert the words "prior to the date fixed for payment".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 11, line 28, after the words "date of" insert the words "payment fixed by".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 12, line 22, strike out "or such project"

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 12, line 34, after the word "treasurer" change the comma to a period, and strike out the word "after" at end of line. Also strike out all of line 35.

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 13, line 25, after the word "district" insert the words "shall thereafter,". Also strike out the words "shall thereafter" in line 26.

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 14, line 10, at the beginning of the line, insert "Where bonds have not been authorized upon an assessment,". Also change the capital "T" to small "t" in the word "The".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 14, lines 27 and 28, strike out the words "shall cause" and insert in lieu thereof the word "causing".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 14, lines 31 and 32, strike out "proportion" and insert "installment".

Amendment adopted.

AMENDMENT NUMBER TWENTY--FOUR.

On page 15, line 5, strike out "except as herein provided".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 15, line 9, strike out the words "if said first installment has not become delinquent,".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 16, lines 11 and 12, strike out the words "project or unit thereof,".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 16, line 13, strike out the words "six months" and insert in lieu thereof the words "one year".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 16, line 22, strike out the word "for" and insert in lieu thereof the word "of".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 18, line 10, after the period following the figure "5", strike out the remainder of line 10 and all down to and including line 19, and insert in lieu thereof the following:

Section [illegible] of said act is hereby amended to read as follows:

Sec. 15. All [illegible] [illegible] to the [illegible] of the [illegible] to [illegible] of the county treasurer's [illegible] board of the [illegible] state controller and the [illegible] therefor, and the state treasurer [illegible] warrants against the [illegible] of such assessment. [illegible] its discretion [illegible] to the time when the [illegible] of such assessment has [illegible] county boundary lines or creation of any new county, [illegible] this act provided for [illegible] upon any assessment upon lands affected by such change of county boundary lines or creation of such new county [illegible] situated in the same county as at the time of [illegible] such assessment.

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 20, line 15, after the semicolon following the word "project" insert the following: "and no land situated within the said Sacramento assessment district of the Sacramento and San Joaquin drainage district shall be assessed for the cost of any part of the San Joaquin flood control project hereinafter referred to;".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 20, line 17, at the beginning of line change "ture" to "tute".

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 23, line 25, after the word "determine" insert the word "upon".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 24, line 15, after the word "lands" insert the word "affected".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 25, line 23, strike out the comma after the word "assessed".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 28, line 4, strike out the words "at the time of their execution" and insert in lieu thereof the words "either January first or July first,".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 28, line 11, strike out the words "be made payable" and insert a comma following the word "shall" in said line.

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

On page 28, line 12, after the word "minutes" insert the following words: "be made payable".

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

On page 29, line 3, strike out "$_____" and insert "_____ dollars".

Amendment adopted.

AMENDMENT NUMBER FORTY.

On page 33, line 23, after the word "act", insert the following: "which are investigated and approved by any commission or officer now or hereafter authorized by a law of this state to conduct such investigation and give such approval and by authority of which approval said bonds are declared to be legal investments for savings banks".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

LEAVE OF ABSENCE.

At three o'clock and five minutes p.m., Senator Canepa was, on motion of Senator Crowley, granted leave of absence for the balance of this legislative day.

[illegible]

On motion of Senator Dickinson, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 1059 was refused passage, was continued until the next legislative day.

[illegible]

At five o'clock and thirty minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

[illegible]

The following reports of standing committees were received and read:

[illegible]

SENATE CHAMBER, SACRAMENTO, April 23, 1917.

Mr. President: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 796—An act to amend sections [illegible] of the Political Code, relating to the [illegible] and to the [illegible] sold to the State and [illegible] thereon.

Also: Assembly Bill No. 848—An act to amend section [illegible] of the Political Code, relating to the assessment of property.

Also: Assembly Bill No. 1016—An act to [illegible] property to be purchased by the State by the [illegible] STATE, relating to state board of [illegible] with them and [illegible] amendments and recommends that they do pass as amended.

BENSON, Chairman.

Assembly Bills Nos. 778, 848, and 1007 ordered on file for second reading.

Also:

Mr. President: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 696—An act to amend section [illegible] of the Political Code, relating to redemption from sale.

Also: Assembly Bill No. 1296—An act to amend sections [illegible] and 1887 of the Political Code, relating to school bonds and interest.

Also: Assembly Bill No. [illegible]—An act to amend an act entitled "An act authorizing and providing for an examination and report upon the subject of personal [illegible] taxation, and making an appropriation therefor," approved May [illegible], 1913.

Has had the same under consideration, and respectfully submits for your back and recommends that they do pass.

BENSON, Chairman.

Assembly Bills Nos. 696, 1296, and 1408 ordered on file for second reading.

Also:

Mr. President: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 567—An act to amend section [illegible] of the Political Code, relating to properties sold for delinquent [illegible] taxes, has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BENSON, Chairman.

Assembly Bill No. 567 ordered on file for second reading.

[illegible]

SENATE CHAMBER, SACRAMENTO, April 23, 1917.

Mr. President: Your Committee on Agriculture, to which was referred Assembly Bill No. 1343—An act to amend an act entitled "An act to prevent the manufacture or sale of dairy products from unhealthy animals or dairy and [illegible] under unsanitary conditions," [illegible]

dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter and oleomargarine; to regulate the cleanliness of producing, handling and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and repealing, upon the taking effect hereof, section 17 of an act approved March 4, 1897 entitled "An act to prevent deception in the manufacture and sale of butter and cheese," to secure its enforcement and to appropriate money therefor, and to repeal all acts and parts of acts inconsistent with this act," approved April 21, 1911, and the act amendatory thereof, approved May 4, 1915, by amending sections 2, 35, and 42 thereof, by repealing sections 25, 26, and 27 thereof, by adding thereto a new section to be numbered 1a relating to the cleansing and sterilization of empty milk, cream or ice cream containers before returning the same to the consignor; and by adding three new sections thereto to be numbered 25, 26 and 27, relating to and providing for the uniform manner of sampling, averaging and testing milk, cream and butter fat, and providing for the use of standard glassware for testing and weighing milk, cream and butter fat and providing for licensing creameries and cheeseries and providing for punishment for violations of the same, has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

KING, Chairman.

Assembly Bill No. 1343 ordered on file for second reading.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 23, 1917.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 211—An act to regulate the payment of wages; establishing regular pay days; providing penalties for the violation of its provisions; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the same.

Also: Assembly Bill No. 285—An act to provide for semi-monthly pay days of laborers in the employ of the State, or of any county, city, or city and county;
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

LYON, Chairman.

Assembly Bills Nos. 211 and 285 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 23, 1917.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 298—An act to amend section 4243 of the Political Code, relating to the compensation of officers of counties of the fourteenth class—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

INMAN, Chairman.

Assembly Bill No. 298 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 7—An act to amend section 4245 of the Political Code of the State of California, relating to the salaries, fees, and expenses of officers in counties of the sixteenth class;

Also: Assembly Bill No. 955—An act to amend section 4237 of the Political Code, relating to the compensation of county and township officers of counties of the eighth class and to the number, appointment and salaries of their assistants and deputies;
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass, as amended.

INMAN, Chairman.

Assembly Bills Nos. 7 and 955 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 197—An act to amend section 4281 of the Political Code, relating to the compensation of officers of counties of the fifty-second class;

Also: Assembly Bill No. 1203—An act to amend section 4278 of the Political Code, relating to the compensation of officers of counties of the forty-ninth class;
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

INMAN, Chairman.

Assembly Bills Nos. 197 and 1203 ordered on file for second reading.

[illegible]

[illegible]

[illegible]

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Johnson, moved to refer Assembly Bill No. 145 to Senator Slater as a Special Committee of One, to amend as follows:

On page 3, line 31, of the printed bill, strike out the period, and insert in lieu thereof a semicolon, and add: "*provided, however*, that nothing herein contained shall prevent the grading of Oleomargarine produced in California factories, though the stamps be not retained therein".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 23, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 145, with instructions to amend, respectfully reports the same back, amended as per instructions.

SLATER, Special Committee.

Report read, and, on motion of Senator Johnson, adopted.

Bill ordered to print.

Assembly Bill No. 1097—An act to amend section 4249 of the Political Code, relating to county officers, and their salaries and deputies; to township officers and their compensation, and to the compensation of jurors and grand jurors in counties of the twentieth class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Johnson moved to refer Assembly Bill No. 1097 to Senator Carr, F. M., as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3, line 37, of the printed bill, strike out the period and insert in lieu thereof a semicolon and the following: "and one copyist for the months of September and October in each year, at a salary of $100 per month."

AMENDMENT NUMBER TWO.

On page 3, line 37, after the word deputy strike out the word "and" and in lieu thereof insert a comma.

AMENDMENT NUMBER THREE.

On page 4, line 1, after the word "clerk" insert the following "and copyist".

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 23, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 1097, with instructions to amend, respectfully reports the same back, amended as per instructions.

CARR, F. M., Special Committee.

Report read, and, on motion of Senator Johnson, adopted.

Bill ordered to print.

Assembly Bill No. 1154—An act to provide for the adoption of textbooks for use in the public high schools of the State, and for furnishing textbooks for the use of pupils of such schools.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator [illegible] moved to refer Assembly Bill No. 1164 to Senator Lyons, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the word "shall" and insert in lieu thereof the word "may".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, APRIL 23, 1917.

Mr. President: Your Special Committee of One, to whom was referred Assembly Bill No. 1164, with amendments, to amend, respectfully reports the same back amended as set forth below.

[illegible], Special Committee.

Report read, and, on motion of Senator [illegible], adopted.

Bill ordered to print.

Assembly Bill No. 542.—An act to amend sections 16 and 17a of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years, and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment when crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Thompson moved to refer Assembly Bill No. 542 to Senator Rigdon, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 4, line 23, strike out the following characters: "1917" and insert in lieu thereof "1907".

AMENDMENT NUMBER TWO.

On page 4, line 24, strike out the following characters: "1917" and insert in lieu thereof "1907".

AMENDMENT NUMBER THREE.

On page 4, line 34, strike out the following characters: "19mm" and insert in lieu thereof "19nn".

AMENDMENT NUMBER FOUR.

On page 5, line 2, strike out the following characters: "19nd" and insert in lieu thereof "19nn".

AMENDMENT NUMBER FIVE.

On page 5, line 4, strike out the following characters "19xx" and insert in lieu thereof "19xx".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 19, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 512, with instructions to amend, respectfully reports the same back, amended as per instructions.

RIGDON, Special Committee.

Report read, and, on motion of Senator Thompson, adopted.

Bill ordered to print.

RECESS.

At five o'clock and forty-five minutes p.m., on motion of Senator Benson, the President pro tempore, declared the Senate at recess until the hour of eight o'clock p.m.

RECONVENED.

At eight o'clock p.m., the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Benson, the following messages from the Assembly were taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Joint Resolution No. 9—Relating to needy Indians within the State of California.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Joint Resolution No. 9 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 589—An act to add a new section to the Code of Civil Procedure, to be numbered 103c, relating to justices' clerks for counties of the third class;

Also: To Assembly Bill No. 733—An act to amend section 273h of the Penal Code, relating to the abandonment and neglect of children and the nonsupport of wife;

Also: To Assembly Constitutional Amendment No. 35—A resolution to propose to the people of the State of California to amend the Constitution of said State by adding a new section to Article XIII thereof to be numbered 1b, relating to the exemption from taxation of Young Men's Christian Association and Young Women's Christian Association properties used for association purposes;

Also: To Assembly Bill No. 765—An act to define commercial feeding stuffs and to establish a standard therefor, providing for the branding and labeling of same, empowering the State Board of Health to enforce the provisions of the act and providing penalties for the violation of same.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 362—An act to amend section 626 of the Penal Code relating to the protection of game;

Also: To Assembly Bill No. 1[illegible]—An act to amend sections 5, 5, 5-4, 16, 17 and 27 of an act entitled "An act to provide for the formation, organization and government of county water districts, for the purpose of conserving the water therein from damage from sheep grazing upon lands in the vicinity of such reservoirs, streams, canals, ditches, or works, for the establishment of the necessary works of conservation to such districts, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909, as amended, and to add two new sections thereto, to be numbered 29a, 29c, 29d and 29e.

Also: To Assembly Bill No. 64—An act to amend section 629d of the Penal Code, relating to the prosecution of bird and game.

Also: To Assembly Bill No. 11—An act to amend section 629 of the Penal Code, relating to the prosecution of bird and game.

E. O. ROOTHBY, Chief Clerk of Assembly.
By M. Stern, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1917.

Mr. President: I am directed to inform your Executive body that the Assembly on this day passed:

Senate Bill No. 479—An act to amend section 19 of an act entitled "An act to divide the State of California into 58 [illegible] and [illegible] and repealed an act entitled "An act to divide the State of California into [illegible] and [illegible]," approved March 21, 1911, and all acts in [illegible] thereto," approved May 19, 1915.

Also: Senate Bill No. [illegible]—An act to amend section [illegible] of the Penal Code, relating to the prosecution of fish and game.

Also: Senate Bill No. [illegible]—An act to amend [illegible] the Code of Civil Procedure, relating to the jurisdiction of the Superior Court of San Francisco, Military Department.

Also: Senate Bill No. 1108—An act [illegible] organized in [illegible] and interest thereon, [illegible] and, in consideration of the benefits to [illegible] to secure the same to the Federal Government [illegible] and other military considerations, [illegible] the power of eminent domain [illegible] exclusive jurisdiction to the United States over such lands as may be required.

E. O. ROOTHBY, Chief Clerk of Assembly.
By M. Stern, Assistant Clerk.

Senate Bills Nos. 479, 530, 103, and 1132 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1917.

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 709—An act to amend section [illegible] of the Penal Code, relating to the prosecution of game.

Also: Senate Bill No. 764—An act to add a new section to the Penal Code to be numbered 629[illegible], relating to the prosecution of fish and game and providing additional [illegible] for the violation of fish and game laws.

Also: Senate Bill No. 931—An act to add a new section to the Penal Code to be numbered section 17[illegible], relating to the education of an elementary school district from a high school district [illegible] of such elementary school district to another contiguous high school district.

Also: Senate Bill No. 768—An act to amend section [illegible] of the Penal Code, relating to the protection of game.

Also: Senate Bill No. 381—An act to amend section [illegible] of the Penal Code, relating to the protection of fish.

E. O. ROOTHBY, Chief Clerk of Assembly.
By M. Stern, Assistant Clerk.

Senate Bills Nos. 709, 764, 931, 768, and 381 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day recedes from Assembly amendments to Senate Bill No. 234—An act to amend section 3692 of the Political Code, relating to the powers and duties of the State Board of Equalization.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 234 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 405—An act providing for the inspection of all institutions treating syphilis and gonococcus infections, and defining the powers and duties of the State Board of Health in relation thereto.

Also: Senate Bill No. 15—An act to amend section 4273 of the Political Code, relating to salaries of county officers in counties of the forty-fourth class.

Also: Senate Bill No. 1084—An act to amend sections 1745 and 1746 and to repeal section 1749 of the Political Code, all relating to the issuance of bonds by high school districts;

Also: Senate Bill No. 943—An act to add thirteen new sections to the Political Code, to be numbered 1585, 1586, 1587, 1588, 1589, 1589a, 1589b, 1589c, 1590, 1591, 1591a, 1591b and 1591c, and to repeal section 1674 of the Political Code, relating to union school districts;

And respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 405 and 943 ordered to unfinished business.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 15—An act to amend section 4273 of the Political Code, relating to salaries of county officers in counties of the forty-fourth class.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FIFTEEN.

AMENDMENT NUMBER ONE.

3. The recorder, one thousand four hundred forty dollars per annum and all of the fees received of him by law to collect as county recorder, as are now or may be hereafter allowed by law for such office.

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 15?

The roll was called, and Assembly amendment to Senate Bill No. 15 concurred in by the following vote:

AYES—Senators Breed, Brown, Chandler, Duncan, Evans, Ingram, Irwin, Johnson, Kehoe, King, Maddux, Nelson, Parkin, Rigdon, Rominger, Rush, Shanley, Shearer, Stern and Swanson—22.

NOES—None.

Senate Bill No. 15 ordered to enrollment.

The Senate took up for consideration Assembly amendment to Senate Bill No. 1084—An act to amend sections 1745 and 1746 and to repeal section 1749 of the Political Code, all relating to the issuance of bonds by high school districts.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER ONE THOUSAND EIGHTY-FOUR.

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, strike out the period after the word "districts" and insert in lieu thereof a semicolon and add the following: "*provided*,

[illegible]

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 1084?

The roll was called, and Assembly amendment to Senate Bill No. 1084 concurred in by the following vote:

Ayes—Senators [illegible]

Noes—None.

Senate Bill No. 1084 ordered to enrollment.

CONSTRUCTION OF PARK WALL.

THIRD READING OF ASSEMBLY BILL—(DEPT. OF PARKS).

Assembly Bill No. 253—An act to amend section 4251 of the Political Code, relating to salaries and fees of officers of counties of the twenty-second class.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 253 passed by the following vote:

Ayes—Senators [illegible]

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 710—An act to add a new section to the Political Code to be numbered 4230a, relating to the fees and mileage of jurors in counties of the twenty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 710 passed by the following vote:

Ayes—Senators [illegible]

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 562—An act to amend section 4254 of the Political Code, relating to the salaries and fees of officers in counties of the thirty-fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 562 passed by the following vote:

Ayes—Senators Rickard, Brown, Busick, Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Finger, Johnson, Jones, Kehoe, Kline, Lewis, Mathews, Nealon, Parkin, Rigdon, Rominger, Rush, Shearer, Smith, Stern, and Strobridge—29.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 590—An act to authorize irrigation districts to cooperate and contract with the United States under the provisions of the federal reclamation laws for a water supply, or the construction, operation or maintenance of works authorized by said federal laws including drainage works, or for the assumption by the district of indebtedness to the United States on account of district lands, and to provide the manner and method of payments to the United States under such contract, and for the apportionment of assessments, and levy thereof, upon the lands of the district to secure revenue for such payments, and to provide for the judicial review and determination of the validity of the proceedings in connection with such contract.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 590 passed by the following vote:

Ayes—Senators Ballard, Breed, Bruce, Chandler, Chandler, Cowing, Dennis, Evans, Flaherty, Hans, Johnson, Jones, Kehoe, King, Lyon, Mathes, Nealon, Purkitt, Rush, Rominger, Rose, Shearer, Stone, Strandborg, and Tyrrell—24.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 973—An act to amend "An act to amend an act entitled 'An act to amend an act entitled "An act to amend an act entitled 'An act to amend section 6 of an act entitled "An act concerning the water front of the city and county of San Francisco," approved March 15, 1878, and to confer further powers upon the Board of State Harbor Commissioners,' approved March 17, 1880," approved March 19, 1889, conferring further powers upon the said board," approved March 26, 1895," approved March 23, 1901,' approved March 18, 1905," approved March 19, 1909.'"

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 973 passed by the following vote:

Ayes—Senators Ballard, Breed, Bruce, Chandler, Chandler, Cowing, Dennis, Evans, Flaherty, Hans, Ingram, Johnson, Jones, Kehoe, King, Luce, Lyon, Nealon, Rominger, Rush, Shearer, Stone, Strandborg, and Tyrrell—24.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 448—An act appropriating money for the construction and equipment of a heating plant at the Lick Observatory of the University of California.

On motion of Senator Jones, Assembly Bill No. 448 was passed on file.

Assembly Bill No. 628—An act to define and distinguish state highways and state roads and to designate names for certain state roads.

On motion of Senator Ingram, Assembly Bill No. 628 was ordered to unfinished business.

Assembly Bill No. 1233—An act appropriating money for the construction of sewer line at the Napa State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

[illegible]

Total—[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An act appropriating money for the purpose of paying [illegible] in [illegible] with the state.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

[illegible]

Total—[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An act appropriating money for the construction of [illegible] building at the [illegible] State School.

Bill read third time.

[illegible]

During third reading of bill Senator Chandler moved to refer Assembly Bill No. [illegible] to Senator Arrigan as a Special Committee of One, to report as follows:

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

Motion carried.

[illegible]

[illegible] April 25, 1917

Mr. President: Your Special Committee of One to which was referred Assembly Bill No. [illegible] with instructions to report favorably thereon, do now report favorably on the same.

JOHNSON, Special Committee.

Report read, and, on motion of Senator Chandler, adopted.

Bill ordered to print.

Assembly Bill No. 454—An act appropriating money for equipment and general repairs and alterations to buildings, structures and equipment at the Whittier State School.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Chandler moved to refer Assembly Bill No. 454 to Senator Johnson, as a Special Committee of One to amend as follows:

AMENDMENT NUMBER ONE.

Amend the title as follows: In the second line after the words "and equipment" add the following: "including light, heat, water and power systems".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, in line 1, strike out the word "twenty" and insert in lieu thereof the words "forty-five".

AMENDMENT NUMBER THREE.

On page 1, in line 6, after the word "equipment" insert the words "including light, heat, water and power systems".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 23, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 454, with instructions to amend, respectfully reports the same back, amended as per instructions.

JOHNSON, Special Committee.

Report read, and, on motion of Senator Chandler, adopted.

Bill ordered to print.

Assembly Bill No. 1270—An act to appropriate money for repairs and additions to mechanical equipment at the Stockton State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1270 passed by the following vote:

AYES—Senators Ballard, Breed, Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Shearer, Slater, and Stuckenbruck—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1246—An act to amend section 1096 of the Political Code and to add to the Political Code a new section to be known as section 1096a, all relating to affidavits of registration and to the registering or to the change in registration of political affiliation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1246 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Haus, Ingram, Inman, Jones, Luce, Nealon, Purkitt, Rush, Scott, and Shearer—21.

NOES—Senator McDonald—1.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER

Senator Lane gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 1246 was passed.

THIRD READING OF ASSEMBLY BILLS (PRIOR DAY)

Assembly Bill No. 1271—An act to appropriate money for alterations and additions to kitchen and bakery and equipment therefor at Stockton State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1271 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Chandler, Chandler, Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Inman, Johnson, Jones, Kehrlein, King, Lane, Leon, McDonald, Maddux, Nourse, Parkes, Rush, Scott, Stone, and Stockton—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 574—An act to amend section 1751 of the Political Code and to repeal section 1751a thereof, relating to high school principals and reports.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 574 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Chandler, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehrlein, King, Lane, Leon, McDonald, Maddux, Nourse, Rush, and Stone—26.

NOES—Senator Inman—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1282—An act to provide for the prevention of forest fires in the San Antonio Canyon in the San Gabriel Mountains, California, and to make an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1282 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Chandler, Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Inman, Jones, Kehrlein, King, Lane, Leon, Rush, Scott, Stone, and Stockton—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1312—An act appropriating money for a nurses' home and industrial building at the Southern California State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1312 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Chandler, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehrlein, King, Lane,

McDonald, Maddux, Nealon, Parker, Rush, Scott, Sharkey, Slater, and Stucken-bruck—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1406—An act to appropriate money to pay the deficiency in the appropriation for printing and distributing constitutional amendments for the sixty-seventh fiscal year.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1406 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Chamberlin, Chandler, Crowley, Evans, Flaherty, Hans, Ingram, Irwin, Johnson, Jones, King, Luce, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Slater, and Stucken-bruck—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1407—An act making an appropriation to meet the expense of compiling, printing and distributing constitutional amendments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1407 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Chamberlin, Chandler, Evans, Flaherty, Hans, Ingram, Inman, Irwin, Johnson, Jones, King, Luce, Lyon, Maddux, Nealon, Parker, Rominger, Rush, Scott, Sharkey, and Slater—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1438—An act appropriating money for completion, reclamation and irrigation of lands of the Napa State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1438 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, and Stucken-bruck—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1093—An act appropriating money to pay the claim of Mrs. George Webb.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1093 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Chamberlin, Chandler, Crowley, Evans, Flaherty, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce,

McDonald, Marney, Nordine, Pantages, Rhodes, Rigney, Rush, Sharkey, Shearer, Slater, Stockenbrink, and Tyson—30.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 771—An act to amend section 4230 of the Penal Code, relating to the salaries, fees and expenses of officers in counties of the twenty-seventh class.

In the absence of the author, Assembly Bill No. 117 was ordered passed, to retain its place on the file.

Assembly Bill No. 479—An act appropriating money for university extension.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 479 passed by the following vote:

Ayes—Senators Ballard, Benson, Bond, Brown, Burnett, Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hughes, Johnson, Jones, King, Lane, Lyon, McDonald, Marney, Nordine, Pantages, Rhodes, Rigney, Rush, Sharkey, Shearer, Slater, Stockenbrink, and Tyson—31.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 988—An act to amend section 670 of the Code of Civil Procedure, relating to the number of superior court judges and providing for the appointments of an additional superior court judge in counties of the first class and providing for their compensation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 988 passed by the following vote:

Ayes—Senators Ballard, Benson, Bond, Brown, Burnett, Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hughes, Johnson, Jones, King, Lane, Lyon, McDonald, Marney, Nordine, Pantages, Rhodes, Rigney, Rush, Sharkey, Shearer, Slater, Stockenbrink, and Tyson—36.

Noes—None.

THIRD READING.

Senator Carr, W. J., moved to amend the title of Assembly Bill No. 988 as follows: In line four strike out the word "four" following the word "of" and insert in lieu thereof the word "five".

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 647—An act to authorize the State Board of Control to sell certain lands.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 647 passed by the following vote:

Ayes—Senators Ballard, Benson, Bond, Brown, Burnett, Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hughes, Johnson, Jones, King, Lane, Lyon, McDonald, Marney, Nordine, Pantages, Rhodes, Rigney, Rush, Sharkey, Shearer, Slater, Stockenbrink, and Tyson—36.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 876.—An act to add a new section, to be numbered 9*ii*, to an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 876 passed by the following vote:

AYES—Senators Benson, Breed, Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, King, Luce, McDonald, Maddux, Nealon, Rominger, Rush, Scott, and Sharkey—22.

NOES—Senator Stuckenbruck—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 611—An act to add a new section to the Political Code, to be numbered 4052c, relating to the powers of the board of supervisors.

Bill read third time.

On motion of Senator Duncan, Assembly Bill No. 611 was passed on file.

Assembly Bill No. 1235—An act to make an appropriation for improvements of the Marshall monument grounds in El Dorado County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1235 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, King, Luce, McDonald, Maddux, Nealon, Purkitt, Rominger, Rush, Scott, Sharkey, Slater, and Stuckenbruck—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1251—An act to appropriate money for electrification and rewiring at San Quentin State Prison.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1251 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, King, McDonald, Maddux, Nealon, Rominger, Rush, Scott, Sharkey, Slater, and Stuckenbruck—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1433—An act making an appropriation for the preservation and protection of the Pio Pico mansion property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators [illegible]—[illegible].
Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An act to appropriate money to be expended under the direction of the State Board of Control in cooperation with the federal government to carry out the project adopted by Congress for the protection of the navigability of Los Angeles and Long Beach harbors and providing for the future completion of the entire project.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators [illegible]—[illegible].
Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 927—An act providing for hours of rest for persons employed by municipal corporations during more than one hundred twenty hours per week.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Benson moved to refer Assembly Bill No. 927 to Senator Scott as a Special Committee of One to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 4, strike out the period and insert in lieu thereof a comma and the following: "and prescribing penalties for violations hereof."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, after line 6, add the following:
Sec. 2. Any officer or agent of a municipal corporation having supervision and control of the employees referred to in section one hereof who shall violate the provisions hereof shall be guilty of a misdemeanor and shall be punishable as provided in section nineteen of the Penal Code.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

Senate Chamber, Sacramento, April 23, 1917.

Mr. President: Your Special Committee of One, to whom was referred Assembly Bill No. 927, with instructions to amend, respectfully reports the same back amended as per instructions.

SCOTT, Special Committee.

Report read, and, on motion of Senator Benson, adopted.

Bill ordered to print.

Assembly Bill No. 473—An act fixing the compensation of grand and trial jurors in counties of the seventh class.

In the absence of the author, Assembly Bill No. 473 was ordered passed, to retain its place on the file.

Assembly Bill No. 1094—An act to amend section 4242 of the Political Code, relating to salaries and fees of officers of counties of the thirteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1094 passed by the following vote:

AYES—Senators Ballard, Benson, Bissell, Cole, W. J. Cronin, Crowley, Crosby, Dennis, Evans, Flaherty, Gates, Harris, Jackson, Jones, Kent, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Slater, Stuckenbruck, and Thompson—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 782—An act to amend section 4246 of the Political Code, relating to salaries and fees of officers in counties of the seventeenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 782 passed by the following vote:

AYES—Senators Ballard, Benson, Bissell, Dennis, Cole, W. J. Cronin, Evans, Flaherty, Gates, Harris, Jackson, Jones, Kent, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Slater, Stuckenbruck, and Thompson—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 405—An act providing for the inspection of all institutions treating syphilis and gonorrhoea, infections and defining the powers and duties of the State Board of Health in relation thereto.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FOUR HUNDRED FIVE.

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after the word "or" insert "dispensaries, sanatoriums, clinics and". Also on the same page, in same line after the word "all", following the word "of", insert the word "similar". Also on page 1, line 5, after the word "treated", strike out the period and insert a semicolon and the following: "provided, however, nothing herein contained shall be construed so as to compel or apply to the office, reception room or laboratory of a duly and regularly licensed physician."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 405?

The roll was called, and Assembly amendment to Senate Bill No. 405 concurred in by the following vote:

AYES—Senators Ballard, Benson, Bissell, Dennis, Cole, Evans, Flaherty, Jackson, Jones, Kent, Lewis, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Sheridan, Slater, Stuckenbruck, and Thompson—22.

NOES—None.

Senate Bill No. 405 ordered to enrollment.

THIRD READING OF ASSEMBLY BILLS—(CONTINUED)

Assembly Bill No. 701—An act to definitely establish and permanently locate a portion of the boundary line between the county of Lake and the county of Mendocino, State of California.

Bill read third time.

The question being on the passage of the bill,

The roll was called, and Assembly Bill No. 701 passed by the following vote:

AYES—Senators Ballard, Benson, Bond, Brown, Cannon, Carr, F. M., Carr, W. J., Chandler, Chapman, Crowley, Dennis, Evans, Gates, Hans, Harris, Inman, Irwin, Johnson, Jones, Kehoe, McDonald, Meadows, Nourse, Parkes, Rominger, Rush, Sharkey, Slater, Stockbridge and Thompson—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 702—An act to definitely establish and permanently locate the boundary line between the counties of Mendocino and Sonoma, State of California.

Bill read third time.

The question being on the passage of the bill,

The roll was called, and Assembly Bill No. 702 passed by the following vote:

AYES—Senators Ballard, Benson, Bond, Brown, Carr, W. J., Chapman, Chandler, Crowley, Dennis, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, Jones, Kehoe, McDonald, Meadows, Nourse, Parkes, Rominger, Rush, Sharkey, Slater, Stockbridge and Thompson—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1198—An act to amend section 4274 of the Political Code, relating to salaries and fees of officers in counties of the fifth class.

Bill read third time.

The question being on the passage of the bill,

The roll was called, and Assembly Bill No. 1198 passed by the following vote:

AYES—Senators Ballard, Benson, Bond, Chapman, Chandler, Crowley, Dennis, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, Jones, McDonald, Meadows, Nourse, Parkes, Rominger, Rush, Sharkey, Shearer, Slater, Stockbridge and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 919—An act to amend section 4049 of the Political Code, relating to the publication of the proceedings of the board of supervisors.

Bill read third time.

On motion of Senator Parkes, Assembly Bill No. 919 was passed on file.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER)

The following reports of standing committees were received and read:

ON FEDERAL RELATIONS

SENATE CHAMBER, SACRAMENTO, April 23, 1917.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 7—Accepting temporary jurisdiction over a certain

portion of the Presidio of San Francisco necessary reservation of the United States during its occupancy by the Panama-Pacific International Exposition Company and its successors in interest under a certain grant from the Secretary of War—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

RUSH, Chairman.

Assembly Joint Resolution No. 7 ordered on file

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, April 23, 1917.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Assembly Bill No. 932—An act to amend sections 1 and 2 of an act entitled "An act to regulate the construction and maintenance of subways, conduits, and underground rooms, chambers, and excavations, used to contain, enclose, cover, or conduct wires, cables, or appliances to conduct, carry, or handle electricity, and providing the punishment for the violation thereof," approved April 22, 1911, and to add a new section thereto to be numbered 5;

Also: Assembly Bill No. 987—An act to amend section 2 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, relating to common carriers, and defining what shall constitute common carriers;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

CARR, W. J., Chairman.

Assembly Bills Nos. 932 and 987 ordered on file for second reading.

ADJOURNMENT.

At nine o'clock and fifty-five minutes p.m., on motion of Senator Benson, the President pro tempore declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Tuesday, April 24, 1917.

The Senate met at ten o'clock a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Lee, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Sisser, Stockenbruck, Thompson, and Tyrrell—38.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL

During the reading of the Journal of Monday, April 23, 1917, its further reading was dispensed with, on motion of Senator Flaherty.

PETITIONS AND MEMORIALS

The following telegram was received and ordered printed in the Journal:

San Francisco, April 23, 1917

Hon. William Kehrlein, Chairman, Judiciary Committee, Senate Chamber, Sacramento:

The San Francisco Association of Credit Men [illegible] with publicity [illegible] Judiciary Committee and also to [illegible] this bill. We also [illegible] this Journal.

SAN FRANCISCO ASSOCIATION OF CREDIT MEN
C. E. Hewson, Secretary, Pioneer

LEAVE OF ABSENCE

Senator Campbell, on motion of Senator Crowley, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE CHAMBER

On request of Senator Stanley, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following principals, teachers and pupils of Contra Costa high schools, and other visitors:

San Ramon Valley Union High School in Danville: Maxwell Scott, Travis M. Boone, Reuben T. Olsson, Mrs. H. Pynn, and Mrs. F. Booth, Danville.

Mt. Diablo Union High School—Principal: H. S. Phelps; Mrs. Phelps, Miss Ruth Huntley, Miss F. B. Dougall, Messrs. W. Earl, G. Martin, A. Fanning, R. McKeon, O. McKeon, M. Rapelje, C. Ewell, A. Frank, H. Gudmundsen, M. Harris, V. Gessingher, A. Olsen, R. Shostack, E. Finnigan, M. Ross, E. Nelson, N. Wilson, Messrs. J. Ryan, F. Freitas, J. Graves, E. Nash, J. Sequeira, H. Clements, N. Wilson, C. Graves, H. Fuller, J. Lemoin, K. Clements, A. Schwam, J. Tessmer, W. Wilke, W. Montgomery, F. Ross, G. Stewart, A. Millhouse, Messrs. H. Nicholas, and Alberta Huntting.

Riverview Union High School, Antioch—Mrs. F. E. Hansen; Susie Cardinalli, Edward Love, Warren Rodeman, Anna Hines, Gertrude Daly, Vance Lenhardt, Sadie Brown, Irma Lyons, and Mabel Dougan.

Alhambra Union High School, Martinez—Principal: D. O. Brubaker, Robert Hilson, Margaret Fleming, Robert Gulick, Mesdames M. Mason, Mamie Gillespie, Jepson Anderson, Elizabeth Nelson, Alice Bernard, Anna Lemmon, Harlan Dunn, William Fiddelman, Marguerite Smith, Walter Gleason, Virginia Clyde, Mary Hughes, Rowena Peck, Bruce Wilson, Cecil Anderson, John Dougan, and Harold Brubaker.

Also: Rev. E. Gordon Davies, Mr. D. L. Hilson, Helen Robinson, and Norman Wilson, Walnut Creek; Mrs. Geo. J. Wakeman, Miss May M. Nusom, Miss Erma Elwell, Miss E. Eggleston, and Mrs. E. B. Merrithew, Martinez, and Homer W. Lowman, Concord.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Miss E. Lyon and Miss S. Boyd of San Rafael.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XX thereof a new section, to be numbered section 22, relative to health insurance.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Constitutional Amendment No. 26 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 464—An act to regulate the sale of eggs which have been in transit more than thirty-one days, and prescribing penalties for violations thereof;

Also: Senate Bill No. 657—An act to amend section 4254 of the Political Code, relating to compensation of officers in counties of the twenty-fifth class, and creating the office of county librarian and providing for the appointment and salary thereof.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 464 and 657 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 1075—An act appropriating money to pay the claim of Ben Oswald against the State of California;

Also: Senate Bill No. 1080—An act to make an appropriation for repairing the buildings of the California Polytechnic School, situated at San Luis Obispo, California;

Also: Senate Bill No. 1118—An act to appropriate money for electrification and lowering at San Quentin State Prison;

Also: Senate Bill No. 1166—An act appropriating money for the construction and equipment of two cottages at the Napa State Hospital;

Also: Senate Bill No. 1183—An act to amend section 1 of an act entitled "An act making an appropriation for the use of the economy department of the California Polytechnic School and making provision for the return of said appropriation to the state treasury," approved March 14, 1911, by providing for a cash revolving fund for the use of the California Polytechnic School;

Also: Senate Bill No. 1008—An act appropriating money for the support and payment of all salaries of the State Market Commission during the sixty-ninth and seventieth fiscal years.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 1075, 1080, 1118, 1166, 1183 and 1008 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 1068—An act appropriating money to pay the claim of Julius W. Sands against the State of California;

Also: Senate Bill No. 1069—An act appropriating money to pay the claim of H. C. Young against the State of California;

Also: Senate Bill No. 1070—An act appropriating money to pay the claim of Alina Waara against the State of California;

Also: Senate Bill No. 1071—An act appropriating money to pay the claim of Henry Behre against the State of California.

Also: Senate Bill No. 1072—An act appropriating money to pay the claim of Simon Ibero against the State of California;

Also: Senate Bill No. 1073—An act appropriating money to pay the claim of I. Long against the State of California;

Also: Senate Bill No. 1074—An act appropriating money to pay the claim of Manuel Da Silva against the State of California.

R. O. ROOTHBY, Chief Clerk of Assembly.
By M. Sweet, Assistant Clerk.

Senate Bills Nos. 1068, 1069, 1070, 1071, 1072, 1073 and 1074 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 1061—An act appropriating money to pay the claim of W. H. Long against the State of California;

Also: Senate Bill No. 1062—An act appropriating money to pay the claim of Robert A. Fleming against the State of California;

Also: Senate Bill No. 1063—An act appropriating money to pay the claim of Louisa J. Moore against the State of California;

Also: Senate Bill No. 1064—An act appropriating money to pay the claim of William Bering against the State of California;

Also: Senate Bill No. 1065—An act appropriating money to pay the claim of Julius Kessler against the State of California;

Also: Senate Bill No. 1066—An act appropriating money to pay the claim of J. W. Aymesh against the State of California;

Also: Senate Bill No. 1067—An act appropriating money to pay the claim of Melpomeda Morning against the State of California.

R. O. ROOTHBY, Chief Clerk of Assembly.
By M. Sweet, Assistant Clerk.

Senate Bills Nos. 1061, 1062, 1063, 1064, 1065, 1066 and 1067 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 1068—An act appropriating money to pay the claim of Charles Hall against the State of California;

Also: Senate Bill No. 1069—An act appropriating money to pay the claim of George L. Makey against the State of California;

Also: Senate Bill No. 1070—An act appropriating money to pay the claim of Joseph Ley against the State of California;

Also: Senate Bill No. 1071—An act appropriating money to pay the claim of Mathilde A. Cowdrey, Deceased, against the State of California;

Also: Senate Bill No. 1072—An act appropriating money to pay the claim of J. R. Summers against the State of California;

Also: Senate Bill No. 1073—An act appropriating money to pay the claim of Matilda J. Osborn against the State of California.

R. O. ROOTHBY, Chief Clerk of Assembly.
By M. Sweet, Assistant Clerk.

Senate Bills Nos. 1055, 1056, 1057, 1058, 1059 and 1060 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 1059—An act appropriating money to pay the claim of Mabel Smith against the State of California;

Also: Senate Bill No. 1060—An act appropriating money to pay the claim of A. P. Prather against the State of California;

Also: Senate Bill No. 1061—An act appropriating money to pay the claim of J. A. Cochran against the State of California;

Also: Senate Bill No. 1062—An act appropriating money to pay the claim of Louisa Nichols against the State of California;

Also: Senate Bill No. 1053. An act appropriating money to pay the claim of I. J. Hoover against the State of California.

Also: Senate Bill No. 1054. An act appropriating money to pay the claim of William H. Boswell against the State of California.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 1049, 1050, 1051, 1052, 1053 and 1054 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 516. An act to amend section 1521 of the Political Code, relating to the compensation and expenses of members of the State Board of Education and assistant superintendents of public instruction.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 516 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended and on this day passed as amended Senate Bill No. 175. An act to amend section 4263 of the Political Code, relating to the compensation of officers in counties of the thirty-fourth class;

Also: Senate Bill No. 1020. An act appropriating money to pay the claim of various counties and institutions, orphan aid;

And respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 175—An act to amend section 4263 of the Political Code, relating to the compensation of officers in counties of the thirty fourth class.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED SEVENTY-FIVE.

AMENDMENT NUMBER ONE.

On page 2, line 34, following the word "incurred", add the words "in attendance and".

AMENDMENT NUMBER TWO.

On page 3, strike out all of lines 1 and 2 up to and including the semicolon.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 175?

The roll was called and Assembly amendments to Senate Bill No. 175 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Chandler, Duncan, Flaherty, Hotz, Ingram, Irwin, Jones, Lyon, Maddux, Nealon, Purkitt, Rominger, Rush, Sharkey, Shearer, Stuckenbruck, Thompson, and Tyrrell—24.

NOES—None.

Senate Bill No. 175 ordered to enrollment.

The Senate took up for consideration Assembly amendment to Senate Bill No. 1020—An act appropriating money to pay the claim of various counties and institutions, orphan aid.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE THOUSAND TWENTY-

[illegible]

In section 1, lines 1 and 2, strike out the words "Ten thousand twenty dollars fifty-one cents" and insert in lieu thereof "Eight hundred fifty-six thousand fifty-eight cents".

The question being, Shall the Senate concur in Assembly amendment to Senate Bill No. 1020?

The roll was called, and Assembly amendment to Senate Bill No. 1020 concurred in by the following vote:

AYES—Senators Bulkley, Brown, Bond, Boyce, Carr, E. M. Cox, W. I. Cundiff, Dennis, Dunning, Hans, Inman, Jones, Gerlach, Kehrlein, Mahony, Nevin, Packer, Rominger, Rush, Shearer, Stephens, Stevens and Young—21.

NOES—None.

Senate Bill No. 1020 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

SENATE CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 14—An act to amend section [illegible] of the Penal Code, relating to the appointment of a photographer, expenses for cards and the division of expense and proceeding for arrest and conviction, etc.

Also: Assembly Bill No. 34—An act to amend section 1 of an act entitled "An act to establish a State training school for girls; to provide for the maintenance and management of the same; and to make an appropriation therefor," approved June 14, as amended, and to provide penalties for interfering with persons from such school and for harboring runaways thereof, and providing for the arrest of fugitives therefrom.

Also: Assembly Bill No. 145—An act to amend section 2002 of the Political Code, relating to the county of the State capital.

Also: Assembly Bill No. [illegible]—An act to provide for the diversion of Lytle Creek in the San Dimas canyon in the San Gabriel mountains, California, and to make an appropriation therefor.

Also: Assembly Bill No. [illegible]—An act to appropriate money in the state for a revolving fund to the State Bridge Administrator for the purpose of [illegible], installing and maintaining [illegible] approaches on Alameda Creek, Los Angeles.

Also: Assembly Bill No. [illegible]—An act appropriating money for the improvement of the grounds of the Los Angeles National Soldiers.

Also: Assembly Bill No. 418—An act appropriating money for repairs, new furniture, and improvements to buildings and equipment of the California School for the Deaf and the Blind.

Also: Assembly Bill No. 419—An act appropriating money to provide facilities for blind students in the University of California and in public and benevolent institutions, the National College for the Deaf at Washington, D. C.

Also: Assembly Bill No. 420—An act appropriating money for [illegible] provision at the Sonoma State Home.

Also: Assembly Bill No. 421—An act appropriating money for [illegible] at the Sonoma State Home.

Also: Assembly Bill No. 445—An act appropriating money for the reconstruction and enlarging of Medicine Hall for tuberculosis at the Sonoma State Home;

Also: Assembly Bill No. [illegible]—An act appropriating money for general repairs and improvements at the Weaverville State School.

Also: Assembly Bill No. 744—An act to repeal section [illegible] of the Political Code, relating to the employment and compensation of employees of the State Board of Health;

Also: Assembly Bill No. 768—An act to repeal an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, misbranded or misbranded foods and liquors and regulating the traffic therein, prescribing penalties, establishing a State laboratory for dairy, liquor and drugs and matters and appropriation therefor," approved March 13, 1907, as amended by amending sections 3, 9, 10 and 20 thereof;

Also: Assembly Bill No. 784—An act appropriating money for the purpose of improving certain streets and roadways adjacent to Santa Barbara State Normal School at Santa Barbara, California;

Also: Assembly Bill No. 920—An act appropriating money for the purchase and installation of new boilers at the Mendocino State Hospital;

Also: Assembly Bill No. 921—An act appropriating money for the repairing of structural defects in the administration building at the Mendocino State Hospital;

Also: Assembly Bill No. 943—An act to appropriate money to pay the claim of Theodore M. Benson against the State of California;

Also: Assembly Bill No. 945—An act to appropriate money to pay the claim of Earl P. Barnes against the State of California;

Also: Assembly Bill No. 1008—An act to amend section 475 of the Political Code of the State of California, relating to clerks, stenographers, and service agent of the Attorney General's office;

Also: Assembly Bill No. 1020—An act to amend section 445 of the Political Code, authorizing the Controller of State to maintain an inheritance tax department and in connection therewith to appoint an inheritance tax attorney and assistants thereto;

Also: Assembly Bill No. 1081—An act appropriating money to pay the claim of Willis Hayes;

Also: Assembly Bill No. 1082—An act appropriating money to pay the claim of Grover C. Julian;

Also: Assembly Bill No. 1083—An act appropriating money to pay the claim of the Union League Holding Company;

Also: Assembly Bill No. 1086—An act to appropriate money to pay the claim of the Palm Iron and Bridge Works;

Also: Assembly Bill No. 1087—An act appropriating money to pay the claim of C. S. Baldwin;

Also: Assembly Bill No. 1088—An act appropriating money to pay the claim of H. C. Muddox;

Also: Assembly Bill No. 1138—An act appropriating money to pay the claim of Mark Woermer against the State of California;

Also: Assembly Bill No. 1276—An act providing for investigations and reports by the State Board of Health regarding specimens having medico-legal bearing in criminal cases and making an appropriation therefor;

Also: Assembly Bill No. 1344—An act to establish a nautical school at the port of San Francisco, to provide for the conduct and maintenance thereof, to make an appropriation therefor, and to authorize the Governor to request and to receive aid from the United States in compliance with the provisions of an act of Congress approved March 4, 1911;

Also: Assembly Bill No. 1353—An act to authorize the State Board of Prison Directors to provide for assisting paroled and discharged prisoners, and to secure employment for the same and making an appropriation for that purpose;

Also: Assembly Bill No. 1361—An act to amend sections 439 and 440 of the Political Code, relating to employees of the Controller's office and their salaries;

Also: Assembly Bill No. 1440—An act appropriating money for repairs and improvements to buildings, structures and equipment at the Preston School of Industry;

Also: Assembly Bill No. 1461—An act appropriating money to meet additional support expenses of the California Polytechnic School for the balance of the sixty-eighth fiscal year;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

CHANDLER, Chairman.

Assembly Bills Nos. 14, 94, 146, 259, 316, 397, 418, 419, 443, 444, 445, 490, 743, 763, 784, 920, 921, 943, 945, 1008, 1020, 1081, 1082, 1083, 1086, 1087, 1088, 1138, 1276, 1344, 1353, 1361, 1440 and 1461 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 143—An act creating a state bureau of criminal identification and investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof;

Also: Assembly Bill No. 602—An act to establish an institution for the care, training, confinement, discipline, and instruction of feeble-minded and epileptic persons and for study of mental deficiency and related problems, to provide for commitment thereto, for the maintenance thereof, for the possible sterilization of a person who is feeble-minded or is afflicted with incurable chronic mania or dementia, for the manufacture or raising of certain articles for sale, and to make an appropriation therefor;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

CHANDLER, Chairman.

Assembly Bills Nos. 143 and 602 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Concurrent Resolution No. 7, [illegible] amendment to the charter of the city of Oakland, in the county of Alameda, State of California, voted for and ratified by the electors of said city of Oakland at a special election held [illegible] on the [illegible] day of August, 1916, has had the same under consideration, and respectfully reports the same back without recommendation.

TYRRELL, Chairman.

Assembly Concurrent Resolution No. 7 ordered on file.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 949—An act to create a reclamation district to be called "Reclamation District No. [illegible]," and providing for the control and management thereof, and repealing all acts and parts of acts inconsistent with this act;

Also, Assembly Bill No. 1028—An act to amend an act entitled "An act creating a reclamation district to be called and known as 'Reclamation District No. [illegible],' providing for the management and control thereof [illegible] of said Reclamation District No. [illegible] [illegible] approved April [illegible], 1911, in effect August [illegible], 1911, and amended by act approved June [illegible], 1915, in effect August [illegible], 1915, conferring powers and duties upon the trustees of said district and relating to the management and control thereof;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

JONES, Chairman.

Assembly Bills Nos. 949 and 1028 ordered on file for second reading.

MOTION TO RECONSIDER.

Senator Duncan moved to reconsider the vote whereby Assembly Bill No. 1079 was refused passage.

The roll was called and the motion to reconsider the vote whereby Assembly Bill No. 1079 was refused passage, carried by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Crowley, Duncan, Flaherty, Ingram, Inman, Irwin, Jones, Kehoe, King, [illegible], Lyon, Maddux, Nealon, Purkitt, Rominger, Slater, Stuckenbruck, Thompson, and Tyrrell—25.

NOES—None.

Assembly Bill No. 1079—An act to recognize and declare valid all proceedings in Happy Valley Irrigation District.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1079 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, F. M., Carr, W. J., Crowley, Duncan, Flaherty, Ingram, Inman, Irwin, Jones, Kehoe, King, [illegible], Lyon, Maddux, Nealon, Purkitt, Rominger, Slater, Stuckenbruck, Thompson, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RESOLUTION.

The following resolution was offered:

By Senator King:

WHEREAS, The State Agricultural Farm at Davis, Yolo County, is to hold its annual picnic at the Farm grounds on Saturday, April 28, 1917; and

WHEREAS, The special object of the gathering this year is appropriately to impress upon the agricultural interests the necessity of conserving the food products of the State, and to demonstrate to the producing classes the best methods of mobilizing the food products of the commonwealth; be it

Resolved, By the Senate of the State of California that in recognition of the importance of these objects, this body urges a general attendance upon such meeting of all who till the soil and who handle such food products, that they may do well their part in the nation's great campaign for preparedness.

Resolution read, and, on motion of Senator King, adopted.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Breed:

SENATE CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: In accordance with the provisions of section 2, Article IV of the Constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act creating a State Defense Guard, providing for its control and compensation, prescribing its duties and making an appropriation therefor.

Request referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES — OUT OF ORDER.

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 22, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Breed to introduce a bill entitled: "An act creating a State Defense Guard, providing for its control and compensation, prescribing its duties and making an appropriation therefor", has had the same under consideration, and respectfully reports the same back and recommends that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Flaherty, Hans, Ingram, Inman, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rominger, Rush, Scott, Sharkey, Shearer, Struckenbruck, Thompson, and Tyrrell—31.

NOES—None.

INTRODUCTION AND FIRST READING OF BILL.

The following bill was introduced in accordance with the above report:

By Senator Breed: Senate Bill No. 1200—An act creating a State Defense Guard, providing for its control and compensation, prescribing its duties and making an appropriation therefor.

Bill read first time, and referred to Committee on Finance.

RESOLUTIONS.

The following resolution was offered:

By Senator Lane:

Resolved, That the name of Mark Lane be and it is hereby stricken from the list of attaches of the Senate.

Resolution read.

Senator Lane moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Bennett, Bledsoe, Bond, Brown, Chas. T. M., Chas. W. J., Cheatham, Crawley, Dunnigan, Evans, Fitzgerald, Hans, Hegener, Hewes, Hicks, Kelly, Lane, Lewis, Maddox, Martin, Montague, Neff, Nixon, Pendergast, Simmons and Tyler—26.

NOES—None.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENTS—CODE OF CIVIL PROCEDURE.

The Senate took up for consideration Assembly amendments to Senate Bill No. 943—An act to add thirteen new sections to the Political Code, to be numbered 1361, 1366, 1367, 1368, 1369, 1369a, 1369b, 1369c, 1369d, 1391, 1391a, 1391b, 1391c, and to repeal section 1071 of the Political Code, relating to voting-machine districts.

ASSEMBLY AMENDMENTS NO. [illegible] AND [illegible] TO SENATE BILL NO. [illegible]

AMENDMENT NUMBER ONE

On page 2, line 26, beginning with the word "machines", strike out everything down to and including the word "number", in line 27, and insert in lieu thereof the following: "Section one thousand five hundred eighty-seven of this code".

AMENDMENT NUMBER TWO

On page 2, beginning with the word "voters", in line 28, strike out everything down to and including the word "of" in line 31.

AMENDMENT NUMBER THREE

On page 3, beginning with the word "of" in line 32, strike out everything down to and including the word "district", in line 36, and insert in lieu thereof the following: "or the same amount as the election for the population of the voting precinct district".

AMENDMENT NUMBER FOUR

On page 3, beginning with the word "at" in line 38, strike out everything down to and including the word "day" in line 40, and insert in lieu thereof the following: "within five days subsequent to the holding of said election".

AMENDMENT NUMBER FIVE

On page 4, line 14, beginning with the word "authorized", strike out everything down to and including the word "number", and insert in lieu thereof the following: "section one thousand five hundred eighty-five of this code".

AMENDMENT NUMBER SIX

On page 4, line 24, beginning with the word "determined", strike out everything down to and including the word "section", in line 25, and insert in lieu thereof the following: "provided in section one thousand five hundred eighty-seven of this code".

AMENDMENT NUMBER SEVEN

On page 4, line 31, strike out the words "said section", and insert in lieu thereof the following: "section one thousand five hundred eighty-five".

AMENDMENT NUMBER EIGHT.

On page 5, line 17, strike out the words "this section" and insert in lieu thereof the following: "sections one thousand five hundred eighty-five to one thousand five hundred ninety-one *c*, inclusive, of this code".

AMENDMENT NUMBER NINE.

On page 5, line 22, beginning with the word "as", strike out everything down to and including the word "code" in line 23, and insert in lieu thereof the following: "according to the provisions of this code relating to the powers and duties of boards of school trustees".

AMENDMENT NUMBER TEN.

On page 6, line 3, beginning with the word "subdivision", strike out everything down to and including the word "section" in line 3, and insert in lieu thereof the following: "section one thousand five hundred eighty-five".

AMENDMENT NUMBER ELEVEN.

On page 6, line 14, strike out the words "this section" and insert in lieu thereof the following: "sections one thousand five hundred eighty-five to one thousand five hundred ninety-one *c*, inclusive, of this code".

AMENDMENT NUMBER TWELVE.

On page 10, line 20, beginning with the word "subdivision", strike out everything down to and including the word "section", and insert in lieu thereof the following: "section one thousand five hundred eighty-eight of this code".

AMENDMENT NUMBER THIRTEEN.

On page 12, line 20, strike out the words "of this section", and insert in lieu thereof the following: "section one thousand five hundred eighty-five".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 943?

The roll was called, and Assembly amendments to Senate Bill No. 943 concurred in by the following vote:

AYES—Senators Ballard, Breed, Brown, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Flaherty, Hans, Inman, Jones, Kehoe, Luce, Lyon, Maddux, Nealon, Rominger, Rush, Sharkey, Shearer, Stuckenbruck, Thompson, and Tyrrell—24.

NOES—None.

Senate Bill No. 943 ordered to enrollment.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 585—An act to amend section 765 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 585 passed by the following vote:

AYES—Senators Breed, Brown, Burnett, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Flaherty, Hans, Ingram, Irwin, Jones, Luce, Maddux, Nealon, Rominger, Rush, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—23.

NOES—Senator Carr, W. J.—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 697—An act to amend section 863 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

AYES—Senators [illegible] Brown, [illegible] Carey, J. M. Cary, W. J. Chandler, Chandler, Dennis, Duncan, [illegible], [illegible], Lewis, Mackie, Rominger, Starkey, Steere, Stephens, [illegible] and Tyrrell—[illegible].

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An act to amend section 1 and to repeal section 2 of an act entitled "An act granting to the city of Alameda the salt marsh, tide and submerged lands of the State of California, reserving the right to wharf out thereform to the city of Alameda, and regulating the management, use and control thereof," approved June 11, 1913.

In the absence of Senator Hans, Assembly Bill No. 306 was ordered passed, to retain its place on the file.

CALL OF THE SENATE.

Senator Duncan moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Ballard, Brown, Brown, Carey, J. M., Carey, W. J., Chandler, Chandler, Crewes, Dennis, Duncan, Hans, Jones, Jones, Lewis, Lewis, Kelsey, Lyon, Lyon, Mackie, Newlin, Parkes, Rigdon, Rose, Starkey, Steere, Stockebrock, Thompson and Tyrrell—28.

The Secretary announced the absentees.

Time, eleven o'clock a. m.

The President pro tempore directed the Sergeant at Arms to close the doors.

The Sergeant at Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At eleven o'clock and ten minutes a.m., Senators Benson, Burnett, Jones, King, Rominger, Scott and Shearer were brought to the bar of the Senate, and, on motion of Senator Chandler, were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and twelve minutes a.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Duncan.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 21.

A resolution to propose to the people of the State of California to amend section twelve of article thirteen of the constitution of said state relating to poll taxes.

Resolved by the Assembly, the senate concurring, That the legislature of the State of California, at its forty-second session, commencing on the eighth day of January, one thousand nine hundred seventeen, two-thirds of all the members elected to each of the two houses of said legislature voting in favor thereof, proposes to amend section twelve of article thirteen of the constitution of the state to read as follows:

SEC. 12. The legislature shall provide for the levy of an annual poll tax, and the collection thereof by assessors, except in cities and counties having a consolidated city and county government, the collection shall be made by the tax collector of not less than four dollars on every male inhabitant of this state over twenty-one and under sixty years of age, except paupers, idiots and insane persons, and except any person subject under the laws of the state or of the United States to military service

under any law of the state or of the United States. Said tax shall be paid into the state school fund.

Resolution read.

The question being on the adoption of the resolution,

The roll was called, and Assembly Constitutional Amendment No. 21 refused adoption by the following vote:

AYES—Senators Carr, F. M., Chamberlin, Crowley, Evans, Hans, Ingram, Irwin, Kehoe, Parkin, Rigdon, Rominger, Rush, Scott, Stanley, Shearer, Slater, and Stephens—17.

NOES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, W. J., Duncan, Flaherty, Gates, Hanna, Johnson, Jones, Kelsey, Lane, Lyon, Maddux, Nealon, and Thompson—18.

MESSAGES FROM THE GOVERNOR—OUT OF ORDER.

The following message from the Governor was taken up and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

To the Senate and Assembly of the State of California:

Less than six months ago this Legislature by constitutional enactment created the State Council of Defense, as an advisory to the Governor. In these few months which have gone out of the present state of war. Pursuant to the duties of war, are the State Council of Defense has been organized and is thoroughly representative of the entire life of our State. It has inaugurated the great personal effort that confronts us with vigor, determination, and steadfast, patriotic loyalty.

The work which has been accomplished, even in this brief time, is of profound importance to the social, industrial and economic life of this State, and of the progress of this work the Legislature should be every cognizant.

Two meetings of the entire body have already been held. Committees have been active, and these so-called have associated with themselves as subcommittees many individuals and varied interests. Along this concern has woven together the vast and complicated life of our people, and to this agency we are striving to give protection at home and to contribute our share in the great war in which our country is engaged.

It is quite impossible to present to you in detail the work of the Council of Defense at this time, but in consequence with the purposes of the act creating the council, I deem it proper to submit a partial report of the high patriotic service being rendered this State.

Among the activities of the Council of Defense to which I would direct your attention is the work of the Committee on Scientific Research, which, under the leadership of the eminent men and women of the State, is grappling with many urgent problems. These are not theoretical matters. They touch us all. Let me mention only three of the problems presented by our conditions upon which these scientists are at work and which they must solve in the near future.

First—Mines are closing down because of lack of cyanide. The citrus industry also must have cyanide for the fumigation of our orange and lemon groves. Nearly all the chemical is manufactured and accumulated and mining ceases. The Council of National Defense has appealed to our State Council to help devise means for cyanide manufacture in California. It is highly probable that we will be successful.

Second—From the wood waste of our forests we can commercially obtain tar, turpentine, resin and charcoal. All of these are necessary for the industries and none are now available in quantities. Our chemical laboratories are attacking this problem with vigor.

Third—We face on this coast a shortage in iron and steel. We have great iron deposits but we lack the coke used in the production methods common in this country. We can not be without iron and steel. Therefore, we must develop new methods depending upon electric smelting and hydroelectric power.

Success in these investigations means not only immediate relief to industrial life but in times of peace these new enterprises will bring prosperity to our State.

The Committee on Oil Supply has completed a survey of the total production of all companies. This State must produce more oil and develop new processes to increase the production of gasoline and lubricating oils. This survey is of incalculable value and represents information never before given out to any agency of the government.

In transportation, the council has coordinated all of the railroad facilities of California so that they may be used to greatest effect in case of urgency. A census of all forms of motor vehicles is under way. The Highway Commission has in hand the problem of military roads and their maintenance.

The Committee on Manufactures, in conjunction with various chambers of commerce, has made an exhaustive survey of the manufacturing resources of the

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

WM. D. STEPHENS, Governor.

Dated: SACRAMENTO, CALIFORNIA, April 24, 1917.

SENATOR BURNETT IN THE CHAIR.

At eleven o'clock and forty-five minutes a.m., Senator Burnett of the Nineteenth District was called to the chair.

THIRD READING OF ASSEMBLY BILLS—RESUMED.

Senator Jones asked for and was granted unanimous consent to take up, out of the regular order, Assembly Bill No. 657.

Assembly Bill No. 657—An act to amend sections 2, 3, 5, 11, 13, 14, 15 and 30 of an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of

Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributries, or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission, and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys and creating a reclamation board and defining its powers," approved December 24, 1911, as amended by an act approved May 26, 1913, and as further amended by an act approved June 9, 1915, and to add twenty new sections to said act, to be numbered 5½, 7½, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48 and 49, relating to the appointment, powers and duties of said reclamation board, and to the method of levying and collecting assessments in the Sacramento and San Joaquin Drainage District or parts thereof, and providing for the early completion of the Sacramento flood control project and the issuance and validation of bonds of the Sacramento and San Joaquin Drainage District therefor, and for the completion of plans for the San Joaquin and Mokelumne flood control projects.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Purkitt moved to refer Assembly Bill No. 657 to Senator Stuckenbruck as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 5, line 12, of the printed bill, after the word "therein", strike out the comma and insert in lieu thereof a semicolon and the following: "provided that all lands lying above contour seventy, United States engineering datum within the Sacramento and San Joaquin drainage district, shall constitute two separate units or projects, one of said units or projects on each side of the Sacramento river above said contour, and no lands lying or being within said Sacramento and San Joaquin drainage district in either of said units or projects above said contour shall be assessed, or the money raised from said assessment, be expended for any improvement contemplated under this act in any other unit or project."

AMENDMENT NUMBER TWO.

On page 4, line 36, of the printed bill, strike out the word "twenty-five" and insert in lieu thereof the word "twelve".

AMENDMENT NUMBER THREE.

On page 4, line 47, of the printed bill, after the period, strike out the balance of line 47, 48, 49 and 50.

AMENDMENT NUMBER FOUR.

On page 5, line 3, of the printed bill, after the word "levied", insert "by said assessors".

AMENDMENT NUMBER FIVE.

On page 6, line 37, of the printed bill, after the word "levied", strike out the following: "by said reclamation board", and insert in lieu thereof "said assessors".

AMENDMENT NUMBER SIX.

On page 7, line 1, of the printed bill, after the word "the", where it occurs the last time in said line, strike out the word "reclamation", and on line 2 of said page, strike out the word "board", and insert in lieu thereof the word "assessors".

AMENDMENT NUMBER SEVEN.

On page 7, line 41, of the printed bill, after the word "apportionment", insert the following: "in that project or unit and the relative benefit to the lands therein situate,".

AMENDMENT NUMBER SIXTY.

On page 19, line 37, after the word "said", insert the following: "of the county."

AMENDMENT NUMBER SIX.

On page 17, line 42, strike out 44 of line 42 and lines 43, 44, 45 and 46.

AMENDMENT NUMBER TEN.

On page 20, line 4, after the word "determine", strike out the word "whether", and on line 6 of said page, strike out the words "on a strong or", and on line 6 of said page, strike out "if it shall be determined that the vote", and on line 7 of said page, strike out, "attaching thereto such statement on oath."

AMENDMENT NUMBER ELEVEN.

On page 20, line 18, of the printed bill, strike out the word "Should" and insert in lieu thereof the word "When", and after the word "vote", strike out the word "determine" and insert in lieu thereof the word "determined".

AMENDMENT NUMBER TWELVE.

On page 20, line 27, after the word "commission", strike out the remainder of line 27 and all of line 28 down to and including the word "hundred".

AMENDMENT NUMBER THIRTEEN.

On page 26, line 40, strike out the word "three" and insert in lieu thereof the word "eight".

AMENDMENT NUMBER FOURTEEN.

On page 27, line 16, after the period, strike out all the remainder of line 16 and lines 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26.

AMENDMENT NUMBER FIFTEEN.

On page 27, line 31, and line 32, strike out the words "twenty per cent of the face", and insert in lieu thereof the word "par".

Motion carried.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At twelve o'clock and five minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., the hour of recess was extended until twelve o'clock and forty-five minutes p.m.

MINUTE CLERK JOSEPH A. PEEK AT THE DESK.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 657, with instructions to amend, respectfully reports the same back, amended as per instructions.

STUCKENBRUCK, Special Committee.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Purkitt, Shearer and Jones, on the adoption of the report of the Special Committee of One.

The roll was called, and the report of the Special Committee of One refused adoption by the following vote:

AYES—Senators Carr, F. M., Chamberlin, Duncan, Ingram, Inman, Lyon, Nealon, Purkitt, Rush, Sharkey, Shearer, Stuckenbruck, and Tyrrell—13.

NOES—Senators Ballard, Benson, Breed, Brown, Barnett, Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Hans, Irwin, Johnson, Jones, Kehoe, King, Lane, Maddux, Rigdon, and Scott—21.

RECESS.

At twelve o'clock and forty minutes p.m., on motion of Senator Benson, the President pro tempore declared the Senate at recess until the hour of two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 13—Relative to the sale of the ripe pine in the national forest reserves, located in the State of California, and the use of the proceeds in the construction of dams and [illegible] conserving the waters of the State and the protection of its lands from flood waters—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

RUSH, Chairman.

Assembly Joint Resolution No. 13 ordered on file.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 173—An act to amend the code in and upon highways, streets, avenues, lanes, alleys, courts, places and sidewalks in counties, and upon property and rights of way owned by counties, and [illegible] establishing and changing the grade of the same, and providing for the issuance and payment of improvement bonds to represent certain assessments for the same purpose—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

TYRRELL, Chairman.

Assembly Bill No. 173 ordered on file for second reading.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 333—An act to amend section 627b of the Penal Code, relating to the transportation of game [illegible]—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

SLATER, Chairman.

Assembly Bill No. 333 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 336—An act to provide for the protection of fish and to prevent the introduction into this State of [illegible], infected or diseased fish, shellfish, mollusks, crustaceans, amphibians, [illegible] plants or aquatic animal life, and declaring the same to be a public nuisance and authorizing the summary destruction of same, providing for a quarantine for the enforcement of this act, and making a violation of the terms of this act a misdemeanor and providing for a penalty therefor;

Also: Assembly Bill No. 360—An act to amend section 626q of the Penal Code;

Also: Assembly Bill No. 1464—An act to amend section 628b of the Penal Code, relating to the protection of fish;

that had the same under consideration, and respectfully report the same back and recommend that they do pass.

SLATER, Chairman.

Assembly Bills Nos. [illegible] [illegible] and [illegible] ordered on file for second reading.

Also:

Mr. President: Your Committee on Fish and Game, to which was referred Assembly Bill No. [illegible]—An act to add a new section to the Penal Code, to be numbered [illegible], relating to [illegible], have had the same under consideration, and respectfully report the same back and recommend that it be [illegible] and be re-referred to Committee on Irrigation.

SLATER, Chairman.

Assembly Bill No. [illegible] re-referred to Committee on Irrigation.

[illegible]

SENATE CHAMBER, SACRAMENTO, April 24, 1917.

Mr. President: Your Committee on Education, to which was referred Assembly Concurrent Resolution No. [illegible]—Relative to [illegible] affecting the public schools of the State, have had the same under consideration, and respectfully report the same back and recommend that same do pass.

GATES, Chairman.

Assembly Concurrent Resolution No. [illegible] ordered on file.

Also:

Mr. President: Your Committee on Education, to which was referred Assembly Bill No. [illegible]—An act to amend section [illegible] of the [illegible] relating to the [illegible] of [illegible] school [illegible];

Also: Assembly Bill No. [illegible]—An act to add a new section to the Political Code to be numbered [illegible], relating to the [illegible] of [illegible];

Also: Assembly Bill No. [illegible]—An act to amend sections [illegible] and [illegible] of the Political Code relating to the county school fund;

Also: Assembly Bill No. [illegible]—An act to amend section [illegible] of the Political Code, relating to [illegible];

Also: Assembly Bill No. [illegible]—An act to add a new section to the Political Code to be numbered [illegible], providing for [illegible] school districts;

Have had the same under consideration, and respectfully report the same back with recommendation that they do pass as amended.

GATES, Chairman.

Assembly Bills Nos. [illegible], [illegible], [illegible], [illegible], and [illegible] ordered on file for second reading.

Also

Mr. President: Your Committee on Education, to which was referred Assembly Bill No. [illegible]—An act authorizing the board of trustees of the [illegible] to [illegible];

Also: Assembly Bill No. [illegible]—An act to provide for the [illegible];

Also: Assembly Bill No. [illegible]—An act to amend sections [illegible] of the Political Code relating to the holding of school elections;

Also: Assembly Bill No. [illegible]—An act to amend section [illegible] of the Political Code relating to the duties of teachers;

Also: Assembly Bill No. [illegible]—An act to add a new section to the Political Code to be numbered [illegible], relating to the [illegible] of school property by boards of education or other governing boards of city school districts and city high school districts having an average daily attendance exceeding [illegible], of real property [illegible] by the public school;

Also: Assembly Bill No. [illegible]—An act to amend section [illegible] of the Political Code relating to the duties of the Superintendent of Public Instruction, and to repeal section 1505 of the Political Code;

Also: Assembly Bill No. 1181—An act to add a new section to the Political Code, to be numbered section 1662a, relating to the course of study in elementary schools;

Also: Assembly Bill No. 1378—An act to amend section 1617c of the Political Code, relating to kindergartens;

Also: Assembly Bill No. 1471—An act to amend section 1550 of the Political Code, relating to the compensation of deputy school superintendents;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

GATES, Chairman.

Assembly Bills Nos. 604, 672, 836, 995, 999, 1174, 1181, 1378, and 1471 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1401—An act to amend section 592 of the Code of Civil Procedure, relating to the trial of issues of fact, and the disposal of issues of law—has had the same under consideration, and respectfully reports the same back and recommends that it do not pass.

KEHOE, Chairman.

Assembly Bill No. 1401 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 569—An act relating to the sale and carrying of dangerous weapons, and prescribing penalties for violation of the provisions hereof;

Also: Assembly Bill No. 1431—An act to amend section 472 of the Political Code, relating to the duties of the Attorney General and the appointment of assistants and deputies in such office;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass, and be re-referred to Committee on Finance.

KEHOE, Chairman.

Assembly Bills Nos. 569 and 1431 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1282—An act to amend section 276 of the Code of Civil Procedure, relating to testimonials and examination before district courts of appeal;

Also: Assembly Bill No. 1460—An act to amend sections 4 and 5 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911, as amended;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

KEHOE, Chairman.

Assembly Bills Nos. 1282 and 1460 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 276—An act to amend section 1646 of the Code of Civil Procedure, relating to the payment by an executor or administrator of the funeral expenses of the last illness of a decedent;

Also: Assembly Bill No. 501—An act to amend section 160 of the Code of Civil Procedure, relating to the holding of superior courts by superior judges of other counties, and providing for their actual and necessary expenses;

Also: Assembly Bill No. 709—An act to amend sections 1 and 2 of an act entitled "An act to secure the payment of the claims of materialmen, mechanics, or laborers, employed by contractors upon state, municipal or other public work," approved March 27, 1897, as amended;

Also: Assembly Bill No. 966—An act to amend section 309 of the Civil Code, relating to dividends of corporations;

Also: Assembly Bill No. 1069—An act to amend section 474 of the Political Code of the State of California, relating to the powers and duties of the Attorney General;

Also: Assembly Bill No. 1259—An act to amend section 21 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age

of twenty-one years, and in certain cases providing for their care, custody and maintenance; providing for the permanent commitment of such persons and for the commitment of such persons to the Whittier State School and the Preston School of Industry; the California School for Girls and other institutions, comprehensive provision, officers and a penalty; requiring the boys with such persons and giving the salary thereof; providing for the establishment of homes for such persons; fixing the method of procedure and procedure in commitment; [illegible] committed by such persons; providing that the commitment of these persons or offenders with reference to [illegible] and repealing the Juvenile Court Law, approved March 9, 1909, as amended, or any act amendatory thereof and as amended by an act approved June 10, 1913, and any supplementary thereof; and all acts or parts of acts inconsistent herewith." Approved June 7, 1915.

Also: Assembly Bill No. 1003.—An act to amend section 108 of the Code of Civil Procedure, relating to [illegible] of the [illegible].

Also: Assembly Bill No. 1040.—An act to amend section 98 of the Civil Code, relating to the [illegible] of certain [illegible].

Also: Assembly Bill No. 1047.—An act to add a new section to the Civil Code to be numbered 1801a, relating to [illegible] of [illegible] [illegible].

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Assembly Bills Nos. 276, 301, 709, 901, 1009, 1209, 1442, 1455 and 1467 ordered on file for second reading.

RESOLUTIONS.

The following resolution was offered:

By Committee on Contingent Expenses:

Resolved, That the Controller be and he is hereby instructed to draw his warrants in favor of the Secretary of the Senate for the sum of one hundred dollars for postage stamps, the same, if he shall find out of the contingent fund of the Senate and the Treasurer is hereby directed to pay the same.

NEALON, Chairman.

Resolution read.

Senator Nealon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Bond, Brown, Chas. E. M. Chandler, Cousins, Duncan, Evans, Hans, Ingram, Lagomarsino, Lanam, Nelson, King, Nealon, Shearer, Slater, Stockebrand and Tyrrell—17.

NOES—None.

CONSIDERATION OF BILLS FOR

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 459.—An act to amend an act entitled "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an act entitled 'An act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof,' which became a law under the provisions of the Constitution of the State of California without the Governor's approval, on the 5th day of March, 1901, and all acts amendatory of said act or supplementary thereto," approved June 6, 1913, by adding two new sections thereto to be numbered 61 and 134, relating to the officers of said courts, and fixing the time for rendering judgments in said courts, and by amending sections 8 and 12 of said act, relating to the officers of said courts, and the method of selecting jurors in said courts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 607—An act to amend section 2 of an act entitled "An act to provide for direct legislation by cities and towns including initiative and referendum," approved January 2, 1912.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1457—An act to add a new section to the Penal Code, to be numbered 537*d*, relating to the defrauding of garage keepers, dealers in automobiles and repairmen.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 486—An act to increase the number of judges of the Superior Court of the County of Alameda, and for the appointment of such additional judges.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, strike out the word "nine" and insert in lieu thereof the word "eight".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 5, of the printed bill, strike out the word "three" and insert in lieu thereof the word "two".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 9, of the printed bill, strike out the word "three" and insert in lieu thereof the word "two".

Amendment adopted.

Bill read second time, and ordered to reprint, and third reading.

Assembly Bill No. 1128—An act to add a new section to the Civil Code to be numbered section 322*a*, relating to the exoneration from personal liability of persons holding stock in a corporation as executors, administrators, guardians or trustees, and of persons holding stock as collateral security.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, lines 6 and 7, strike out the following: "(unless he shall have voluntarily invested the trust funds in such stock),".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 5, strike out the comma following the word "names"; also, all the rest of the line and lines 6, 7 and 8 and insert in lieu thereof a period.

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 1124—An act to prevent the sale of impure and unwholesome milk products and to provide rules and regulations to govern the sale of such products, providing machinery for the enforcement of this act, and prescribing penalties for the violation hereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. [illegible]—An act providing for the inspection of animals slaughtered for human food, providing for the inspection of the meat and meat food products of such animals, providing for the collection of fees to defray the expenses incurred in maintaining such inspection, providing for the appointment and duties of officials to carry into effect the provisions of this act, providing for the marking of carcasses and parts thereof, and providing a penalty for violation thereof.

Bill read second time and ordered on the Ten Minute calendar.

Assembly Bill No. 1128—An act to prevent the sale of impure and unwholesome milk and milk products for human food, to provide rules and regulations therefor, and to empower cities, groups of cities, counties and groups of counties, or cities and counties, to establish inspection service, to provide for the enforcement of this act, to prescribe penalties for violation of the provisions hereof, to make appropriation therefor.

Bill read second time and ordered on the Ten Minute calendar.

Assembly Bill No. 1419—An act authorizing the use of convicts labor on county highways, regulating the handling of such labor, authorizing extra good time allowances and providing penalties for interference.

Bill read second time and ordered on the Ten Minute calendar.

Assembly Bill No. 1425—An act to establish and permanently locate the boundary line between the county of Ventura and the county of San Bernardino.

Bill read second time and ordered on the Ten Minute calendar.

Assembly Bill No. 741—An act to amend sections 1, 2, 3, 4, 5, 7, 10, 13, 14, 18, 21 and 22 of an act entitled "An act to provide a central bureau for the preservation of records of births and deaths and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics, the issuance and registration of burial and disinterment permits and certificates of births and deaths, the appointment of State and local registrars of vital statistics, to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same, to repeal all acts and parts of acts in conflict herewith," approved May 19, 1913.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 4, line 1, after the word "age" and before the semicolon insert a period and the following: "Such local registrar for a primary vital district, upon transmitting to the state registrar such original birth and death certificates registered by him, and having received a complete and accurate copy of such such birth and death certificates for the local district of the primary vital district as required by section [illegible] of this act, shall also transmit to the secretary of the county, city, special district, or a complete and accurate copy of such original birth and death certificate transmitted to said joint registrar to the state registrar."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 7, line 8, of the printed bill as amended in Assembly March 31, strike out the period after the word "such" and insert the following: "and license number of embalmer."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 15, line 5, strike out the word "Certified" and all of lines 8 and 9, and insert in lieu thereof the following: "Such order must be made in the form and upon the blank prescribed and furnished by the state registrar, and but one birth, death or marriage may be included therein. And said order shall become effective upon the filing of a certified copy thereof with the local registrar of vital statistics, and the delivery therewith for transmittal to the state registrar of a standard certificate containing such facts and signatures as are obtainable, and upon the filing of a certified copy of said order with the state registrar".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 174—An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State; for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 738—An act to amend section 3746, section 3756, and section 3817 of the Political Code, relating to the time when taxes are due and delinquent, penalties thereon, the tax collector's published notice thereof, and to the redemption of property sold to the State and penalties thereon.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 2, of the printed bill, strike out the words "that unless paid prior thereto, five per cent will be added to the amount thereof" and insert in lieu thereof the following: "thereafter five per cent will be added to the amount of all taxes remaining unpaid."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 17, of the printed bill, strike out the word "shall" and insert in lieu thereof the word "would".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 845—An act to amend section 3650 of the Political Code, relating to the assessment of property.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER FIVE.

On page 1 of the original bill strike out all after the enacting clause and in lieu thereof insert the following:

3930. The assessor must prepare an assessment book, with appropriate headings as directed by the state board of examiners, in which must be listed all property within the county and which shall show, right the assessment book:

1. The name and postoffice address, if known, of the person to whom the property is assessed.

2. Land by assessable range, section, or functional section; and when such land is not a regular assessable division of subdivision, by metes and bounds, or other definition sufficient to identify it, giving the number of acres, and rounding to the nearest in any case six hundred forty acres, hundred, and the improvements thereon. When any tract of land is assessed in two or more school districts, or other taxing districts of the county, the name of each such district must be separately assessed. The improvements to be assessed against the particular assessable unit, or any of land upon which they are located, city and town lots, namely, the city or town, and the number of the lot and block, according to the records of assessment in such city or town, and the improvements thereon.

3. All property within the limits of an incorporated city or town shall be assessed in an assessment book separate and distinct from the assessment book containing the assessment of property situated outside the limits of such incorporated city or town; or, if but one assessment book be used, there to be separate and distinct pages of such book; provided, that all property assessed shall be entered on the assessment book by elementary school districts in such districts not fully formed and made on the first Monday in March of each year; provided, further, that where any school districts contain no property situated both within and without the limits of an incorporated city or town, such property shall be assessed and kept separate and distinct on the assessment book.

4. All personal property, showing the number, kind, quantity, and quality, but a failure to enumerate in detail such personal property shall not invalidate the assessment.

5. The total value of real estate.

6. The total value of improvements on such real estate.

7. The total value of improvements on real estate assessed to persons other than the owners of the fee title.

8. The total value of all personal property, exclusive of money.

9. The amount of money.

10. Taxable improvements owned by any person, firm, association, or corporation, located upon land owned by a municipality, which are in the nature of improvement, to be assessed as other real estate upon the assessment book. No value shall, however, be assessed against the owner; but such improvements shall be listed and charged with at limited responsibility for the distribution, under existing laws, of taxable improvements located thereon.

11. The school, road, and other taxing districts in which each piece of property assessed is situated.

12. The total value of all property.

13. In entering assessments containing minerals, coal, oil, and other, as provided in section three thousand six hundred twenty-eight of this code, he must enter in the column indicate. The value of the dollar entitled to production and deduct the same. In making the deductions from the total value of property assessed, as above directed, he must enter the remainder in the column provided for the total value of all property for taxation.

14. Such other things as the state board of examiners may require.

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 1013—An act to regulate and limit the amount that may be produced by tax levies in the aggregate by political subdivisions of this State, and repealing all acts and parts of acts in conflict with this act.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 9, of the printed bill strike out all after the figure "2" down to and including the word "act" on line 17.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 4, line 41, of the printed bill, strike out the word "by" and insert in lieu thereof the word "of".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 5, line 2, of the printed bill, strike out the word "fourths" and insert in lieu thereof the word "fifths".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 5, line 8, of the printed bill, strike out the words "two-thirds" and insert in lieu thereof the words "three-fifths".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 6, line 4, of the printed bill, after the word "apply" insert the word "only".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 6, line 5, of the printed bill, after the word "any" insert the words "city, city and county or".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 6, of the printed bill, strike out lines 24 to 37, inclusive.

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 606—An act to amend section 3818 of the Political Code, relating to redemption from tax sale.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1299—An act to amend sections 1746, 1747, 1886, and 1887 of the Political Code, relating to school bonds and interest.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1468—An act to amend an act entitled "An act authorizing and providing for an investigation and report upon the matter of revenue and taxation, and making an appropriation therefor," approved May 11, 1915.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 567—An act to amend section 3898 of the Political Code, relating to properties sold for delinquent taxes.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1343—An act to regulate the sale, production and manufacture of dairy products; to define and grade the same; to prevent deception or fraud in the production, manufacture, and sale of dairy products; to provide rules and regulations therefor, for inspection of dairies and creameries, and for shipping and distributing dairy products; to empower cities, group of cities, counties and group of counties, or cities and counties, to establish inspection service; to provide for the enforcement of its provisions and for the punishment of violations thereof; to make an appropriation therefor; and to repeal all acts or parts of acts either in conformity or in conflict with this act.

COMMITTEE AMENDMENT

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE

On page 4, line 7, of the printed bill as amended, beginning with the word [illegible], strike out the remainder of said page [illegible] and insert in lieu thereof the following:

Every person, firm or corporation who shall manufacture cheese in the State of California shall at the place of manufacture brand distinctly and durably on each and every cheese manufactured, and upon the package or box, when shipped, the grade of cheese manufactured, as follows: "California cheese," or "California [illegible] cheese," or "skim cheese."

All brands for branding the different grades of cheese shall be procured from the state dairy bureau [illegible]

The different grades of cheese are hereby defined as follows: First: Such cheese only as shall have been manufactured from pure milk, and from which no portion of the butter fat has been removed by skimming or otherwise, and having not less than fifty per cent of butter fat in its water-free substance, which shall be conspicuously branded as "full cream cheese." Second: Such cheese only as shall have been made from pure milk, and having not less than [illegible] per cent of butter fat in its water-free substance, which shall be conspicuously branded as "half skim cheese." Third: Such cheese only as shall have been made from pure skim milk, which shall be conspicuously branded as "skim cheese."

No person or persons, firm, association or corporation shall sell or offer for sale [illegible] any cheese which is not branded either "full cream cheese," "half skim cheese" or "skim cheese" in accordance with [illegible]

Amendment adopted.

Bill read second time, and ordered reprinted, and third reading.

Assembly Bill No. 211—An act to regulate the payment of wages, establishing regular pay days, providing penalties for the violation of its provisions, and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the same.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 286—An act to provide for semimonthly pay days of laborers in the employ of the State or of any county or city.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 278—An act to amend section 4247 of the Political Code relating to the compensation of officers in the counties of the fourteenth class.

COMMITTEE AMENDMENTS

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE

On page 1, line 29, of the printed bill, strike out the word "seventy-five" and insert in lieu thereof the words "one hundred."

Amendment adopted.

AMENDMENT NUMBER TWO

On page 2, line 37, strike out the words "one hundred" and insert in lieu thereof the words "one thousand."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 42, strike out the comma after the word "year" and strike out the balance of lines 42, 43, 44 and 45, up to and including the word "receipts".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 5, line 14, strike out the word "seventy-five" and insert in lieu thereof the word "fifty".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 5, line 15, strike out the word "fifty" and insert in lieu thereof the word "twenty-five".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 5, line 17, strike out the word "twenty-five" and insert in lieu thereof the word "ten".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 5, line 27, strike out the word "seventy-five" and insert in lieu thereof the word "fifty".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 5, line 28, strike out the word "fifty" and insert in lieu thereof the word "twenty-five".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 5, line 30, strike out the word "twenty-five" and insert in lieu thereof the word "ten".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 7—An act to amend section 4245 of the Political Code of the State of California, relating to the salaries, fees, and expenses of officers in counties of the sixteenth class.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, lines 51 and 52, after the word "copyists" strike out "at such times as in the judgment of the county recorder is necessary,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 4, lines 28 and 29, after the comma following the word "annum" strike out "which shall include his actual traveling expenses when visiting the schools of his county".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 5, line 49, after the word "not" insert the following: "exceed";

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 5, line 50, after the word "not" insert the following: "exceed";

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 5, line 50, after the second word "be" insert the following: "not to exceed".

Amendment adopted.

Bill read second time, and ordered to printed, and third reading.

SENATOR CROSBY ON THE CHAIR.

At two o'clock and thirty-five minutes p.m. Senator Crosby of the Twenty-second District was called to the CHAIR.

Assembly Bill No. 956—An act to amend section 4237 of the Political Code, relating to the compensation of county and township officers of counties of the eighth class and to the number, appointment and salaries of their assistants and deputies.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 7, strike out lines 28 to 37, inclusive, and strike out on page 8, lines 1 to 35, inclusive, and strike out on page 9, lines 1 to 20, inclusive, and insert in lieu thereof the following:

14. Justices of the peace, the following monthly salaries to be paid each month as salaries of other county officers are paid, which shall be in full for all services rendered by them in both criminal and civil cases: In townships having a population of eighteen thousand and over, one hundred and twenty dollars per month; in townships having a population of twelve thousand and less than eighteen thousand, one hundred ten dollars per month; in townships having a population of six thousand and less than twelve thousand, ninety dollars per month; in townships having a population of two thousand and less than six thousand, seventy dollars per month; in townships having a population of one thousand five hundred and less than two thousand four hundred, sixty dollars per month; in townships having a population of eight hundred and less than one thousand five hundred, fifty-five dollars per month; in townships having a population of five hundred and less than eight hundred, thirty dollars per month; in townships having a population of less than five hundred, ten dollars per month. And the justices of the peace of each township shall charge and collect the fees which are now or may hereafter be allowed by general law, in civil cases, and pay the same monthly to the county treasurer.

15. Constables, the following monthly salaries, to be paid each month as the salaries of county officers are paid, which shall be in full for all services rendered by them in criminal cases: In townships having a population of ten thousand and more, one hundred dollars per month; in townships having a population of five thousand and less than ten thousand, eighty-five dollars per month; in townships having a population of two thousand five hundred and less than five thousand, seventy-five dollars per month; in townships having a population of one thousand five hundred and less than two thousand five hundred, sixty dollars per month; in townships having a population of eight hundred and less than one thousand five hundred, fifty dollars per month; in townships having a population of five hundred and less than eight hundred, twenty dollars per month; in townships having a population of less than five hundred, ten dollars per month. In addition to the monthly salary allowed herein, each constable may receive and retain for his own use such fees as are now or may hereafter be allowed by law for all services performed by him in civil cases.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 10, strike out lines 1 to 6, inclusive, and insert in lieu thereof the following:

18. The population of townships shall, for the purposes of this section, be determined to be the population of such townships as shown by the federal census taken in the year A. D. one thousand nine hundred ten, or by a subsequent census taken as in section four thousand fifty-five of the Political Code, provided; and in case townships are formed after the taking of the census, then the population shall be determined by multiplying the vote for governor cast in such township, at the last preceding election, by four.

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 197.—An act to amend section 4281 of the Political Code, relating to the compensation of officers of counties of the fifty-second class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1203.—An act to amend section 4278 of the Political Code, relating to the compensation of officers of counties of the forty-ninth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 155.—An act to promote the reclamation of arid land and to provide that certain land belonging to the State of California, within the boundaries of an irrigation district shall be subject to the assessments levied in said district.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 464.—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending sections 32, 34, 35, 39, 40, 42, 44, 45, 46, 47, 47½, 51, 52, 53, 54, 55, 56, 57, 59, 60, 61, 67, 72, 74, 76, 77, 78, 80, 81, 85, 86, 90, 91, 94, 96, 98, 99, 102, 106, 107, and 108 thereof, by repealing sections 54½, 73, 83, 92, 93, and 99½ thereof, and by adding thereto a new section to be numbered 50½.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 467.—An act to repeal sections 63, 64, 65, 68, 69, 70, 71, 82, and 97 of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 957.—An act to amend an act entitled "An act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies, trust companies, trust funds, state school funds and money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized," approved June 13, 1913, by adding thereto four new sections to be numbered sections 3*a*, 3*b*, 3*c*, and 3*d*.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1207.—An act to validate and declare valid all proceedings in Baxter Creek Irrigation District.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. [illegible].—An act to amend sections 1 and 2 of an act entitled "An act to regulate the construction and maintenance of subways, manholes, and underground conduits, tunnels, and excavations used to contain, convey, carry, or conduct wires, cables, or appliances to conduct, carry, or handle electricity, and providing the punishment for the violation thereof," approved April [illegible], 1913, and to add a new section thereto to be numbered 3.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. [illegible].—An act by amend sections 2 and 10 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, liabilities, powers and duties of public utilities and their officers, and the rights and remedies of persons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys thereof to carry out the provisions of this act and repealing Title XV of Part IV of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April [illegible], 1915, relating to common carriers, defining what shall constitute common carriers, and providing that when two or more public utilities are engaged in competition either may make complaint against the other that the rates, charges, rules and regulations of one are unreasonable, discriminatory, illegal, unfair or tending to oppress, to stifle competition, or to create or promote the creation of monopoly, and giving the Railroad Commission power to correct the abuse complained of.

Bill read second time, and ordered on file for third reading.

[illegible]

Assembly Bill No. [illegible].—An act to repeal section 17 and to amend section 30 of an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to gather data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board and defining its powers," approved December 24, 1911, as amended by an act approved May 26, 1913, and as further amended by an act approved June 9, 1915, and to add thirty-four new sections to said act, to be numbered 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, and 65, relating to the powers and duties of said reclamation board, and providing for the early completion of the Sacramento flood control project, and of the San Joaquin flood control project when adopted, and the issuance of bonds of the Sacramento and

San Joaquin Drainage District therefor, and to the method of levying and collecting assessments.

Bill read third time, previously.

MOTIONS TO RECONSIDER.

Senator Burnett moved to reconsider the vote by which the Senate this day rejected the report of a committee of one amending Assembly Bill No. 657.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Tyrrell, Flaherty and Carr, F. M., on the motion to reconsider.

The roll was called, and the motion carried by the following vote:

AYES—Senators Ballard, Breed, Burnett, Carr, F. M., Chandler, Crowley, Duncan, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—29.

NOES—None.

Senator Burnett moved to reconsider the motion of Senator Purkitt to refer Assembly Bill No. 657 to Senator Stuckenbruck as a Special Committee of One to amend.

Motion to reconsider carried.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Purkitt moved to refer Assembly Bill No. 657 to Senator Stuckenbruck as a Special Committee of One, to amend as follows:

On page 5, line 12, of the printed bill, after the word "therein", strike out the comma and insert in lieu thereof a semicolon and the following: "*provided*, that all lands lying above contour seventy, United States engineering datum within the Sacramento and San Joaquin drainage district, shall constitute two separate units or projects, one of said units or projects on each side of the Sacramento River above said contour, and no lands lying or being within said Sacramento and San Joaquin drainage district in either of said units or projects above said contour shall be assessed, or the money raised from said assessment, be expended for any improvement contemplated under this act in any other unit or project."

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Jones, Kehoe and Tyrrell on the motion to refer.

The roll was called, and the motion to refer lost by the following vote:

AYES—Senators Carr, F. M., Duncan, Ingram, Inman, Irwin, McDonald, Nealon, Purkitt, Rominger, Shearer, and Tyrrell—11.

NOES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Hans, Johnson, Jones, Kehoe, King, Maddux, and Scott—18.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Purkitt moved to refer Assembly Bill No. 657 to Senator Stuckenbruck as a Special Committee of One, to amend as follows:

On page 4, line 36, of the printed bill, strike out the word "twenty-five" and insert in lieu thereof the word "twelve".

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Tyrrell, Purkitt and McDonald on the motion to refer.

The roll was called and the motion to refer lost by the following vote:

Ayes—Senators McDonald, Parkitt and Stuckenbruck—3.

Noes—Senators Bathgate, Bennett, Bennett, Carr, W. J. Crawford, Emerson, Flaherty, Gates, Hines, Ingram, Johnson, Jones, Kehoe, Maddox, Sears, Thompson, and Tyrrell—18.

MOTIONS TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Parkitt moved to refer Assembly Bill No. 657 to Senator Stuckenbruck as a Special Committee of One, to amend as follows:

On page 4, line 47, of the printed bill, after the period, strike out the balance of lines 47, 48, 49 and 50.

Motion lost.

During third reading of bill, Senator Parkitt moved to refer Assembly Bill No. 657 to Senator Stuckenbruck as a Special Committee of One, to amend as follows:

On page 5, line 3, of the printed bill, after the word "levied", insert "by said assessors".

Motion lost.

During third reading of bill, Senator Parkitt moved to refer Assembly Bill No. 657 to Senator Stuckenbruck as a Special Committee of One, to amend as follows:

On page 6, line 37, of the printed bill, after the word "levied", strike out the following: "by said incorporation tax", and insert in lieu thereof "said assessors".

Motion lost.

During third reading of bill, Senator Parkitt moved to refer Assembly Bill No. 657 to Senator Stuckenbruck as a Special Committee of One, to amend as follows:

On page 7, line 1, of the printed bill, after the word "tax", insert "if assessed for last time in said line, strike out the word "assessment", and on line 2 of said page strike out the word "board" and insert in lieu thereof the word "assessors".

Motion lost.

During third reading of bill, Senator Parkitt moved to refer Assembly Bill No. 657 to Senator Stuckenbruck as a Special Committee of One, to amend as follows:

On page 7, line 41, of the printed bill, after the word "assessment", insert the following: "in that precinct or unit and the district board in the usual manner situate."

Motion lost.

During third reading of bill, Senator Parkitt moved to refer Assembly Bill No. 657 to Senator Stuckenbruck as a Special Committee of One, to amend as follows:

On page 10, line 37, after the word "one", insert the following: "of the amount".

Motion lost.

During third reading of bill, Senator Parkitt moved to refer Assembly Bill No. 657 to Senator Stuckenbruck as a Special Committee of One, to amend as follows:

On page 17, line 42, strike out all of line 42 and lines 43, 44, 45 and 46.

Motion lost.

During third reading of bill, Senator Parkitt moved to refer Assembly Bill No. 657 to Senator Stuckenbruck as a Special Committee of One, to amend as follows:

On page 20, line 4, after the word "determine" strike out the word "whether", and on line 6 of said page strike out the words "as a whole or", and on line 6 of

said page strike out "if it shall be determined that the con", and on line 7 of said page strike out "struction thereof shall be carried on as a whole.".

Motion lost.

During third reading of bill, Senator Purkitt moved to refer Assembly Bill No. 657 to Senator Stuckenbruck as a Special Committee of One, to amend as follows:

On page 20, line 13, of the printed bill, strike out the word "Should" and insert in lieu thereof the word "When", and after the word "board" strike out the word "determine" and insert in lieu thereof the word "determines".

Motion lost.

During third reading of bill, Senator Purkitt moved to refer Assembly Bill No. 657 to Senator Stuckenbruck as a Special Committee of One, to amend as follows:

On page 20, line 27, after the word "assessors" strike out the remainder of line 27 and all of line 28 down to and including the word "described".

Motion lost.

During third reading of bill, Senator Purkitt moved to refer Assembly Bill No. 657 to Senator Stuckenbruck as a Special Committee of One, to amend as follows:

On page 26, line 40, strike out the word "three" and insert in lieu thereof the word "eight".

Motion lost.

During third reading of bill, Senator Purkitt moved to refer Assembly Bill No. 657 to Senator Stuckenbruck as a Special Committee of One, to amend as follows:

On page 27, line 16, after the period strike out all the remainder of line 16 and lines 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26.

Motion lost.

During third reading of bill, Senator Purkitt moved to refer Assembly Bill No. 657 to Senator Stuckenbruck as a Special Committee of One, to amend as follows:

On page 27, line 31 and line 32, strike out the words "ninety per cent of the face" and insert in lieu thereof the word "par".

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Purkitt, Shearer, and Jones, on the motion to refer.

The roll was called, and the motion to refer lost by the following vote:

AYES—Senators, Carr, F. M., Chamberlin, Duncan, Ingram, Inman, Irwin, McDonald, Nealon, Purkitt, Rominger, Rush, Sharkey, Shearer, Slater, and Stuckenbruck—15.

NOES—Senators Ballard, Benson, Brown, Burnett, Carr, W. J., Chandler, Crowley, Evans, Gates, Johnson, Jones, Kehoe, King, Maddux, Scott, and Thompson—16.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Inman moved to refer Assembly Bill No. 657 to Senator Purkitt, as a Special Committee of One to amend as follows:

AMENDMENT NUMBER ONE.

Strike out the word "said" in line 6 of page 2, and in lieu thereof insert the word "the".

AMENDMENT TO MOTION.

After the word "of" in line 6 of page 2, add the following: "Including the approving the report of the Conciliation Board, Conciliation, transmitted to the Speaker of the House of Representatives by the Secretary of State on June 27, 1917, directing the appointment of phone or messengers among the Stenographers, Room on the underground, or upon the canvass boards authorized to hold Court directing the State Engineer to provide data and make detailed and comprehensive [illegible] for the purpose of perfecting the plans contemplated by [illegible] of the Conciliation Board, Conciliation, and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys and providing a [illegible] and repealing [illegible] approved December 24, 1915, as amended by an act approved May 25, 1917, and as further amended by an act approved June 9, 1917."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 657, with instructions to amend, respectfully reports that said bill has been amended as per instructions.

PERKITT, Special Committee.

AYES AND NOES DEMANDED.

The roll call was demanded by Senators Perkitt, Damon, and Jones on the motion to adopt the report of the Special Committee of One.

CALL OF THE SENATE.

The roll was called, on the adoption of the report of the Special Committee of One.

Pending the announcement of the vote, Senator Jones moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Bond, Brown, Burnett, Cory, J. M. Cory, W. J. Chandler, Chandler, Crosby, Dennison, Evans, Flaherty, Gates, Hagenbarth, Hans, Irwin, Johnson, Jones, Kelsey, King, Lane, Lyon, McDonald, Mahony, Nielsen, Perkitt, Rigdon, Rominger, Rush, Scott, Stafford, Stevens, Swanson, Thompson, and Tyrrell—36.

The Secretary announced the absentees.

Time, four o'clock and five minutes p.m.

The Acting President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At four o'clock and fifteen minutes p.m., Senators Hans and Slater were brought to the bar of the Senate, and, on motion of Senator Benson, were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At four o'clock and forty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Jones.

The Secretary was directed to call the roll, on the adoption of the report of the Special Committee of One, of the Senators who had not answered to their names.

The roll was called, and the report of the Special Committee of One adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, F. M., Chamberlin, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Jones, Luce, Lyon, Nealon, Purkitt, Rominger, Rush, Scott, Sharkey, Shearer, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—Senators Carr, W. J., Chandler, Duncan, Johnson, Kehoe, King, McDonald, Maddux, and Rigdon—9.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Inman moved to refer Assembly Bill No. 657 to Senator Sharkey, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3, line 27, after the semicolon following the word "closed" insert the following: "*provided*, that said Tisdale by-pass levees may be closed at any time after the first day of November, 1919, *provided, further*, that in the event that reclamation district No. 1500 shall directly or indirectly delay by legal process or otherwise the erection or completion of the east levee of the Sutter by-pass then the time lost by said delay shall be added to the limitation above provided."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 23, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 657, with instructions to amend, respectfully reports the same back, amended as per instructions.

SHARKEY, Special Committee.

Report read, and, on motion of Senator Inman, adopted.
Bill ordered to print.

RUSH ORDER TO PRINTER.

On motion of Senator Jones, the Secretary was directed to issue a rush order for printing Assembly Bill No. 657.

RESOLUTION.

The following resolution was offered by Senator Benson:

Resolved, That Senate Rule No. 40 be amended by adding, at the end of said rule, the following: "No notice of reconsideration shall be in order on the day preceding the last day of the session."

Resolution referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 944—An act to provide for a bounty on mountain lion scalps—has had the same under consideration, and respectfully reports the same back and recommends that it do pass, as amended.

SLATER, Chairman.

Assembly Bill No. 944 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 24, 1917.

Mr. President: Your Committee on County Government, to which was referred Assembly Bill No. 1319—An act to amend section 4107 of the Political Code, relating to county officers in counties of the fourth class, and the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

INMAN, Chairman.

Assembly Bill No. 1319 ordered on file for second reading.

INTRODUCTION AND FIRST READING OF BILLS AND RESOLUTIONS.

The following resolution was offered:

By Senator Scott: Senate Concurrent Resolution No. 29—Relative to making Memorial Day a day of patriotic observance only.

CONSIDERATION OF RESOLUTIONS—LEAVE OF ABSENCE.

Senator Scott asked for and was granted unanimous consent to take up Senate Concurrent Resolution No. 29 without reference to committee.

SENATE CONCURRENT RESOLUTION NO. 29.

Relative to making Memorial Day a day of patriotic observance only.

WHEREAS, The people of the United States are engaged in a great and terrible war, and are facing the most serious crisis of their history; and

WHEREAS, This is a time when every patriotic citizen should recognize the support that he owes to his nation, by rather than the national life, the national institutions must be preserved; and

WHEREAS, We should strive as never before to preserve the free institutions which are our hearts by honoring the noble deeds of our forefathers who gave our nation to the nations heroes; and

WHEREAS, It has become of national concern to honor the patriotic dead, who sacrificed their lives that the Union might live, with unusual observances on a special day set apart for that purpose; now, therefore, be it

Resolved, That it be the sense of this Legislature that the people of the State of California do make the observance of our memorial Memorial Day a day of patriotic demonstration only; that we honorize the occasion to refrain from frivolous amusements on this day, and pay our memory and honor to our dead heroes in a way befitting a great nation in this solemn period of our history.

Resolution read.

The question being on the adoption of the resolution,

The roll was called, and Senate Concurrent Resolution No. 29 adopted by the following vote:

AYES—Senators Ballard, Beeson, Bond, Boone, Burnett, Chew, F. M. Curtis, W. J. Chamberlain, Crowley, Dennett, Evans, Fredericks, Gates, Hans, Inman, Irwin, Johnson, Jones, Kelly, Kent, Lewis, McDonald, McAfee, Nelson, Packitt, Rigdon, Rowell, Scott, Sherman, Shearer, States, Strobridge, Thomson and Tyrrell—37.

NOES—None.

Title read and approved.

Resolution ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS—RESUMED.

Assembly Bill No. 1289—An act defining "industrial loan companies," providing for their incorporation, powers and supervision.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Sharkey moved to refer Assembly Bill No. 1289 to Senator McDonald, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 4, line 51, of the printed bill, after the period at the end of the line, add the following paragraph:

SEC. 12. Nothing in this act contained shall be deemed or construed as a limitation or restriction of or as in any way affecting the power or discretion of the commissioner of corporations, under the investment companies act or any other statute now or hereafter in effect, to issue a permit authorizing any corporation under the provisions of this act to issue and dispose of choses in action in such amounts and upon such terms and conditions as he may in such permit provide and to impose such conditions as he may deem necessary to the issue of such securities and to establish such rules and regulations as may be reasonable or necessary to insure the disposition of the proceeds of such securities in the manner and for the purposes provided in such permit and from time to time for cause to amend, alter or revoke any permit issued by him or to refuse to issue such permit or otherwise authorize the issue of such securities.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 1289, with instructions to amend, respectfully reports the same back, amended as per instructions.

McDONALD, Special Committee.

Report read, and, on motion of Senator Sharkey, adopted.

Bill ordered to print.

SPECIAL ORDER.

Senator Jones moved that Assembly Bill No. 657 be made a special order for Tuesday evening, April 24, at nine o'clock.

Motion carried.

RECESS.

At five o'clock p.m., on motion of Senator Benson, the acting President declared the Senate at recess until the hour of eight o'clock p.m.

RECONVENED.

At eight o'clock p.m., the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

THIRD READING OF ASSEMBLY BILLS—RESUMED.

Assembly Bill No. 502—An act to amend section 4041 of the Political Code, relating to the general powers of board of supervisors.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 502 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Evans, Flaherty, Gates, Ingram, Inman, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Rigdon, Rush, Thompson, and Tyrrell—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1245.—An act to forbid solicitation of contributions or payments from candidates for office for specified purposes; to forbid the payment or promise of payment by candidates for such purposes; to forbid receipt of money from candidates for specified purposes; and fixing a penalty for a violation of the terms of this act.

In the absence of Senator Stephens, Assembly Bill No. 1245 was ordered passed, to retain its place on the file.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Senator Luce:

SENATE CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: In accordance with the provisions of section 9, Article IV, of the Constitution, I request that the Legislature of the Senator be granted for the introduction of the accompanying bill, the same of which is as follows, to wit:

An act defining a private institution school and provide school contracts and providing the conditions under which the owners of a private institution school or a business under company may operate under the laws of California, and for the establishment and without becoming a public service, and limiting such authority to the time that United States is a party to war or in state of war; and declaring this act to be an emergency measure.

Request referred to Committee on Rules.

THIRD READING OF ASSEMBLY BILLS.—[illegible]

Assembly Bill No. 512.—An act to amend sections 176 and 194 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years, and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment of committed where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915.

Bill read third time, previously.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 512 passed by the following vote:

AYES—Senators Ballard, Benson, Black, Burnett, Chandler, Evans, Flaherty, Ingram, Kehoe, King, Luce, Lyon, Mallory, Nelson, Rigdon, Robertson, Rush, Sims, Stockenbruck, Thompson, and Tyson—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 553.—An act to grant to the city of Newport Beach the tidelands and submerged lands of the State within the boundaries of said city.

On motion of Senator Evans, Assembly Bill No. 553 was ordered to unfinished business.

SENATOR BENSON IN THE CHAIR.

At eight o'clock and thirty-five minutes p.m., Senator Benson of the Twenty-seventh District was called to the chair.

Assembly Bill No. 690—An act to amend section 634 of the Penal Code of the State of California, relating to the protection of fish.

On motion of Senator King, Assembly Bill No. 690 was passed on file.

Assembly Bill No. 560—An act to amend sections 5, 68, 70 and 72 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 560 passed by the following vote:

AYES—Senators Ballard, Benson, Burnett, Chandler, Evans, Hans, Ingram, Kehoe, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Slater, Stuckenbruck, Thompson, and Tyrrell—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 42—An act to amend section 2972 of the Civil Code, relating to the continuance of a lien of mortgage on a crop.

In the absence of Senator Duncan, Assembly Bill No. 42 was ordered passed, to retain its place on the file.

Assembly Bill No. 262—An act to amend section 1 and to repeal section 2 of an act entitled "An act granting to the city of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Berkeley, and regulating the management, use and control thereof," approved June 11, 1913, also approved May 27, 1915.

On motion of Senator Tyrrell, Assembly Bill No. 262 was passed on file.

Assembly Bill No. 1290—An act to amend section 1533 of the Political Code of the State of California, relating to the convention school superintendent.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1290 passed by the following vote:

AYES—Senators Ballard, Benson, Burnett, Chandler, Crowley, Evans, Hans, Ingram, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Slater, Stuckenbruck, Thompson, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 477.—An act to add a new section to the Political Code, to be numbered 1734a, providing for the annexation of elementary school districts to high school districts.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 477 passed by the following vote:

AYES—Senators Ballard, Beeson, Bennett, Cann, E. M. Carr, W. J. Chandler, Crowley, Evans, Flaherty, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Stewart, Thompson and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 828.—An act to amend section 1666 of the Political Code, relating to the subjects in which instruction shall be provided in the elementary schools of the State.

In the absence of Senator Higbee, Assembly Bill No. 828 was ordered passed, to retain its place on the file.

Assembly Bill No. 545.—An act to amend section 473 of the Code of Civil Procedure, relating to the time within which pleadings may be filed or amended before or after judgment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 545 passed by the following vote:

AYES—Senators Ballard, Beeson, Bennett, Cann, E. M. Carr, W. J. Chandler, Crowley, Evans, Flaherty, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Stewart, Thompson and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1416.—An act to amend sections 1611, 1613, 1614, 1615, 1616 and 1617, of the Political Code, to add thereto ten new sections, to be numbered 1603, 1603a, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1612, and to repeal sections 1617a, 1617b, 1617c, and 1617d of the Political Code, relating to boards of school trustees and city boards of education.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1416 passed by the following vote:

AYES—Senators Ballard, Beeson, Bennett, Cann, E. M. Carr, W. J. Chandler, Crowley, Evans, Flaherty, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Stewart, Stockwelder, S. Thompson, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1292.—An act to amend an act entitled "An act to regulate fees of office and salaries of certain officers and to repeal

certain other acts in relation thereto," approved March 15, 1870 as amended.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1292 passed by the following vote:

AYES—Senators Ballard, Benson, Burnett, Carr, F. M., Carr, W. J., Chandler, Crowley, Evans, Flaherty, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Slater, Stuckenbruck, Thompson, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1148—An act to amend section 1489 of the Political Code, relating to the powers and duties of boards of trustees of State normal schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1148 passed by the following vote:

AYES—Senators Ballard, Benson, Burnett, Carr, F. M., Carr, W. J., Crowley, Evans, Flaherty, Hans, Ingram, Irwin, Johnson, Jones, King, Luce, Lyon, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Slater, Stuckenbruck, Thompson, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1149—An act to add a new section to the Political Code, to be numbered 1743*b*, relating to the duty of high school principals concerning the activities and finances of student organization.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1149 passed by the following vote:

AYES—Senators Ballard, Benson, Burnett, Carr, F. M., Crowley, Evans, Flaherty, Hans, Ingram, Inman, Irwin, Johnson, Jones, King, Luce, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 507—An act to amend section 338 of the Code of Civil Procedure, relating to the period within which certain actions may be commenced.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 507 passed by the following vote:

AYES—Senators Ballard, Benson, Carr, F. M., Chamberlin, Crowley, Evans, Flaherty, Hans, Ingram, Irwin, Johnson, Jones, King, Luce, Lyon, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Slater, Stuckenbruck, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 759—An act to amend an act entitled "An act to divide the State of California into six fish and game districts," approved March 21, 1911.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Slater moved to refer Assembly Bill No. 759 to Senator Lyon, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 13, line 30, after the word "of" insert the following: "the Main Island strait from Carquinez straits to the boundary line between Napa and Solano counties."

AMENDMENT NUMBER TWO.

On page 15, after line 32, add the following: "Sec. 32. An act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911,' and all acts of amendatory or supplementary nature, approved May 15, 1915, and all acts or parts of acts inconsistent herewith, are hereby repealed."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 759, with instructions to amend, respectfully reports the same back, amended as per instructions.

LYON, Special Committee.

Report read, and, on motion of Senator Slater, adopted.

Bill ordered to print.

Assembly Bill No. 546—An act prohibiting the marriage of all persons afflicted with certain diseases and requiring health certificates for marriage, requiring the posting of notice of application for a marriage license, and prescribing penalties for violations hereof.

Bill read third time.

CALL OF THE SENATE.

The roll was called on the passage of Assembly Bill No. 546.

Pending the announcement of the vote, Senator Lyon moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Hans, Ingram, Inman, Irwin, Johnson, Jones, King, Luce, Lyon, McDonald, Maddux, Nourse, Parkin, Rigdon, Roseberry, Rush, Scott, Slater, Stockenbruck, Thompson, and Tyrrell—31.

The Secretary announced the absentees.

Time, eight o'clock and forty-five minutes p.m.

The Acting President directed the Sergeant at Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At eight o'clock and fifty minutes p.m., Senators Breed, Brown, Kehoe, and Sharkey were brought to the bar of the Senate, and, on motion of Senator Luce, were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eight o'clock and fifty-three minutes p.m., further proceedings under call of the Senate were dispensed with, on motion of Senator Luce.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Assembly Bill No. 546 refused passage by the following vote:

AYES—Senators Breed, Brown, Carr, W. J., Chandler, Evans, Hans, Ingram, Johnson, Jones, King, Lyon, Roden, Rominger, Rush, Sharkey, and Thompson—17.

NOES—Senators Ballard, Bernard, Carr, F. M., Chamberlin, Crowley, Flaherty, Inman, Irwin, Kehoe, Luce, McDonald, Maddux, Nordan, Parkett, Scott, Slater, Stuckenbruck, and Tyrrell—18.

NOTICE OF MOTION TO RECONSIDER.

Senator Luce gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 546 was refused passage.

REPORT OF STANDING COMMITTEE—OUT OF ORDER.

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, APRIL 24, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Luce to introduce a bill entitled "An act defining a private irrigation plant and mutual water company and providing the conditions under which the owner of a private irrigation plant or a mutual water company may deliver water to others or others than its stockholders or members without becoming a public utility, and limiting such authority to the time the United States is a party to war or to a state of war, and declaring this act to be an emergency measure," has had the same under consideration, and respectfully reports that same have not recommended that his request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Bernard, Breed, Brown, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nordan, Parkett, Rominger, Rush, Scott, Slater, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

INTRODUCTION AND FIRST READING OF BILL.

The following bill was introduced in accordance with the above report:

By Senator Luce: Senate Bill No. 1291—An act defining a private irrigation plant and mutual water company and providing the conditions under which the owner of a private irrigation plant or a mutual water company may deliver water to others or others than its stockholders or members without becoming a public utility, and limiting such authority to the time the United States is a party to war or to a state of war, and declaring this act to be an emergency measure.

Bill read first time and referred to Committee on Irrigation.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Assembly Bill No. 657, heretofore set as a special order for nine o'clock p.m., the same was taken up for consideration.

Assembly Bill No. 657—An act to repeal section 17 and to amend section 20 of an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board and defining its powers," approved December 24, 1911, as amended by an act approved May 26, 1913, and as further amended by an act approved June 9, 1915, and to add thirty-four new sections to said act, to be numbered 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, and 65, relating to the powers and duties of said reclamation board, and providing for the early completion of the Sacramento flood control project and of the San Joaquin flood control project when adopted, and the issuance of bonds of the Sacramento and San Joaquin Drainage District therefor, and to the method of levying and collecting assessments.

Bill read third time, previously.

The question being on the passage of the bill,

The roll was called, and Assembly Bill No. 657 passed by the following vote:

AYES—Senators Ballard, Benson, Bond, Bonnett, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Hans, Inman, Irwin, Johnson, Jones, Kehoe, King, Lyon, Lyons, McDonald, Maddux, Nourse, Raglan, Rominger, Rush, Scott, Slater, Stephenson, Thomson, and Tyrrell—31.

NOES—Senator Parkin—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS—RESUMED.

Assembly Bill No. 756—An act to amend section 1881 of the Code of Civil Procedure of the State of California, relating to confidential communications.

Bill read third time.

The question being on the passage of the bill,

The roll was called, and Assembly Bill No. 756 passed by the following vote:

AYES—Senators Ballard, Benson, Bonnett, Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Hans, Inman, Irwin, King, Lyon, Nourse, Parkin, Rominger, Rush, Scott, and Tyrrell—20.

NOES—Senators Johnson, Jones, Lyons, Maddux, Raglan, Slater, and Stephenson—7.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 755—An act to amend section 601 of the Code of Civil Procedure of the State of California, relating to challenge of jurors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 755 was refused passage by the following vote:

AYES—Senators Ballard, Chamberlin, Crowley, Evans, Hans, Rominger, Rush, Scott, and Tyrrell—9.

NOES—Senators Benson, Brown, Burnett, Carr, W. J., Chandler, Flaherty, Inman, Irwin, Johnson, Jones, Kehoe, Luce, Maddux, Nealon, Slater, Stuckenbruck, and Thompson—17.

Assembly Bill No. 551—An act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 of an act entitled "An act to authorize and regulate the possession, use, transportation and sale of trout or other fish by persons engaged in the business of propagating and rearing such fish, and by persons who purchase fish so reared," approved March 17, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 551 passed by the following vote:

AYES—Senators Ballard, Benson, Brown, Burnett, Chamberlin, Chandler, Crowley, Evans, Flaherty, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Rigdon, Rominger, Rush, Slater, Stuckenbruck, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 308—An act confirming and validating the organization of school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 308 passed by the following vote:

AYES—Senators Ballard, Benson, Burnett, Carr, W. J., Chandler, Evans, Flaherty, Hans, Inman, Irwin, Johnson, Kehoe, King, Luce, Nealon, Rigdon, Rominger, Rush, Scott, Slater, Stuckenbruck, and Tyrrell—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

POSTPONEMENT OF CONSIDERATION.

On motion of Senator Luce, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 1246 was passed, was continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1100—An act to amend sections 2, 6, 17, 32 and 43 of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false

weights and measures and weighing and measuring instruments and devices, providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standards of weights and measures, providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a state superintendent of weights and measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1911, and known as the "Weights and Measures Act," and amended June 8, 1915, and to add a new section to be numbered 12a.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1400 passed by the following vote:

Ayes—Senators Ballard, Benson, Burnett, Campbell, Chandler, Chenoweth, Evans, Flaherty, Hans, Ingram, Johnson, Kehoe, Kent, Lyon, Mattoon, Nourse, Rigdon, Rominger, Rush, Scott, Shearer, and Tyrrell—20.

Noes—Senators Irwin, Finkelnburg, and Stockwell—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1431—An act to amend the Penal Code of the State of California by adding a new section thereto, to be known as 626½, relating to the possession of algrettes, aigrette plumes, or so-called osprey plumes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1431 passed by the following vote:

Ayes—Senators Ballard, Benson, Burnett, Campbell, Chandler, Chenoweth, Evans, Flaherty, Hans, Ingram, Irwin, Johnson, Kehoe, Kent, Lyon, Lyon, Mattoon, Nourse, Rigdon, Rominger, Rush, Scott, Shearer, and Tyrrell—21.

Noes—Senator Stockwell—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Kehoe, the following messages from the Assembly were taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 140—An act to amend section 1405 of the Civil Code, relating to escheat property;

Also: Senate Bill No. 139—An act to amend section 1260 of the Code of Civil Procedure and to add a new section to said code to be numbered 1270a, both relating to escheat and unclaimed estates and property and to proceedings relating thereto;

Also: Senate Bill No. 143—An act to amend section 164 of the Civil Code, relating to community property;

Also: Senate Bill No. 843—An act making bonds of municipal improvement districts legal investments for certain purposes.

Also: Senate Bill No. 87—An act to empower the State Market Director of California to regulate and control the business of buying and selling fresh fish; to regulate the destruction of food fish; to create a State Fish Exchange; to license those engaged in marketing fish; to create a State Fish Exchange Fund and a revolving fund; to provide penalties for violations of this act; to investigate and report on the fish industry; and to promote the sale of fish.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 140, 139, 143, 843 and 87 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 164—An act to amend section 3440 of the Civil Code, relating to certain transfers which are presumed to be fraudulent;

Also: Senate Bill No. 222—An act to amend section 4248 of the Political Code relating to the salaries, fees and expenses of officers in counties of the nineteenth class;

Also: Senate Bill No. 1133—An act to amend section 4290 of the Political Code, relating to fees and salaries of county officers;

Also: Senate Bill No. 630—An act to add a new section to the Civil Code, to be numbered section 2767, relating to the disposition by the beneficiary of his interest under a policy of life insurance;

Also: Senate Bill No. 815—An act to provide for the protection of beneficiaries of workmen's compensation insurance policies against the default or insolvency of insurance carriers issuing such policies by requiring such carriers to provide security for the payment of such compensation.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 164, 222, 1138, 630 and 815 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 536—An act to amend section 4277 of the Political Code, relating to salaries, fees and compensation of officers of counties of the forty-eighth class;

Also: Senate Bill No. 307—An act to amend sections 3607, 3608, 3627, 3628, 3629, 3643, 3663, 3678, 3701, 3728, 3734 and 3753 of the Political Code, and to repeal sections 3609, 3610, 3644, 3679, 3846, 3847, 3848, 3849, 3850, 3851, 3852, 3853, 3854, 3855, 3856, 3857, 3858, 3859, 3860, 3861, and 3862, of said code, and to add to said code a new section to be numbered 3714*a*, all relating to revenue and taxation;

Also: Senate Bill No. 1099—An act to amend section 226 of the Civil Code, relating to proceedings on adoption.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 536, 307 and 1099 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 113—An act to amend section 674 of the Penal Code relating to civil death of person sentenced to state prison for life.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 113 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 1116—An act granting certain lands and validating certain state patents;

Also: Senate Bill No. 605—An act to amend section 361 of the Civil Code, relating to changing the number of directors of corporations;

Also, Senate Bill No. 454—An act to amend the Penal Code by adding a new section thereto, to be numbered 2066, relating to [illegible] by [illegible];

Also, Senate Bill No. 112—An act to amend the Penal Code by adding thereto a new section to be numbered 1168, relating to [illegible] of persons convicted of criminal offenses and to provide for the transportation of such prisoners and the release of such prisoners from custody;

Also, Senate Bill No. 1151—An act to repeal an act entitled "An act providing for the investigation by the State Veterinarian, the secretary of the State Board of Health and the State Commissioner of Horticulture of injury to animal life and vegetation in California, caused by sodium fluoride and making an appropriation therefor," approved June 16, 1913.

B. O. ROOTHBY, Chief Clerk of Assembly.
By M. SYLES, Assistant Clerk.

Senate Bills Nos. 1116, 606, 453, 112 and 1151 ordered to enrollment.

THIRD READING OF ASSEMBLY BILLS—(SENATE MOTIONS).

Assembly Bill No. 22—An act authorizing suits against the State concerning certain real property and regulating procedure therein.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 22 passed by the following vote:

AYES—Senators Ballard, Benson, Barnett, Cogan, W. J. Chandler, Chamberlin, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, Lane, Lyon, Maddux, Nealon, Rigdon, Rush, Slater, Stankovitch, and Tyrrell—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 213—An act to amend sections 540, 554, 555 and 868 of the Code of Civil Procedure, all relating to the attachment of property as security for the satisfaction of judgments.

In the absence of Senator Slater, Assembly Bill No. 213 was ordered passed, to retain its place on the file.

Assembly Bill No. 849—An act to amend section 4290 of the Political Code, relating to fees and salaries of county officers.

In the absence of Senator Scott, Assembly Bill No. 849 was ordered passed, to retain its place on the file.

Assembly Bill No. 907—An act to amend section 453c of the Civil Code of the State of California, relating to easements on the assessment plan.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 907 passed by the following vote:

AYES—Senators Ballard, Benson, Brown, Barnett, Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Lane, Maddux, Nealon, Rominger, Rush, Slater, and Tyrrell—22.

NOES—Senator Kehoe—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 674—An act to amend section 3766 of the Political Code, relating to the manner of publication of the delinquent tax list.

Bill read third time, previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Evans moved to refer Assembly Bill No. 674 to Senator Gates as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill, strike out the words "a week for three successive".

AMENDMENT NUMBER TWO.

On page 1, line 13, of the printed bill, after the word "published" insert the words "at least".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 674, with instructions to amend, respectfully reports the same back, amended as per instructions.

GATES, Special Committee.

Report read, and, on motion of Senator Evans, adopted.
Bill ordered to print.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: Your Committee on Public Morals, to which was referred Assembly Concurrent Resolution No. 21—Relative to preventing the exhibition of motion pictures that tend to promote race hatred—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

EVANS, Vice Chairman.

Assembly Concurrent Resolution No. 21 ordered on file.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 875—An act to amend section 4267 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirty-eighth class;

Also: Assembly Bill No. 1146—An act to amend section 4247 of the Political Code, relative to salaries and fees of officers in counties of the eighteenth class;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends, that they do pass, as amended.

FLAHERTY, Vice Chairman.

Assembly Bills Nos. 875 and 1146 ordered on file for second reading.
Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1253—An act to amend section 4261 of the Political Code, relating to the salaries and fees of officers in counties of the thirty-second class;

Also: Assembly Bill No. 595—An act to amend section 4240 of the Political Code, relating to the compensation of county and township officers and to the fees and mileage of grand jurors and trial jurors and witnesses in the superior court, and to the fees of jurors in criminal cases in justice courts of counties of the eleventh class;

Also: Assembly Bill No. 36—An act to amend section 4266 of the Political Code, relating to salaries and fees of officers and fees and mileage of jurors in counties of the thirty-seventh class;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

INMAN, Chairman.

Assembly Bills Nos. 1253, 993 and 30, ordered on file for second reading.

ADJOURNMENT.

At ten o'clock and thirty-five minutes p. m., on motion of Senator Tyrrell, the Acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Wednesday, April 25, 1917.

The Senate met at ten o'clock a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Boggs, Boots, Burnett, Carr, E. M., Carr, W. J., Chandler, Charles, Crossley, Dobson, Dorsey, Duncan, Gates, Hans, Inman, Irwin, Lanterman, Lewis, Kelly, King, Lane, Lyon, McDonald, Mitchell, Nelson, Parkett, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Stone, Strobridge, Thompson and Tyrrell—38.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, April 24, 1917, its further reading was dispensed with, on motion of Senator Shearer.

LEAVE OF ABSENCE.

Senator Canepa was, on motion of Senator Crossley, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Duncan, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. A. G. Eames of Chico, president Butte County Spring Exposition.

On request of Senator Irwin, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Hon. J. R. Dorsey, former Assemblyman and district attorney of Kern County.

On request of Senator Rigdon, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. Frank M. Hauser of Los Angeles.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Miss E. Lyon and Miss E. Boyd of San Rafael.

PRESENTATION OF GAVEL BY SENATOR DUNCAN.

On behalf of the Butte County Spring Exposition, a fair conducted entirely at the expense of the people of Butte County and as a testimonial of regard for the Senate of the State of California, Senator Duncan presented the Senate a gavel made from the famous "Hooker Oak," situate near Chico, and said by Sir Joseph Hooker, the eminent botanist, to be the largest oak tree in the world.

Senator Inman, the Acting President, accepted the gift on behalf of the Senate.

PRESENTATION OF PETITIONS.

The following petition was presented by Senator Rigdon, and ordered printed in the Journal:

SAN LUIS OBISPO, CALIFORNIA, April 16, 1917.

Mr. E. S. Rigdon, State Senate, Sacramento, California:

DEAR SIR: At the last regular meeting of the Board of Directors of the San Luis Obispo Chamber of Commerce, the following resolution here submitted for your consideration, was adopted:

Resolved, That the Governor and the Legislators of California be requested to make an appropriation of at least $1,000,000 to be devoted to the care of the families of men enlisted in the service. Also that provisions be made for advancing the salaries of the men, in case there is a delay on the part of the national government in paying them promptly, the State to be reimbursed by the government.

Very respectfully,

[SEAL] SAN LUIS OBISPO CHAMBER OF COMMERCE.

W. M. STOVER, President.

CHAS. H. ROBERTS, Secretary.

COMMUNICATION.

The following communication was presented by Senator Crowley, and ordered printed in the Journal:

Resolved, That the thanks of the Grand Parlor of the Native Sons of the Golden West, in annual session assembled, at Redding, California, are hereby extended to the Honorable, His Excellency William D. Stephens, and to the Houses of the Senate and the Assembly of the Legislature of the State of California, for the passage and approval of a bill presented by Honorable Bismarck Bruck, Grand President of the N. S. G. W., providing for the closing of all public schools and State institutions and offices on Admission Day, September 9th; that these resolutions be spread on the minutes of this Grand Parlor, and that copies thereof be forwarded to His Excellency William D. Stephens, and to both Houses of the Legislature.

G. W. GILLESPIE, Cambria Parlor No. 152.

I, Fred H. Jung, Grand Secretary of the Grand Parlor, N. S. G. W., do hereby certify that the foregoing resolution was unanimously adopted by said Grand Parlor at its fortieth annual session, held at Redding, California, from the 16th to the 19th days of April, 1917.

In witness whereof, I have hereunto set my hand and the seal of the Grand Parlor of the Native Sons of the Golden West this 24th day of April, 1917.

[SEAL] FRED H. JUNG, Grand Secretary, N. S. G. W.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 132—An act to amend section 270 of the Penal Code, providing punishment for failing to support a minor child, and conferring jurisdiction upon the juvenile court;

Also, Senate Bill No. 1177—An act to authorize the Board of State Harbor Commissioners to acquire by purchase, condemnation, gift, grant or cession, certain property in the city and county of San Francisco, including Mission Rock, and extending the jurisdiction of said board over the same, and providing for the payment for the same;

Also: Senate Bill No. 1173—An act providing for the taking over by the State of California of a certain road in Rodeo Creek Township, County of Santa Cruz, and for the maintenance and improvement of the same as a state road under the supervision of the State Department of Engineering.

Also: Senate Bill No. 829—An act to amend section 297 of the Penal Code, relating to the expenditure by the Insurance Commissioner of insurance moneys.

Also: Senate Bill No. 1246—An act to amend section 1008 of the Political Code, relating to the apportionment of the supplementary school funds and the counting of attendance in the elementary and secondary schools of the State.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 132, 1177, 1173, 829 and 1246 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: I am requested to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 817—An act establishing and defining the jurisdiction of the Industrial Accident Commission of the State of California, part of the Railroad Commission of the State of California, over the subject of employment in public utilities.

Also: Senate Bill No. 751—An act to provide the transportation rate on transportation to and the State of California of persons proposed to be employed under provisions of exemption statutes, during the emergency in which such exemption may prevailing, a penalty for a violation of the terms of this act.

Also: Senate Bill No. 697—An act to amend Sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, an act entitled: An act to provide for the formation of assessment district conditioned for the prosecution of certain improvements, works and public utilities therein, for the issuance and sale and payment of bonds of such districts to bear the cost of such improvements, and for the acquisition and construction of such improvements (approved April 20, 1911).

Also: Senate Bill No. 627—An act to amend section 602a of the Penal Code, relating to liability insurance of automobile companies.

Also: Senate Bill No. 1160—An act to amend an act entitled: An act to provide for drainage (approved March 18, 1885), by adding a new section thereto, to be numbered 204, providing for the determination of assessment districts.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 817, 751, 627, 697 and 1160 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended and on this day passed the following, Senate Bill No. 103—An act to amend section 1203 of the Penal Code, relating to the punishment of persons convicted for crime after a plea or verdict of guilty and the suspending of the pronouncing or execution of sentence during the time of probation, and the disposition of such accusation after the completion of the period of probation.

Also: Senate Bill No. 438—An act to amend section 2322, 2322a, 2322b and 2322d of the Political Code and to add new sections 2322e, 2322f, 2322g, 2322h and 2322i of the Political Code, and sections relating to nurseries, trees, vines or plants of any variety infected with diseases, scale or other insects or any kind injurious to trees, vine, trees, vines or other plants or vegetables, or noxious weeds and to the extermination or the control of insects, animal parasites, pests or other animal pests and plant diseases of various kinds, and to the appointment and removal of a county horticultural commissioner by the board supervisors of the State, prescribing his duties and powers and fixing his compensation and term of office, also providing for a state board of horticultural examiners, prescribing the duties of said board, and providing for examinations to be taken by persons desiring to qualify for position as county horticultural commissioner, providing for the division of the several counties of the State into districts by the county horticultural commissioners, and providing for the appointment of deputy commissioners, deputy inspectors, and quarantine guardians, prescribing their duties and powers and fixing their compensation.

Also: Senate Bill No. 589—An act to amend section 2000 of the Civil Code, relating to corporations authorized to act as executor, administrator, guardian, assignee, receiver, depositary, or trustee or to engage in the business of banking.

And respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 131 ordered to unfinished business.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 458—An act to amend sections 2322, 2322*a*, 2322*c* and 2322*d* of the Political Code of the State of California and to add new sections 2322*f*, 2322*g*, 2322*h*, 2322*i*, and 2322*j* to the Political Code of the State of California. Said sections relating to orchards, trees, vines or plants of any variety, infected or infested with diseases, scale or other insects of any kind injurious to fruit, fruit trees, vines or other plants or vegetables, or noxious weeds and to the extermination or control of insects, ground squirrels, gopher or other animal pests and plant diseases or noxious weeds, and to the appointment and removal of a county horticultural commissioner in the several counties of the state; prescribing his duties and powers and fixing his compensation and term of office, also providing for a state board of horticultural examiners, prescribing the duties of said board, and providing for examination to be taken by persons desiring to qualify for position as county horticultural commissioner; providing for the dividing of the several counties of the state into districts by the respective county horticultural commissioners, and providing for the appointment of deputy commissioners, local inspectors, and quarantine guardians, prescribing their duties and powers and fixing their compensation.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED FIFTY-EIGHT.

AMENDMENT NUMBER ONE.

On page 3, commencing with line 29, of the printed bill, strike out the rest of the page and insert in lieu thereof the following: "The said board of supervisors may provide a suitable office for the said county horticultural commissioner, and may furnish and equip the said office with all necessary furniture and effects for the proper discharge of the commissioner's duties. The said board of supervisors may also provide the county horticultural commissioner with all necessary field equipment for the proper discharge of the duties of his office. All expense ordered by the board of supervisors for such office, furniture and equipment, and for stenographic and other office help and".

AMENDMENT NUMBER TWO.

On page 3, line 28, of the printed bill, after the period following the word "supervisors" insert the following: "*provided*, this act shall in no wise affect any other act or acts providing for the destruction of ground squirrels or applying to the proceedings thereunder but it is intended to and does provide the alternative system of proceedings for the extermination of ground squirrels and gophers referred to in this act; and it shall be within the discretion of the governing body of each county, city and county, city or town herein mentioned to provide for the destruction of ground squirrels whether under the provisions of this act or under the provisions of such other act or acts; but when any proceedings are commenced under this act, the provisions of this act, and of such amendments as may hereafter be adopted, and no other, shall apply to all such proceedings and any provision contained in any other act or acts in conflict with the provisions hereof shall be void and of no effect as to the proceedings commenced under the provisions of this act."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 458?

The roll was called, and Assembly amendments to Senate Bill No. 458 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, W. J., Chandler, Duncan, Gates, Ingram, Irwin, Kehoe, King, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—23.

NOES—None.

Senate Bill No. 458 ordered to enrollment.

The Senate took up for consideration Assembly amendment to Senate Bill No. 589—An act to amend section 2864 of the Civil Code, relating to corporations authorized to act as executor, administrator, guardian, assignee, receiver, depositary, or trustee or to engage in the business of banking.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FIVE HUNDRED EIGHTY-NINE

AMENDMENT NUMBER ONE

Strike out all of the printed bill after "2864", and insert in lieu thereof the following: "Before any corporation authorized by its articles of incorporation to conduct the business of acting as executor, administrator, guardian, assignee, receiver, depositary, or trustee under appointment of any court or by authority of any law of this state, or to engage in the business of banking, or to receive the money of minors on deposit, may file with the secretary of state a certified copy of the entering of decree, judgment, or of a certificate of succession of an order of authority, or of a certificate increasing or decreasing the number of its directors, or of a certificate increasing or decreasing its capital stock, or of any amended articles of incorporation, or of its articles of incorporation, which must be attached thereto the certificate of approval of the superintendent of banks; provided, that this section shall not apply to any corporation authorized to engage in the business of banking and holding in escrow moneys or the evidences of indebtedness of the state, or securities for or on account of the principal of or for the interest upon bonds or trust funds given solely for the purpose of securing indemnities for the expenditure of money other than corporation bonds, nor shall such corporations be subject to the supervision of the superintendent of banks."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 589?

The roll was called and Assembly amendment to Senate Bill No. 589 concurred in by the following vote:

AYES—Senators Ballard, Barnes, Boggs, Brown, Chas. W. J. Christian, Duncan, Gates, Hans, Inman, Irwin, Johnson, Kehoe, King, Lewis, Meikle, Newlin, Parkett, Rigdon, Rush, Shearer, Sigler, Stephenson, Thomson, and Tyrrell—25.

NOES—None.

Senate Bill No. 589 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day adopted as amended, Senate Concurrent Resolution No. 25—Relative to tidelands granted to the city of San Diego—and respectfully asks that the amendment be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT

The Senate took up for consideration Assembly amendment to Senate Concurrent Resolution No. 25—Relative to tidelands granted to the city of San Diego.

ASSEMBLY AMENDMENT TO SENATE CONCURRENT RESOLUTION NUMBER TWENTY-FIVE

AMENDMENT NUMBER ONE

On page 1, line 18, of the printed bill, strike out the period and insert in lieu thereof a semicolon and the following: "provided, that the city of San Diego is hereby authorized to convey to the United States of America five hundred acres, more or less, of said lands, free of said public trust."

The question being: Shall the Senate concur in Assembly amendment to Senate Concurrent Resolution No. 25?

The roll was called, and Assembly amendment to Senate Concurrent Resolution No. 25 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—None.

Senate Concurrent Resolution No. 25 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 32—An act to amend sections 190, 192, 193, 194, 195, 201, 204, 226 and 246 of the Code of Civil Procedure, relating to jurors—and respectfully asks that the amendment be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 32—An act to amend sections 190, 192, 193, 194, 195, 201 and 246 of the Code of Civil Procedure, relating to jurors.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER THIRTY-TWO.

AMENDMENT NUMBER ONE.

On page 4, line 5, strike out the word "of" and insert in lieu thereof the word "or".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 32?

The roll was called, and Assembly amendment to Senate Bill No. 32 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Chandler, Duncan, Gates, Hans, Ingram, Irwin, Johnson, Kehoe, King, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—26.

NOES—None.

Senate Bill No. 32 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 23—Relating to supplementary textbooks used in elementary schools.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Concurrent Resolution No. 23 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day adopted as amended, Senate Constitutional Amendment No. 15—Resolution to propose to the people of the State of California an amendment to section 34, of Article IV, of the Constitution of the State of California in relation to special appropriation bills—and respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Constitutional Amendment No. 15—Resolution to propose to the people

of the State of California an amendment to section 34 of Article IV of the Constitution of the State of California in relation to special appropriation bills.

ASSEMBLY AMENDMENT TO SENATE CONSTITUTIONAL AMENDMENT NUMBER FIFTEEN

AMENDMENT NUMBER ONE

On page 2, line 5, of the printed bill, after the word "legislature", add a comma, also "in committee of the whole thereof".

The question being: Shall the Senate concur in Assembly amendment to Senate Constitutional Amendment No. 15?

The roll was called, and Assembly amendment to Senate Constitutional Amendment No. 15 concurred in by the following vote:

AYES—Senators Ballard, Beban, Black, Brown, Burnett, Chandler, Dennett, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Kelly, Lark, Lane, Maddux, Nealon, Ryden, Rominger, Rush, Scott, Shearer, Stevens, Stewart-eight, and Tyrrell—28.

NOES—None.

Senate Constitutional Amendment No. 15 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 235, An act to repeal sections 3664, 3665, 3666, 3667, 3668, 3669, 3670 and 3671 of the Political Code, and to add thirty-six new sections to said code, to be numbered 3664, 3664a, 3664b, 3664c, 3664d, 3665, 3665a, 3665b, 3666, 3666a, 3666b, 3667, 3667a, 3667b, 3667c, 3668, 3668a, 3668b, 3669, 3669a, 3669b, 3669c, 3669d, 3669e, 3670, 3670a, 3670b, 3670c, 3671, 3671a, 3671b, 3671c and 3671d, all relating to taxation of public service and other corporations, banks and insurance companies for the benefit of the State, and respectfully asks that the amendments be concurred in.

R. O. ROOTHBY, Chief Clerk of Assembly.
By M. STRAN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS

The Senate took up for consideration Assembly amendments to Senate Bill No. 235—An act to repeal sections 3664, 3665, 3666, 3667, 3668, 3669, 3670 and 3671 of the Political Code, and to re-enact said sections, and to add twenty-nine new sections to said code, to be numbered sections 3664a, 3664b, 3664c, 3664d, 3665a, 3665b, 3665c, 3666a, 3666b, 3666c, 3667a, 3667b, 3667c, 3668a, 3668b, 3669a, 3669b, 3669c, 3669d, 3669e, 3670a, 3670b, 3670c, 3671, 3671a, 3671b, 3671c and 3671d, all relating to taxation of public service and other corporations, banks and insurance companies for the benefit of the State.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWO HUNDRED THIRTY-FIVE

AMENDMENT NUMBER ONE

On page 36, strike out in line 17 all after "4", all of line 18, and all of line 19 up to and including the word "more".

AMENDMENT NUMBER TWO

Capitalize the word "the" in line 19, page 36, where it first appears.

AMENDMENT NUMBER THREE.

Page 36, line 23, strike out the word "such" and insert the word "any".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 235?

The roll was called, and Assembly amendments to Senate Bill No. 235 concurred in by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, King, Lyon, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, and Shearer—25.

NOES—None.

Senate Bill No. 235 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 130—An act to amend sections 337 and 339 of the Code of Civil Procedure, relating to limitation for the commencement of actions;

Also: Senate Bill No. 666—An act to amend section 4236 of the Political Code, relating to the salaries, fees and expenses of officers and of grand and trial jurors in counties of the seventh class;

Also: Senate Bill No. 343—An act to amend section 628*a* of the Penal Code, relating to the protection of fish and game;

Also: Senate Bill No. 278—An act to amend section 637 of the Penal Code, relating to fishways;

Also: Senate Bill No. 767—An act to license canners, curers, preservers and packers of fish and handlers of crustaceans and mollusks, and providing a revenue therefrom for the conservation, propagation and restoration of fish in the State of California, and providing for a record of fish caught or received, and providing penalties for the violations of the provisions thereof, and repealing all acts and parts of acts in conflict therewith;

And respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 767 ordered to unfinished business.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendment to Senate Bill No. 130—An act to amend sections 337 and 339 of the Code of Civil Procedure of the State of California, relating to limitation for the commencement of actions.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER ONE HUNDRED THIRTY.

AMENDMENT NUMBER ONE.

On page 1, strike out lines 5 to 7, inclusive, of the printed bill, and insert in lieu thereof the words:

2. An action to recover (1) upon a book account whether consisting of one or more entries; (2) upon an account stated, (3) a balance due upon a mutual, open and current account; *provided, however*, that where an account stated is based upon an account of one item, the time shall begin to run from the date of said item, and where an account stated is based upon an account of more than one item, the time shall begin to run from the date of the last item.

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 130?

The roll was called, and Assembly amendment to Senate Bill No. 130 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, E. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Flaherty, Gates, Ingram, Irwin, Johnson, Kehoe, Luce, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—29.

NOES—None.

Senate Bill No. 130 ordered to enrollment.

The Senate took up for consideration Assembly amendments to Senate Bill No. 666—An act to amend section 4236 of the Political Code of

the State of California, relating to the salaries, fees and expenses of officers and of grand and trial jurors in counties of the seventh class.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER [illegible] HUNDRED SIXTY-SIX.

AMENDMENT NUMBER ONE.

On page 7, strike out the comma at the end of line 18 and substitute in lieu thereof a period.

AMENDMENT NUMBER TWO.

On page 7, strike out all of lines 34, 35 and 36 and insert in lieu thereof the following: "The sheriff shall act as commissioner pursuant to the provisions and have all processes disposed of by him."

AMENDMENT NUMBER THREE.

On page 9, line 23, after the word "shall" insert the words "not exceed".

AMENDMENT NUMBER FOUR.

On page 9, line 34, strike out the words "the land" and insert in lieu thereof the word "per".

AMENDMENT NUMBER FIVE.

On page 9, line 35, after the word "[illegible]" and before the semicolon insert the following: "or actual expenses incurred in such service".

AMENDMENT NUMBER SIX.

On page 10, line 1, strike out the words "sound and".

AMENDMENT NUMBER SEVEN.

On page 10, line 2, after the word "[illegible]" insert the words "and grand jurors".

AMENDMENT NUMBER EIGHT.

On page 10, line 11, strike out the figures "18" and all ground matter found in and including line 24.

AMENDMENT NUMBER NINE.

On page 10, line 22, strike out the figures "19" and substitute in lieu thereof the figures "18".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 666?

The roll was called, and Assembly amendments to Senate Bill No. 666 concurred in by the following vote:

AYES—Senators Ballard, Blood, Brown, Burnett, Chandler, Crowley, Dennis, Flaherty, Gates, Ingram, Lipman, Johnson, King, Lane, Lyon, Madden, Nutter, Parkett, Rigdon, Rominger, Rose, Sims, Stanford and Trinkler—24.

NOES—None.

Senate Bill No. 666 ordered to enrollment.

The Senate took up for consideration Assembly amendments to Senate Bill No. 343—An act to amend section 628a of the Penal Code of the State of California, relating to the protection of fish and game.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THREE HUNDRED FORTY-THREE.

AMENDMENT NUMBER ONE.

On page 1, of the printed bill, as amended April 5, 1917, in line 16, strike out the words "fourteenth day of May and the fourteenth day of June" and insert in lieu thereof the following: "sixth day of June and the thirty-first day of July".

AMENDMENT NUMBER TWO.

On page 2, of the amended bill, in lines 3 and 4, strike out the words "fourteenth day of May and the fourteenth day of June" and insert in lieu thereof the following: "sixth day of June and the thirty-first day of July".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 343?

The roll was called, and Assembly amendments to Senate Bill No. 343 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Flaherty, Gates, Ingram, Irwin, Johnson, King, Luce, Lyon, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Shearer, Slater, Stuckenbruck, and Tyrrell—28.

NOES—None.

Senate Bill No. 343 ordered to enrollment.

The Senate took up for consideration Assembly amendments to Senate Bill No. 278—An act to amend section 637 of the Penal Code of the State of California, relating to fishways.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWO HUNDRED SEVENTY-EIGHT.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 6, after the word "salmon", insert the word "trout,".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, in line 7, after the word "in" strike out the word "their" and in lieu thereof insert the word "its".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, in line 8, after the word "to" strike out the word "notify" and in lieu thereof insert the following: "order in writing".

AMENDMENT NUMBER FOUR.

On page 2, line 30, strike out all that portion of said line following the comma after the word "commission;" all of lines 31, 32, 33 and 34, and all that portion of line 35 preceding the word "who".

AMENDMENT NUMBER FOUR-A.

On page 2 of the printed bill, add, following the period after the word "obstruction" in line 37, the following: "The aforesaid hatchery, traps and other equipment necessary to operate a hatchery station shall not be of a size greater than necessary to supply the said stream or river with a reasonable number of such fish. The said owners or occupants of said dam or other artificial obstructions shall permit said fish and game commission to locate the aforesaid hatchery, dwellings, traps and other equipment upon any of the land of the owners or occupants of said dam or other artificial obstruction upon a site or sites to be mutually agreed upon by the fish and game commission and the said owners or occupants of said dam or other artificial obstruction.

If the said owners or occupants of said dam or other artificial obstruction shall generate electricity at said place of said dam or other artificial obstruction, then and in that case said owners or occupants shall furnish sufficient light, without expense, for the use of said hatchery when located and established.

Said owners or occupants shall also permit the use of water, without expense, to operate said proposed hatchery. *Provided, however*, that the fish and game commission may, in lieu of said fishway, hatchery, dwellings, traps and other equipment necessary to operate a hatchery station as aforesaid, order the owners or occupants of said dam or other artificial obstruction to plant, under the supervision of the fish and game commission, the young of such fish as naturally frequent the waters of said stream or river, at such times, in such places and in such numbers as the fish and game commission may order. *Provided, further*, that said owners or occupants of said dam or other artificial obstruction shall accord to the public, for the purpose of fishing, the right of access to the waters impounded by said dam or other artificial obstruction, during the open season for the taking of fish in such stream or river, subject to the rules and regulations of said fish and game commission.

The said owners or occupants of said dam or other artificial obstruction shall not be liable in damages to any person exercising the right of access to the waters impounded by said dam or other artificial obstruction, as aforesaid, who shall suffer injury through coming in contact with or meddling with, any of the property of said owners or occupants.

The fish and game commission may sell, at cost to it, to such owners or occupants of such dam or other artificial obstruction the young of fish ordered to be planted in such stream or river."

AMENDMENT NUMBER FIVE.

On page 3 of the printed bill, in line 20, after the word "use" insert the words "or to plant such fish".

AMENDMENT NUMBER SIX.

On page 3 of the printed bill, in line 16, after the word "use" insert the words "or of planting such fish".

AMENDMENT NUMBER SEVEN.

On page 3 of the printed bill, in line 17, after the word "place" insert the words "where such hearing is to be held".

AMENDMENT NUMBER EIGHT.

On page 3 of the printed bill, in line 19, after the word "hearing" strike out the comma and the words "and at" and insert in lieu thereof a period and the words "If said request for a hearing upon the order to install and maintain such holders or to equip such hatcheries and sills, or to plant such fish, is not made within five days after the service of such order, said order or portion or portions in charge of said dam or other artificial obstruction and water shall become final." As

AMENDMENT NUMBER NINE.

On page 3 of the printed bill, in line 28, after the word "use" insert the words "or the planting of such fish".

AMENDMENT NUMBER TEN.

On page 3 of the printed bill, in line 30, after the word "use" insert the words "or the planting of such fish".

AMENDMENT NUMBER ELEVEN.

On page 3 of the printed bill, in line 30, after the word "regular" insert the words "or the number of such plant which such fish are to be stocked".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 278?

The roll was called and Assembly amendments to Senate Bill No. 278 concurred in by the following vote:

AYES—Senators Ballard, Benson, Boyd, Cogswell, W. J. Chambers, Chandler, Duncan, Evans, Flaherty, Gates, Leggett, Lewis, Lewis, Lindemann, Lipkin, Lodge, Lyon, Maddux, Nelson, Parkes, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Strickenbrock and Tyrrell—30.

NOES—None.

Senate Bill No. 278 ordered to enrollment.

Also

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: In an attempt to inform your honorable body that the Assembly amended and on this day passed as amended, Senate Bill No. 829—An act to provide for the periodical inspection of steam boilers and certain equipment, operated in this State; requiring a permit, to be issued by the Industrial Accident Commission, for the operation of such boilers; making it a misdemeanor to operate such boilers without such permit; and providing an injunction against such operation without such permit where dangerous to the life or safety of employees; providing for a hearing before the Industrial Accident Commission prior to refusal of a permit; specifying for the determination of competency of inspectors making such inspections and providing reports of inspections; and prescribing maximum fees for such inspections.

Also Senate Bill No. 18—An act to repeal an act entitled "An act to prohibit the use of nets, seines, traps or weirs in the Napa River and its tributaries in the counties of Sonoma, Napa and Solano" approved March 4, 1911.

Also Senate Bill No. 1121—An act to provide for the reconveyance by the State of lands heretofore selected and sold by the State where the selection has been rejected or cancelled because of the subsequent extension of the true lands into a national forest, and prescribing certain maximum fees to be charged by agents or attorneys for services performed hereunder, and prescribing penalties for the violation hereof;

And respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 820—An act to add a new section to the Political Code to be numbered 1618*a*, providing for transportation and separate class rooms for crippled school children.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED TWENTY.

AMENDMENT NUMBER ONE.

On line 4 of the title strike out the word "and" and insert in lieu thereof a comma.

AMENDMENT NUMBER TWO.

On line 4 of the title following the word "classrooms" insert the words "and suitable desks and chairs".

AMENDMENT NUMBER THREE.

On page 1, line 4, of the printed bill, after the word "education" insert the following: "of every city or city and county,".

AMENDMENT NUMBER FOUR.

On page 1, line 5, strike out the words "containing six children of school age so".

AMENDMENT NUMBER FIVE.

On page 1, strike out all of lines 6 to 16, inclusive, and insert in lieu thereof the words: "or board of school trustees of every school district in this state shall provide suitable chairs and desks for the use of children of school age so crippled that they are unable to use the desks and chairs now provided for school children and, in their discretion, may provide separate classrooms for such crippled children. The board of education of every city of the first, second, third and fourth class or city and county must, upon the written request of the parent or guardian of a child of school age so crippled that under ordinary circumstances it can not attend school, provide transportation to and from school for such crippled child, and shall appoint a competent person to escort such crippled child to and from school."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 820?

The roll was called, and Assembly amendments to Senate Bill No. 820 concurred in by the following vote:

AYES—Senators Benson, Breed, Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, King, Luce, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—27.

NOES—None.

Senate Bill No. 820 ordered to enrollment.

The Senate took up for consideration Assembly amendment to Senate Bill No. 18—An act to amend section 1 of an act entitled "An act to prohibit the use of nets, seines, traps, or weirs in the Napa River and its tributaries in the counties of Sonoma, Napa and Solano," approved March 4, 1911.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER EIGHTEEN.

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out the words "Section one of" and capitalize the word "An" following this phrase.

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 18?

The roll was called, and Assembly amendments to Senate Bill No. 18 concurred in by the following vote:

AYES—Senators Bayley, Besson, Bissell, Cole, W. J. Chamberlain, Crawford, Dunnigan, Evans, Gates, Ingram, Irwin, Jenkins, Kelsey, King, Lane, Madden, Nealon, Rattenger, Rich, Sims, Stanley, Simpson, Stevens, Stockbridge, Thompson and Tyrrell—27.

NOES—None.

Senate Bill No. 18 ordered to enrollment.

The Senate took up for consideration Assembly amendments to Senate Bill No. 1121—An act to provide for the reclamation by the State of lands heretofore selected and sold by the State where the selection has been rejected because of the subsequent inclusion of the same lands from a public reservation.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE THOUSAND ONE HUNDRED TWENTY-ONE.

AMENDMENT NUMBER ONE.

On page 2, line 17, of the amended bill, strike out the period after the word "interest" and insert in lieu thereof a comma and the following: "or may be become necessary to make any action to quiet such mortgage against adverse proceedings."

AMENDMENT NUMBER TWO.

On page 2, line 9, strike out the word "Board" and insert in lieu thereof the word "Society."

The question being "Shall the Senate concur in Assembly amendments to Senate Bill No. 1121?"

The roll was called, and Assembly amendments to Senate Bill No. 1121 concurred in by the following vote:

AYES—Senators Bayley, Besson, Bissell, Cole, W. J. Chamberlain, Crawford, Dunnigan, Evans, Gates, Ingram, Jenkins, Irwin, Johnson, Kelsey, King, Lane, Lyon, Madden, Nealon, Rattenger, Rich, Sims, Stanley, Simpson, Stevens, Stockbridge, and Tyrrell—27.

NOES—None.

Senate Bill No. 1121 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 1094—An act to amend section 419 of the Penal Code, relating to the distribution of the fees, emoluments and perquisites of legislators or justices of supreme court.

Also: Senate Bill No. 346—An act to amend sections 7, 8, 9, 10, 12, 13, 20, 28, 34, 35, 41, 43, 45, 65, 68, 80, 88, 90, 98, 128, 141, 142, and 147 of the act entitled "An act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," and relating to the definition and regulation of the business of banking.

Also: Senate Bill No. 345—An act to amend sections 63, 64 and 67 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," relating to the definition and regulation of the business of banking.

Also: Senate Bill No. 249—An act to designate and locate wild of the proceedings in Pumpkin Creek Green Irrigation District.

Also: Senate Bill No. 928—An act to amend an act entitled "An act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of minors in certain occupations, providing for the enforcement thereof by the Commissioner of the Bureau of Labor Statistics and providing penalties for the violation thereof," approved February 20, 1905, as amended by an act approved April 14, 1911, as further amended by an act approved June 2, 1913, as further amended by an act approved June 5, 1915.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 1094, 346, 345, 249 and 928 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 1021—An act to amend section 4 of an act entitled "An act to create a commission for the purpose of making a survey of local historical material in the State of California, defining the power and duties of said commission, and making an appropriation therefor," approved June 12, 1915, extending the purpose, power and duties of said commisison;

Also: Senate Bill No. 412—An act to amend section 1613 of the Penal Code, relating to the labor of prisoners confined in the county jail.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 1021 and 412 ordered to enrollment.

SENATOR INMAN IN THE CHAIR.

At eleven o'clock a.m., Senator Inman of the Seventh District was called to the chair.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 890—An act to amend section 2643 of the Political Code, relating to the powers of boards of supervisors over roads;

Also: Senate Bill No. 555—An act to provide for the formation, government, operation and dissolution of Tamalpais Forest Fire District, to prevent and extinguish forest, brush and grass fires therein, and protect persons and property from injury, loss or damage resulting from any such fires; and to provide for the assessment, levy, collection and disbursement of taxes and revenues therein, and the contribution or payment of public funds therefor;

Also: Senate Bill No. 541—An act to amend section 1858 of the Political Code, relating to the apportionment of the elementary school funds and the counting of attendance in the elementary and secondary schools of the State;

Also: Senate Bill No. 782—An act to amend section 4275 of the Political Code, relating to the salaries of county officers in counties of the forty-sixth class, and fixing the mileage and per diem of jurors in counties of the forty-sixth class;

Also: Senate Bill No. 156—An act to amend the Political Code by adding thereto a new section to be numbered 1618a, relating to the powers and duties of boards of school trustees and city boards of education, also to repeal an act entitled "An act to provide for health and development supervision in the public schools of the State of California," approved April 15, 1909;

And respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 156 ordered to unfinished business.

CONSIDERATION OF ASSEMBLY AMENDMENTS—(OUT OF ORDER).

The Senate took up for consideration Assembly amendments to Senate Bill No. 890—An act to amend section 2643 of the Political Code of the State of California, relating to the powers of boards of supervisors over roads.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED NINETY.

AMENDMENT NUMBER ONE.

On page 2, lines 32 and 33, of the printed bill, after the word "road" strike out the following: "in excess of three miles in length".

AMENDMENT NUMBER TWO.

On page 3, line 2, of the printed bill, after the word "exceed" strike out the word "five" and insert in lieu thereof the word "three".

AMENDMENT NUMBER THREE.

On page 3, line 8, of the printed bill, after the word "county" strike out the following: "which is in excess of three miles in length".

AMENDMENT NUMBER FIVE

On page 3, line 19, of the printed bill, after the word "county" strike out the word "five" and insert in lieu thereof the word "three".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 890?

The roll was called, and Assembly amendments to Senate Bill No. 890 refused concurrence by the following vote:

AYES—None.

NOES—Senators Ballard, Bissell, Carr, W. L. Chandler, Chandler, Dennett, Elliott, Fitzgerald, Gates, Hans, Harris, Hewitt, Johnson, Jones, Kehoe, Lane, Lewis, McDonald, Nealon, Parker, Rigdon, Rominger, Ross, Tyson, Wyllie, and Young—26.

Bill ordered transmitted to the Assembly.

The Senate took up for consideration Assembly amendment to Senate Bill No. 782—An act to amend section 4775 of the Political Code relating to the salaries of county officers in counties of the forty-sixth class, and fixing the mileage and per diem of jurors in counties of the forty-sixth class.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER SEVEN HUNDRED EIGHTY-TWO.

AMENDMENT NUMBER ONE

On page 4 of the printed bill, after line 26, add the following paragraph:

"(c) It is hereby declared that additional duties, consisting generally of clerical work in connection with the preparation of medical and other reports, shall be imposed upon the county clerk in consideration of pay of the county commissioners, and that such clerk shall receive in compensation for such additional duties, and shall be entitled to receive, in addition to the compensation now provided by law, the sum of twenty dollars ($20) per month."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 782?

The roll was called, and Assembly amendment to Senate Bill No. 782 concurred in by the following vote:

AYES—Senators Ballard, Bissell, Carr, W. L. Chandler, Chandler, Dennett, Elliott, Fitzgerald, Gates, Harris, Hewitt, Johnson, Jones, Kehoe, Lane, Lewis, McDonald, Nealon, Parker, Rigdon, Rominger, Ross, Stevens, Tyson, Wyllie, and Young—27.

NOES—None.

Senate Bill No. 782 ordered to enrollment.

The Senate took up for consideration Assembly amendments to Senate Bill No. 653—An act to provide for the formation, government, operation and dissolution of forest fire districts, in any part of the State of California, to prevent and extinguish forest, brush and grass fires therein, and protect persons and property from injury, loss or damage resulting from any such fire, and to provide for the assessment, levy, collection and disbursement of taxes and revenues therein, and the contribution or payment of public funds therefor.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED FIFTY-FIVE.

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out line 3 of the title and the words "California" in line 4, and insert in lieu thereof the following: "Office of Tuolumne forest fire district".

AMENDMENT NUMBER TWO

On page 1 of the printed bill, strike out all of line 1 after "SECTION 1." and all of lines 2 to 11, inclusive, and all of pages 2 and 3 and lines 1 to 27, inclusive

on page 4, and insert in lieu thereof the following: "There is hereby organized, created, established and incorporated a forest fire district within the county of Marin, to be known as Tamalpais forest fire district, the boundaries of which are hereby established, described and determined as follows, to wit: commencing at the point where the electric pole line of the Pacific Gas and Electric Company running from the Alto power house to Bolinas intersects the state highway between the town of Mill Valley and Alto; running thence along the line of said pole line, southerly, southwesterly, and westerly across the Rancho Sausalito and the Rancho Las Baulinas until the said pole line crosses the county road along the easterly side of Bolinas inner bay or lagoon; running thence northwesterly along said county road to its intersection with the lower county road leading from Bolinas to Olema; running thence northwesterly along said Bolinas and Olema county road to its intersection with the Tocaloma road at the village of Olema; running thence easterly along said county road leading to Tocaloma to its intersection with the county road running along the easterly bank of Paper Mill creek; running thence northerly and easterly along said county road running along the easterly bank of Paper Mill creek to the mouth of Nicasio creek; running thence up the county road running up Nicasio creek, in an easterly and southerly direction, through the village of Nicasio to the intersection of the Nicasio and San Geronimo county road with the Lucas Valley county road; thence easterly along said Lucas Valley county road to its intersection with the state highway at Las Gallinas; thence southerly along the state highway as at present laid out to the northerly corporate limits of the city of San Rafael; thence westerly along said northerly corporate limits of said city of San Rafael to the easterly corporate limits of the town of San Anselmo; thence southerly along the easterly corporate limits of the town of San Anselmo to the easterly corporate limits of the town of Ross; thence southerly along the easterly corporate limits of the town of Ross and westerly along the southerly corporate limits of the town of Ross to the intersection thereof with the state highway; thence southerly along the state highway to the northwesterly corporate limits of the town of Larkspur; thence northerly, easterly and southerly along the corporate limits of the town of Larkspur to their intersection with the northerly corporate limits of the town of Corte Madera; thence easterly, southerly and westerly along the corporate limits of the town of Corte Madera to their intersection with the state highway; and thence southerly along the state highway to the point of beginning."

AMENDMENT NUMBER THREE.

On page 4 of the printed bill, strike out all of line 28 after "Sec." and all of lines 29 to 37, inclusive, and insert in lieu thereof the following: "2. Within thirty days after this act shall go into effect, a governing board of trustees of said district shall be appointed. Said board shall consist of one trustee to be appointed from said district at large by the board of supervisors of said county of Marin, and of one trustee to be appointed from each municipality lying wholly or partially within said district by the governing board of such municipality."

AMENDMENT NUMBER FOUR.

On page 5 of the printed bill, strike out all of line 1 to and including the period.

AMENDMENT NUMBER FIVE.

On page 5 of the printed bill, strike out all of line 3 to and including the quotation marks, and insert in lieu thereof the following: "ees of Tamalpais forest fire district."

AMENDMENT NUMBER SIX.

On page 5 of the printed bill, in line 17, strike out the figure "5" and insert in lieu thereof the figure "3".

AMENDMENT NUMBER SEVEN.

On page 5 of the printed bill, in line 18, strike out the words "the filing", all of line 19 and the words "said district" in line 20, and insert in lieu thereof the following: "this act shall go into effect".

AMENDMENT NUMBER EIGHT.

On page 6 of the printed bill, in line 3, strike out the figure "6" and insert in lieu thereof the figure "4".

AMENDMENT NUMBER NINE.

On page 6 of the printed bill, strike out all of line 6 after "trict", and all of line 7 to and including "district,".

AMENDMENT NUMBER TEN.

On page 6 of the printed bill, in line 18, strike out the word "and" and insert in lieu thereof the word "all".

AMENDMENT NUMBER EIGHT.

On page 6 of the printed bill, strike out all of line 27 after "Sec." and insert in lieu thereof the following: "2. The board of directors of each district".

AMENDMENT NUMBER NINE.

On page 6 of the printed bill, strike out all of line 30 after the word "of" and the words "district is situate" on line 31 and insert in lieu thereof the words "Marin county".

AMENDMENT NUMBER TWENTY.

On page 6 of the printed bill, strike out all of lines 31 and 32 and insert in lieu thereof the following: "which vacancy the board of supervisors shall be authorized and is the county auditor of said county".

AMENDMENT NUMBER TWENTY-ONE.

On page 6 of the printed bill, in line 33, strike out all after the word "county" and insert in lieu thereof the word "Treasurer".

AMENDMENT NUMBER TWENTY-TWO.

On page 7 of the printed bill, in line 3, strike out all after the semicolon and insert in lieu thereof the word "Treasurer".

AMENDMENT NUMBER TWENTY-THREE.

On page 7 of the printed bill, strike out all of lines 6 to 10, inclusive, and insert in lieu thereof the following: "All funds derived under the provisions of this section shall be collected and paid to the county treasurer, who shall pay the same to the state and county taxes, and when collected shall be paid into the county treasury of said county for the use of said district.

The funds shall be withdrawn from said treasury."

AMENDMENT NUMBER TWENTY-FOUR.

On page 8 of the printed bill, strike out all of line 2 after "Sec." and all of lines 4 to 14, inclusive, and insert in lieu thereof the following: "6. The board of directors of said district shall have the authority of the county of Marin for all purposes of the district for the ensuing fiscal year, an appropriation sufficient may request there are outstanding issued on said district contracts and unpaid over any funds so given under which such district cannot be held but have received whatsoever to the State of California or the counties, city, municipal corporations, public corporations, or other political subdivisions of the state, a proportion so provided and called amount of tax of the State of California, of the county, city, municipal corporations, public law."

AMENDMENT NUMBER TWENTY.

On page 9 of the printed bill, in line 5, strike out the figure "8" and insert in lieu thereof the figure "7".

AMENDMENT NUMBER TWENTY-ONE.

On page 9 of the printed bill, in line 4, strike out the word "it" and insert in lieu thereof the word "said".

AMENDMENT NUMBER TWENTY.

On page 9 of the printed bill, in line 7, strike out the period and insert in lieu thereof a semicolon and add the following: "and any company, incorporated or unincorporated, being wrongly assessed, may be withdrawn and excluded therefrom upon proceedings being had and taken as in this act provided."

AMENDMENT NUMBER TWENTY-ONE.

On page 9 of the printed bill, in line 8, strike out the word "thereof".

AMENDMENT NUMBER TWENTY-TWO.

On page 9 of the printed bill, in line 22, after the word "assessment", insert ", if any,".

AMENDMENT NUMBER TWENTY-THREE.

On page 9 of the printed bill, in line 24, strike out all after the word "the" and insert in lieu thereof "Tamalpais forest fire".

AMENDMENT NUMBER TWENTY-FOUR.

On page 9 of the printed bill, in line 25, strike out all of the line up to and including the comma, and insert in lieu thereof the word "district,".

AMENDMENT NUMBER TWENTY-FIVE.

On page 9 of the printed bill, in line 37, strike out the word "the" and insert in lieu thereof the word "said".

AMENDMENT NUMBER TWENTY-SIX.

On page 10 of the printed bill, after line 10, insert the following:

At any time after the organization of said forest fire district, and the appointment of the board of trustees thereof, the owner or owners of the record title to any land or lands within said district may file a petition with the board of supervisors of the county praying that his or their lands be excluded from the district, *provided*, that no petition shall be presented or received for the exclusion of lands which, either by themselves, or together with other lands included in the same petition, do not be adjacent to the exterior boundaries of said forest fire district. At its first regular meeting after the filing of such petition the board of supervisors shall, by its order, set said petition for hearing, which hearing shall not be more than forty days nor less than ten days from the date of its said order. Notice of such hearing shall be mailed to the petitioners, and to the members of the board of trustees of the forest fire district at least one week before the hearing. At such hearing, or at any continuation thereof, the board of supervisors shall hear and determine the facts urged for or against said petition, and shall make a finding determining whether or not the said lands petitioned to be withdrawn, or any part thereof, shall be withdrawn from the district. In case such finding shall be in favor of excluding such lands, or any portion thereof from the district, the board of supervisors shall make its order certifying such fact to the secretary of state, describing said property proposed to be excluded by said findings, and upon receipt of such last mentioned certificate, the secretary of state shall issue his certificate reciting that the territory (describing the same) has been excluded from the Tamalpais forest fire district, and a copy of such certificate of the secretary of state shall be transmitted to and filed with the county clerk of the county of Marin. From and after the date of such certificate, the territory described therein shall be deemed excluded from said forest fire district.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 10 of the printed bill, in line 11, strike out the figures "10" and insert in lieu thereof the figure "8".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 10 of the printed bill, in line 25, strike out the word "the" and insert in lieu thereof the word "said"; also strike out the parenthesis and the word "naming" at the end of said line 25, and the word "it" and the parenthesis at the beginning of line 26.

AMENDMENT NUMBER TWENTY-NINE.

On page 10 of the printed bill, strike out all of line 28 to and including the second comma, and insert in lieu thereof the words "clerk of said county".

AMENDMENT NUMBER THIRTY.

On page 10 of the printed bill, strike out all of line 30 after the word "deemed", and "porated" at the beginning of line 31, and insert in lieu thereof the word "dissolved".

AMENDMENT NUMBER THIRTY-ONE.

On page 10 of the printed bill, in line 32, strike out the comma and the words "or city and county,".

AMENDMENT NUMBER THIRTY-TWO.

On page 11 of the printed bill, in line 1, strike out the comma and the words "or city and county,".

AMENDMENT NUMBER THIRTY-THREE.

On page 11 of the printed bill, strike out the figures "11" in line 9, and insert in lieu thereof the figure "9".

AMENDMENT NUMBER THIRTY-FOUR.

On page 11 of the printed bill, in line 18, strike out the words "consolidated city and county,".

AMENDMENT NUMBER THIRTY-FIVE.

On page 11 of the printed bill, in line 23, after the word "to", strike out the word "a" and insert in lieu thereof the word "said".

AMENDMENT NUMBER THIRTY-SIX.

On page 11 of the printed bill, strike out all of line 27 after "Sec." and all of lines 28 and 29, and insert in lieu thereof the following: "10. The provision herein

[illegible]

AMENDMENT NUMBER [illegible]

On page 12 of the printed bill, line [illegible], after the word "by" insert the word "[illegible]"

AMENDMENT NUMBER [illegible]

On page 12 of the printed bill, line [illegible], strike out the word "[illegible]" and insert in lieu thereof the word "[illegible]"

AMENDMENT NUMBER [illegible]

On page 12 of the printed bill, line [illegible], strike out the figure "[illegible]" and insert in lieu thereof the figure "[illegible]"

The question being "Shall the Senate concur in Assembly amendments to Senate Bill No. [illegible]?"

The roll was called, and Assembly amendments to Senate Bill No. [illegible] concurred in by the following vote:

AYES—Senators Ballard, Breed, Burnett, Burnett, Cluff, W. J. Chandler, Chandler, Crowley, Dennett, Evans, Fitzgerald, Gerlach, Hans, Ingram, Jones, Jones, Johnson, James, Kehoe, King, Lard, McDougal, Mendenhall, Nourse, Parkett, Rigdon, Rominger, Scott, Sharkey, Slater, Stockenbrink and Tyrrell—[illegible].

NOES—None.

Senate Bill No. [illegible] ordered to enrollment.

The Senate took up for consideration Assembly amendments to Senate Bill No. 541—An act to amend section 1806 of the Political Code, relating to the number of teachers each school is entitled to and to the apportionment of school funds.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED FORTY-ONE.

AMENDMENT NUMBER [illegible].

On page 2 of the printed bill, line [illegible], strike out the semicolon after the word "fraction" and insert in lieu thereof a period.

AMENDMENT NUMBER [illegible].

On page 2 of the printed bill, line [illegible], strike out all commencing with the word "*provided*" down to and including the word "county" on line [illegible].

AMENDMENT NUMBER [illegible].

On page 2 of the printed bill, line [illegible], strike out all after the word "shall" and all of the rest of the page down to and including the word "shall" on page 3, line [illegible].

AMENDMENT NUMBER [illegible].

On page 3 of the printed bill, line [illegible], strike out the word "six" and insert in lieu thereof the word "seven".

The question being "Shall the Senate concur in Assembly amendments to Senate Bill No. 541?"

The roll was called, and Assembly amendments to Senate Bill No. 541 concurred in by the following vote:

AYES—Senators Ballard, Breed, Burnett, Burnett, Cluff, W. J. Chandler, Chandler, Crowley, Dennett, Evans, Fitzgerald, Gerlach, Hans, Ingram, Jones, Jones, Johnson, James, Kehoe, King, Lard, McDougal, Mendenhall, Nourse, Parkett, Rigdon, Rominger, Scott, Sharkey, Slater, Stockenbrink and Tyrrell—32.

NOES—None.

Senate Bill No. 541 ordered to enrollment.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, April 25, 1917.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 37—A resolution to propose to the people of the State of California an amendment of the Constitution of said State by amending section 3 of Article XII thereof, relating to the liability of stockholders and directors;

Also Assembly Constitutional Amendment No. 62—A resolution to propose to the people of the State of California to amend section 18 of Article XI of the Constitution, relative to municipal indebtedness;

Has had the same under consideration, and respectfully reports the same back and recommends that they be adopted.

BALLARD, Chairman.

Assembly Constitutional Amendments Nos. 37 and 62 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 61—A resolution to propose to the people of the State of California an amendment to Article VI, section 1, of the Constitution of the State of California, relating to judicial powers—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it be adopted, as amended.

BALLARD, Chairman.

Assembly Constitutional Amendment No. 61 ordered on file.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT—(OUT OF ORDER).

Senator Carr, W. J., asked for, and was granted, unanimous consent to take up Assembly Constitutional Amendment No. 61 for the purpose of amendment.

Assembly Constitutional Amendment No. 61—A resolution to propose to the people of the State of California an amendment to Article VI, section 1, of the Constitution of the State of California, relating to judicial powers.

Resolution read.

COMMITTEE AMENDMENT.

During reading of resolution, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, strike out lines 8 to 18, inclusive, and insert in lieu thereof the following:

SECTION 1. The judicial power of the state shall be vested in the senate, sitting as a court of impeachment, in a supreme court, and in such other courts as the legislature by general law (subject to the referendum) may establish. Upon this section becoming effective the remaining provisions of this article other than section nineteen, whether adopted heretofore or contemporaneously herewith, shall become of the same force and effect as general laws and be subject to repeal or amendment by legislative act adopted pursuant hereto.

Amendment adopted.

Resolution ordered to print and engrossment.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 25, 1917.

Mr. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 486, Act to increase the number of judges in the superior court of the county of Alameda and for the appointment of such additional judges, has had the same under consideration, and respectfully reports that said bill with amendments and substitutes, that it do pass.

CHANDLER, Chairman.

Assembly Bill No. 486 ordered on file for second reading.

Also:

Mr. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 68, Act to amend section 187 of the Political Code, relating to sources of supreme judges.

Also: Assembly Bill No. 815—Act setting up appropriations to pay the claims of various persons against the State of California.

Has had the same under consideration, and respectfully reports that said bill with amendments and substitutes that it do pass, as follows:

CHANDLER, Chairman.

Assembly Bills Nos. 68 and 815 ordered on file for second reading.

Also:

Mr. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 1200—Act creating a water district, providing for the control and protection, prescribing its duties and providing an appropriation for the benefit.

Also: Assembly Bill No. 1[illegible]—An act making an appropriation for the benefit, location and construction of a bridge or bridges across Humboldt Bay, Eureka Point on the line between Humboldt and Arcata, approximately two miles east of Constitution on said county.

Also: Assembly Bill No. 1[illegible]—An act appropriating money for the construction of agricultural salesrooms at the State Agricultural Park.

Also: Assembly Bill No. 1[illegible]—An act to amend sections 2, 3, 4, 5, 6 and 8 of an act entitled "An act to establish a department of agriculture, prescribe its duties and define its powers, approved May 20, 1913, as amended.

Also: Assembly Bill No. 1[illegible]—An act to amend section 47 of the Political Code, relating to the duties of the Attorney General and the appointment of assistants and deputies in such office.

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

CHANDLER, Chairman.

Senate Bill No. 1200 and Assembly Bills Nos. 217, 442, 971 and 1181 ordered on file for second reading.

RESOLUTION.

The following resolution was offered:

By Committee on Contingent Expenses:

WHEREAS, It is necessary to continue certain necessary legislative employees of the Superintendent of the Capitol Building and Grounds for a short time after adjournment of the session of the Legislature, at which time the minutes and orders in order to complete certain important work, and also to complete repair and general clean-up work in the Senate Chamber and committee rooms, now therefore be it

Resolved, That the State Controller be and he is hereby directed and authorized to draw his warrant upon the contingent fund of the Senate, in favor of Thomas G. Radcliff, Superintendent of the State Capitol Building and Grounds, and the State Treasurer is hereby ordered to pay the same, for the sum of one hundred [illegible]

dollars ($150), said amount being in payment of said services, and said George G. Radcliff, be required to file with the State Controller, proper receipts for the expenditure of said sum.

NEALON, Chairman.

Resolution read.

Senator Nealon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Breed, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Sharkey, Slater, and Stuckenbruck—28.

NOES—None.

MOTION TO RECONSIDER.

Senator Luce moved to reconsider the vote whereby Assembly Bill No. 1246 was passed.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Assembly Bill No. 1246 was passed, carried by the following vote:

AYES—Senators Ballard, Breed, Burnett, Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, King, Luce, Lyon, McDonald, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Tyrrell—29.

NOES—None.

Assembly Bill No. 1246—An act to amend section 1096 of the Political Code and to add to the Political Code a new section to be known as section 1096*a*, all relating to affidavits of registration and to the registering or to the change in registration of political affiliation.

Bill read third time, previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Flaherty moved to refer Assembly Bill No. 1246 to Senator Luce, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3 of the amended bill, at the end of line 6 insert the words "the ticket of any political party".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 25, 1917.

MR. PRESIDENT—Your Special Committee of One, to whom was referred Assembly Bill No. 1246, with instructions to amend, respectfully reports the same back, amended as per instructions.

LUCE, Special Committee.

Report read, and, on motion of Senator Flaherty, adopted.

Bill ordered to print.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 266—An act to amend sections 1107, 1214 and 1217 of the Civil Code, relating to the effect of transfers of real property and of the recording and nonrecording thereof.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Kelso moved to refer Assembly Bill No. 266 to Senator Maddux, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, strike out the words "[illegible]" and insert in lieu thereof the words: "[illegible]" [illegible] days after its enactment."

AMENDMENT NUMBER TWO.

On page 1, line 2, of the printed bill, strike out the words "[illegible]" and insert in lieu thereof the words: "[illegible]" [illegible] days after its enactment."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 25, 1917.

Mr. President: Your Special Committee of One, to whom was referred Assembly Bill No. [illegible], with instructions to amend, respectfully returns the same duly amended as per instructions.

MADDUX, Special Committee.

Report read and on motion of Senator Kelso, adopted.

Bill ordered to print.

Assembly Bill No. 792.—An act to amend the title, and sections 4, 5, 6, 12, 13, 14, 15 and 16 of an act entitled "An act to be known as 'The California Irrigation Act' providing for cooperation between the State of California and the United States and independent proceedings in the storage and diversion of water, the distribution thereof for irrigation, the manufacture of power and for domestic purposes, creating an irrigation board to form water districts, make contracts, construct reservoirs, divert and distribute water, generate, lease and sell electric current, lease water power, levy assessments, issue bonds of water districts, providing for the management, control and supervision of such water districts and of the works constructed pursuant to this act, directing the State Department of Engineering relative to such works, authorizing irrigation districts to reorganize under this act and generally providing a policy relating to storage, diversion and use of water, and adopting a plan for providing revenues therefor," approved June 4, 1915.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Maddux moved to refer Assembly Bill No. 792 to Senator Slater, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 7, line 2, after the period after the word "[illegible]" insert the following: "All irrigation districts created under the provisions of this act, anything to the contrary elsewhere in this act contained, shall be designated as 'water conservation districts' and in all obligations and securities issued by such districts shall be so designated."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 25, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 792, with instructions to amend, respectfully reports the same back, amended as per instructions.

SLATER, Special Committee.

Report read, and, on motion of Senator Maddux, adopted.

Bill ordered to print.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following report of standing committee was received and read:

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 1201—An act defining a private irrigation plant and mutual water company and providing the conditions under which the owner of a private irrigation plant or a mutual water company may deliver water to others or others than its stockholders or members without becoming a public utility, and limiting such authority to the time the United States is a party to war or to a state of war, and declaring this act to be an urgency measure—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

MADDUX, Chairman.

Senate Bill No. 1201 ordered on file for second reading.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 25, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 29—Relative to making Memorial Day a day of patriotic observance only—and reports that the same has been correctly engrossed.

ROMINGER, Acting Chairman.

Senate Concurrent Resolution No. 29 ordered to enrollment.

CASES OF URGENCY.

The following resolution was offered:

By Senator Breed:

Resolved, That Senate Bills Nos. 1200 and 1201 present cases of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bills be read the third time, and placed upon their passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Jones, Kehoe, Luce, Lyon, McDonald, Nourse, Purkitt, Rigdon, Rominger, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Whereupon, the President declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering at this time Senate Bills Nos. 1200 and 1201.

Senate Bill No. 1200—An act creating a State Defense Guard, providing for its control and compensation, prescribing its duties and making an appropriation therefor.

Bill read second time, amendment engrossed and ordered on file for third reading.

Bill read third time.

Section 11, setting forth the emergency clause, read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, W. J., Chandler, Chawanakee, Cowing, Dennison, Edwin Edwards, Gerry, Doty, Gaffey, Gates, Grove, Johnson, Kehoe, King, Lane, Lewis, McDonald, Marshall, Peixotto, Rominger, Scott, Shearer, Stern, Stockwell, Thompson, and Tyrrell—28.

NOES—None.

RECOMMENDATION OF GOVERNOR'S OFFICE.

In accordance with Joint Rule No. 16, I respectfully request that the Senate grant permission to vote on Senate Bill No. 1200, entitled "An act creating a State Defense Guard, providing for its control and compensation, prescribing its duties and making an appropriation therefor."

(Signed) A. H. PIERSON,
President pro tempore of the Senate.

The question being: Shall the Senate grant permission to vote on Senate Bill No. 1200?

The roll was called, and permission granted by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, W. J., Chandler, Chawanakee, Cowing, Dennison, Edwin Edwards, Gerry, Doty, Gaffey, Gates, Grove, Johnson, Kehoe, King, Lane, Lewis, McDonald, Marshall, Peixotto, Rominger, Rush, Scott, Shearer, Stern, Stockwell, Thompson, and Tyrrell—28.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1200 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Chandler, Chawanakee, Cowing, Dennison, Edwin Edwards, Gerry, Doty, Gaffey, Gates, Grove, Johnson, Kehoe, King, Lane, Lewis, McDonald, Marshall, Nutting, Rush, Scott, Shearer, Stern, Thompson, and Tyrrell—27.

NOES—Senators Chandler, Peixotto, Stewart, and Stockwell—4.

Title read and approved.

Bill ordered transmitted to the Assembly.

EXPLANATION OF VOTE.

The following explanation of vote was presented by Senator Chamberlin and ordered printed in the Journal:

Anticipating the possibility of my voice against Senate Bill No. 1200 being misunderstood, I desire to make the following explanation:

I could approve the bill because I did not believe that to lend a patriotic measure or expense to preserve the public peace and safety of the State of California. The bill provides for a state defense guard of 1000 men to be appointed by the Governor and subject to his exclusive control and compensation. Appropriation to defray the expenses. The bill was considered and amended one and one-half days and passed with hardly any consideration of its provisions but without any showing being made for its imperative need.

One of the reasons given to justify the state defense guard and the million dollar appropriation was that if all the state militia were called into the Federal service California would be left without a defense force. This plea has not merit as

establishment, in my estimation. Should there be need of extra precaution and armed guard forces, California, I am sure, would be amply protected by the Federal government. It is certain, to my mind, that a force of 1,000 men would be absurdly inadequate and therefore practically useless. The state defense guard would serve no purpose that the regularly organized military and police forces of the State would not serve. No great emergency having been shown to exist to warrant the expenditure of one million dollars for such an organization, I voted against the bill.

HARRY A. CHAMBERLIN,
Thirty-first District.

Senate Bill No. 1201—An act defining a private irrigation plant and mutual water company and providing the conditions under which the owner of a private irrigation plant or a mutual water company may deliver water to others or others than its stockholders or members without becoming a public utility, and limiting such authority to the time the United States is a party to war or to a state of war, and declaring this act to be an emergency measure.

Bill read second time, considered engrossed, and ordered on file for third reading.

Bill read third time.

Section 3, setting forth the urgency clause, read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Inman, Irwin, Johnson, Kehoe, King, Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Reminger, Rush, Scott, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

RECOMMENDATION BY PRESIDING OFFICER

In accordance with Joint Rule No. 35, I hereby recommend that the Senate grant permission to vote on Senate Bill No. 1201, entitled "An act defining a private irrigation plant and mutual water company and providing the conditions under which the owner of a private irrigation plant or a mutual water company may deliver water to others or others than its stockholders or members without becoming a public utility, and limiting such authority to the time the United States is a party to war or to a state of war; and declaring this act to be an urgency measure."

A. H. BREED, President pro tempore.

The question being: Shall the Senate grant permission to vote on Senate Bill No. 1201?

The roll was called, and permission granted by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Jones, Kehoe, King, Luce, McDonald, Nealon, Purkitt, Rigdon, Reminger, Rush, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1201 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, King, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Reminger, Rush, Sharkey, Slater, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—CITY OF [illegible]

The following report of standing committee was received and read:

[illegible]

SENATE CHAMBER, SACRAMENTO, April [illegible], 1917.

Mr. President: Your committee on Municipal Corporations, to which was referred Assembly Bill No. [illegible], An act to amend section [illegible] of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March [illegible], 1883, as amended, has had the same under consideration and respectfully reports the same back with recommendation that it do pass as amended.

[illegible], Chairman.

Assembly Bill No. [illegible] ordered on the list for second reading.

MOTION TO [illegible] BILL [illegible] ON THE [illegible]

THIRD READING OF ASSEMBLY BILLS (CONTINUED).

Assembly Bill No. 1154—An act to provide for the adoption of textbooks for use in the public high schools of the State, and for furnishing textbooks for the use of pupils of such schools.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1154 passed by the following vote:

AYES—Senators Bulcah, Bennett, Busby, Cain, W. A. Chambers, Dennis, Dwinelle, Gates, Ingram, Irwin, Johnson, Jones, King, Law, McDonald, Meadows, Nelson, Ogden, Rominger, Rush, Sawyer, Shearer, Stevenson and Lynch—[illegible].

NOES—Senators Chandler and Stockwell—[illegible].

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1243—An act to forbid solicitation of contributions or payments from candidates for office for specified purposes; to forbid the payment or promise of payment by candidates for such purposes; to forbid receipt of money from candidates for specified purposes; and fixing a penalty for a violation of the terms of this act.

In the absence of Senator Sharkey, Assembly Bill No. 1243 was ordered passed to retain its place on the file.

Assembly Bill No. 690—An act to amend section 233 of the Penal Code of the State of California, relating to the protection of fish.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 690 passed by the following vote:

AYES—Senators Bulcah, Bennett, Busby, Cain, W. A. Chambers, Chandler, Dennis, Dwinelle, Gates, Ingram, Irwin, Johnson, Jones, King, Law, McDonald, Meadows, Nelson, Parkin, Ogden, Rominger, Rush, Sawyer, Shearer, Stockwell, and Lynch—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 262—An act to amend section 1 and to repeal section 2 of an act entitled "An act granting to the city of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out thereon to the city of Berkeley, and

regulating the management, use and control thereof," approved June 11, 1913, also approved May 27, 1915.

In the absence of Senator Carr, F. M., Assembly Bill No. 262 was ordered passed, to retain its place on the file.

Assembly Bill No. 828—An act to amend section 1665 of the Political Code, relating to the subjects in which instruction shall be provided in the elementary schools of the State.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 828 passed by the following vote:

AYES—Senators Ballard, Benson, Burnett, Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, King, Luce, McDonald, Maddux, Nealon, Perkitt, Rigdon, Rominger, Shearer, Slater, and Stuckenbruck—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 213—An act to amend sections 540, 554, 555 and 868 of the Code of Civil Procedure, all relating to the attachment of property as security for the satisfaction of judgments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 213 passed by the following vote:

AYES—Senators Ballard, Benson, Burnett, Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Shorkey, Shearer, Slater, and Stuckenbruck—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 849—An act to amend section 4290 of the Political Code, relating to fees and salaries of county officers.

In the absence of Senator Scott, Assembly Bill No. 849 was ordered passed, to retain its place on the file.

Assembly Bill No. 695—An act to amend sections 15 and 20 of an act entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, as amended.

On motion of Senator Benson, Assembly Bill No. 695 was passed on file.

Assembly Bill No. 844—An act to repeal section 924 of the Political Code, relating to the duties of auditing officers.

On motion of Senator Benson, Assembly Bill No. 844 was passed on file.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(OUT OF ORDER).

The following resolution was offered:

By Senator Purkitt:

Senate Concurrent Resolution No. 30—Relative to the observance of Almond Day.

Resolution ordered to print, and referred to Committee on Agriculture.

MESSAGE FROM THE ASSEMBLY—ACT TO TAKE EFFECT.

On motion of Senator Benson, the following message from the Assembly was taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly to-day adopted Assembly Joint Resolution No. 26—Relative to providing an equal remedy for guardians or mother and fathers of minors for their children in active service in the Army and Navy of the United States.

E. G. BOOTHBY, Chief Clerk of Assembly.
By M. STEER, Assistant Clerk.

Assembly Joint Resolution No. 23 read and referred to Committee on Federal Relations.

RECESS.

The hour of twelve o'clock and thirty minutes p.m. having arrived, the Acting President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m. the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Minute Clerk Joseph A. Beery at the desk.

ASSEMBLY BILLS FOR SECOND READING.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 14—An act to amend section 229 of the Political Code, relating to the appointment of a phonographic reporter for each of the District Courts of Appeal, and prescribing his duties and compensation.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 94—An act to amend section 3 of an act entitled "An act to establish a state training school for girls, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved June 14, 1913.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 146—An act to amend section 2902 of the Political Code of the State of California, relating to the salary of the State Librarian.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 259—An act to provide for the killing of forest fires in the San Antonio Canyon in the San Gabriel Mountains, California, and to make an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 316—An act to appropriate money to be used as a revolving fund by the Sixth District Agricultural Association for the purpose of creating, installing and maintaining special expositions at Exposition Park, Los Angeles.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 397—An act appropriating money for the improvement of the grounds of the Los Angeles State Normal School.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 418—An act appropriating money for repairs and improvements to buildings and equipment of the California School for the Deaf and the Blind.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 419—An act appropriating money to provide for readers for blind students in the University of California, and to assist deaf students attending the National College for the Deaf at Washington, D. C.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 443—An act appropriating money for steam pipe extension at the Sonoma State Home.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 444—An act appropriating money for reflooring at the Sonoma State Home.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 445—An act appropriating money for the reconstruction and enlarging of Madrona hall for commissary at the Sonoma State Home.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 490—An act making an appropriation for general repairs and improvements at the Whittier State School.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 743—An act to amend section 3075 of the Political Code of the State of California, relating to the employment and compensation of employees of the State Board of Health, as approved May 1, 1911.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 763—An act to amend an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, as amended by amending sections 3, 9, 10 and 20 thereof.

Bill read second time.

AMENDMENTS FROM THE FLOOR.

During second reading of bill, the following amendments were offered, and their adoption moved by Senator Lyon:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, in line 19, strike out the parenthesis and "three thou-", and at the beginning of line 20, strike out "sand)".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, in line 21, strike out the parenthesis and "one thou-" and at the beginning of line 22, strike out "sand)".

Amendment adopted.

AMENDMENT STRIKING [illegible]

On page 2 of the printed bill, in line 27, strike out the following: "(Three hundred)."

Amendment adopted.

Bill ordered to print, and third reading.

Assembly Bill No. 784—An act appropriating money for the purpose of improving certain streets and roadways adjacent to Santa Barbara State Normal School at Santa Barbara, California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 920—An act appropriating money for the purchase and installation of new boilers at the Mendocino State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 921—An act appropriating money for the repairing of structural defects in the administration building at the Mendocino State Hospital.

Bill read second time, and ordered on file for third reading.

SENATOR McDONALD ON THE CHAIR

At two o'clock and twenty minutes p.m., Senator McDonald of the Twenty-third District, was called to the chair.

Assembly Bill No. 943—An act to appropriate money to pay the claim of Theodore M. Barnes against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 945—An act to appropriate money to pay the claim of Earl P. Barnes against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1068—An act to amend section 474 of the Political Code of the State of California, relating to photo stenographers, and service agent of the Attorney General's office.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1070—An act to amend section 445 of the Political Code of the State of California, authorizing the Controller of State to maintain an inheritance tax department and in connection therewith to appoint an inheritance tax attorney and assistants thereto.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1081—An act appropriating money to pay the claim of Willis Hayes.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1082—An act appropriating money to pay the claim of Grover C. Julian.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1083—An act appropriating money to pay the claim of the Union League Holding Company.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1086—An act to appropriate money to pay the claim of the Palm Iron and Bridge Works.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1087—An act appropriating money to pay the claim of C. S. Baldwin.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1088—An act appropriating money to pay the claim of H. C. Muddox.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1138—An act appropriating money to pay the claim of Mark Woermer against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1276—An act providing for investigation and reports by the State Hygienic Laboratory, regarding specimens having medical-legal bearing in criminal cases; and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1344—An act to establish a nautical school at the port of San Francisco, to provide for the conduct and maintenance thereof, to make an appropriation therefor, and to authorize the Governor to request and to receive aid from the United States in compliance with the provisions of an act of Congress approved March 4, 1911.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1353—An act to authorize the State Board of Prison Directors to provide for assisting paroled and discharged prisoners and to secure employment for the same and making an appropriation for that purpose.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1361—An act to amend sections 439 and 440 of the Political Code, relating to employees of the Controller's office and their salaries.

Bill read second time.

AMENDMENT FROM THE FLOOR.

During second reading of bill, the following amendment was offered, and its adoption moved by Senator Chandler:

AMENDMENT NUMBER ONE.

On page 1, line 16, of the printed bill, after the word "thousand" after the word "two" add the following: "four hundred".

Amendment adopted.

Bill ordered to print, and third reading.

Assembly Bill No. 1440—An act appropriating money for repairs and improvements to buildings, structures and equipment at the Preston School of Industry.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1461—An act appropriating money to meet additional support expenses of the California Polytechnic School for the balance of the sixty-eighth fiscal year.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 143—An act creating a state bureau of criminal identification and investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER [illegible]

On page 1 of printed bill, amend the title by striking out the last two clauses and inserting in lieu thereof the following: "Prescribing hours of work and compensation and exclusive. "An act to repeal a third paragraph of section [illegible], and providing for the appointment of a commission of [illegible] persons, providing for duties and powers, providing for the appointment of a clerk of said commission and fixing his qualifications, fixing compensation of said officers and clerk, providing for the manner of paying the same and providing for the expense of conducting the office." Approved March 20, 1905.

Amendment adopted.

AMENDMENT NUMBER [illegible]

On page 1 of printed bill, strike out all from the enacting clause and insert in lieu thereof:

SECTION 1. There is hereby created a state bureau of [illegible] and investigation.

SEC. 2. Within ten days after this act goes into effect, it will be the duty of the governor to appoint a board of managers of said bureau, consisting of three members, one of whom shall be a chief of police of an incorporated city within the State of California, and one to be a state officer, appointed and acting ex officio, and one to be a citizen and elector of a county within said state, who shall be a duly elected, qualified and acting district attorney of a county within said state; who member of said board shall be appointed to hold office for the term of two years, one member shall be appointed to hold office for the term of three years, and the member to be appointed to hold office for the term of four years, and thereafter all appointments shall be for the full term of four years, provided, however, that should the term of any such member of said board expire or such chief of police, or such district attorney, be vacated, cease to be a member of the said board, then and in such event the governor shall fill the vacancy created by such expiration or vacancy by the appointment of one other or another to take his place.

SEC. 3. It shall be the duty of said board of managers within ten days after its appointment to take charge of the office and management of said bureau, to meet and organize by electing one of their members to be president, to make and adopt such rules as are necessary for proper conduct of their business as such board of managers, to provide for the appointment of a superintendent and such other employees as may be required, and appointments to be made by the said board of managers shall be eligible for provided for such purpose by the civil service commission, when so provide appointment by said bureau with necessary furniture, fixtures, [illegible], apparatus, equipment and provisions for the operation of the bureau. Files and permanent of all criminal records such as the identification and investigation of criminals and such other records, pertinent to criminal procedure.

SEC. 4. It shall be the duty of said board of managers to procure and file for record and report to state officers, so far as such work be commenced, all photographs, outline pictures, descriptions, information and measurements of all persons who have or shall hereafter be convicted of felony, or imprisoned for violating any of the penal laws of the state, including habitual criminals, or imprisoned for violating any of the military laws of the United States of America, and of all well-known and habitual criminals from whatever jurisdiction.

SEC. 5. It shall be the duty of said board of managers to do so much as may be that all photographs, outline pictures, descriptions, information and measurements which shall be received by it by virtue of the office and of which make a complete and systematic record and history of the many, including whatever a question of identification, consultation and comparison. It shall be the duty of said board of managers to furnish, upon application, all information pertaining to the identification of any person, or persons, a police photograph, outline pictures, descriptions, measurements, or any data of which person there is a record in the office. Such information shall be furnished to the United States officers or officers of other states or territories, or possession of the United States of police officers or other peace officers authorized to receive the same, and all peace officers of the State of California, which application shall be in writing and accompanied by a certificate signed by the officer making such application, stating that the information sought for is necessary in the interest of the due administration of the laws, and not for the purpose of annoying a private citizen in carrying on his personal business or in maliciously or personally harassing, degrading or humiliating any person or persons.

SEC. 6. In this bureau shall be used the following systems of identification: the Bertillon, the finger print system and any system of measurement that may be adopted by law in the various state penitentiaries of the state. It shall be the duty of said board of managers to keep on file in a secured compartment all descriptions of all measurements, processes, operations, photographs, outline pictures, measurements and descriptions of all persons confined in state institutions of this state so far as possible in conjunction with whatever system or systems may be in vogue in this state.

SEC. 7. Suitable offices for the proper conduct of the bureau shall be provided for by the superintendent of capitol buildings and grounds.

SEC. 8. It is hereby made the duty of the sheriffs of the several counties of the State of California, the chiefs of police or incorporated cities thereof and marshals

of incorporated cities and towns herein to furnish to the said bureau daily copies of finger prints on standardized cards (8 x 8) index cards, and descriptions of all such persons arrested who in the best judgment of said sheriffs, chiefs of police, or city marshals are persons wanted for serious crimes, or are fugitives from justice, or of all such persons in whose possession at the time of arrest are found goods or property reasonably believed by said sheriffs, chiefs of police or city marshals to have been stolen by them, or of all such persons in whose possession are found burglar outfits or burglar tools or burglar keys or who have in their possession high power explosives reasonably believed to be used for unlawful purposes or who are in possession of mechanical machines, boards or other contrivances in whole or in part and reasonably believed by said sheriffs, chiefs of police and city marshals to be used for unlawful purposes, or of all persons who carry concealed firearms or other deadly weapons and reasonably believed to be carried for unlawful purposes, or who have in their possession inks, dye, paper or other articles necessary in the making of counterfeit bank notes, or in the alteration of bank notes, or dies, molds or other articles necessary in the making of counterfeit money, and reasonably believed to be used by them for such unlawful purposes. This section is by no means intended to include violators of city or county ordinances or of persons arrested for other trifling offenses. It is further made the duty of the aforesaid sheriffs, chiefs of police or city marshals to furnish said bureau daily reports of lost, stolen, found, pledged or pawned property received into their respective offices.

SEC. 9. In order to assist in the recovery of said property and in the arrest and prosecution of criminals, it is hereby made the duty of the said board of managers of said bureau to keep a complete record of all reports filed with the said bureau, of all personal property stolen, lost, found, pledged, or pawned in any city or county of this state.

SEC. 10. To provide for the installation of a proper system, and file, and cause to be filed therein cards containing an outline of the method of operation employed by criminals in the commission of crime.

SEC. 11. The board of managers of this bureau shall serve without compensation; *provided, however*, that they shall receive their necessary traveling expenses while attending meetings of said board. The superintendent shall receive a salary of two thousand four hundred dollars per annum; the salaries of the other employees shall be fixed by the board of managers, subject to the approval of the board of control. The superintendent and the other employees shall be paid in the same manner and out of the same fund as the state officers are paid.

SEC. 12. There is hereby appropriated out of any money in the state treasury, not otherwise appropriated, the sum of thirty-six thousand dollars, or so much thereof as may be necessary, to be used by said board of managers in furnishing, equipping and maintaining the said bureau in accordance with the provisions of this act, and for the payment of the salaries herein provided for, for the fiscal year ending June thirtieth, one thousand nine hundred sixteen, and the fiscal year ending June thirtieth, one thousand nine hundred nineteen.

SEC. 13. The state controller is hereby directed to draw warrants in favor of the said board of managers at such times and such amounts as shall be approved by the state board of control, and the state treasurer is hereby directed to pay the same.

SEC. 14. All furniture, equipment and records now on file and in use in the office of the 'bureau of criminal identification of the State of California', shall become a part of the furniture, equipment and records of the 'state bureau of criminal identification and investigation,' immediately upon the organization of the board of managers as provided for in this act.

SEC. 15. An act entitled, "An act to create a state bureau of criminal identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers, providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905, is hereby repealed and all other acts and parts of acts in conflict herewith are hereby repealed.

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 602—An act to establish an institution for the care, training, confinement, discipline and instruction of feeble-minded and epileptic persons and for the study of mental deficiency and related problems, to provide for commitment thereto, for the maintenance thereof, for the manufacture of certain articles for sale, and to make an appropriation therefor.

[illegible]

During general looking of bill, the following committee amendments were offered:

[illegible]

Amendment adopted.

[illegible]

Amendment adopted.

[illegible]

Amendment adopted.

[illegible]

Amendment adopted.

Bill read second time and ordered to third reading.

Assembly Bill No. 1046—An act to create a reclamation district to be called "Reclamation District No. [illegible]," and providing for the control and management thereof.

Bill read second time and ordered to be for 10:00 [illegible].

Assembly Bill No. 1095—An act to amend an act entitled "An act creating a reclamation district to be called and known as 'Reclamation District No. 1500,' providing for the management and control thereof and dissolving all levee districts, swamp land districts and reclamation districts lying wholly within the boundaries of said Reclamation District No. 1500, providing for the liquidation and winding up of said dissolved districts and excluding from any levee district, swamp land district and reclamation district any land lying within the boundaries of said Reclamation District No. 1500," approved April 26, 1913, in effect August 10, 1913, and amended by act approved June 1, 1915.

in effect August 8, 1915, conferring powers and duties upon the trustees of said district and relating to the management and control thereof, and substituting the board of supervisors and other officials of Yolo County for the board of supervisors and other officials of Sutter County.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 173—An act to provide for work in and upon highways, streets, avenues, lanes, alleys, courts, places and sidewalks in counties, and upon property and rights of way owned by counties, and for establishing and changing the grade of the same, and providing for the issuance and payment of improvement bonds to represent certain assessments for the cost thereof.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 18, line 18, of the printed bill, strike out all, beginning with the bracket and ending with the bracket on line 19, and the dashes on line 19.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 22, line 21, of the printed bill, after the words "service of" insert the words "process in".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 25, line 3, after the comma following the word "street" insert the word "avenue" and a comma.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 26, line 21, strike out the word "city" and insert in lieu thereof the word "county".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 29, line 31, after the word "act" insert "Part II".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 29, line 33, after the word "street" insert a comma and the word "avenue".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 30, line 33, strike out the words "Part II".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 36, line 23, insert after the comma following the word "street" the word "avenue" and a comma.

Amendment adopted.

AMENDMENT NUMBER [illegible]

On page 26, line 24, strike out the comma "and" and insert in lieu thereof the word "line".

Amendment adopted.

AMENDMENT NUMBER [illegible]

On page 38, line 28, strike out the word "Number" and insert in lieu thereof the word "place".

Amendment adopted.

AMENDMENT NUMBER [illegible]

On page 40, line 2, strike out the word "[illegible]" and insert in lieu thereof the word "[illegible]".

Amendment adopted.

AMENDMENT NUMBER [illegible]

On page 40, line 26, strike out the word "[illegible]" and insert in lieu thereof the word "[illegible]".

Amendment adopted.

AMENDMENT NUMBER [illegible]

On page 41, line 4, strike out the word "[illegible]" and insert in lieu thereof the word "[illegible]".

Amendment adopted.

AMENDMENT NUMBER [illegible]

On page 41, line 24, strike out the word "[illegible]" and insert in lieu thereof the word "from".

Amendment adopted.

AMENDMENT NUMBER [illegible]

On page 43, line 4, strike out the word "[illegible]" and insert in lieu thereof the word "are".

Amendment adopted.

AMENDMENT NUMBER [illegible]

On page 43, line 10, strike out the word "[illegible]" and insert in lieu thereof the words "place [illegible]".

Amendment adopted.

AMENDMENT NUMBER [illegible]

On page 43, line 18, strike out the word "[illegible]" and insert in lieu thereof the word "such".

Amendment adopted.

AMENDMENT NUMBER [illegible]

On page 46, line 3, strike out the word "of" and insert in lieu thereof the words "To be kept by".

Amendment adopted.

AMENDMENT NUMBER [illegible]

On page 46, line 13, strike out the word "[illegible]" and insert in lieu thereof the word "two".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 48, line 8, strike out the word "sum" and insert in lieu thereof the word "sums".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 48, line 18, strike out the word "the" and insert in lieu thereof the word "a".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 48, line 19, strike out the word "the" and insert in lieu thereof the word "a".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 48, line 19, following the comma after the word "street" strike out the words "roads and highways" and insert in lieu thereof the words "avenue, road or highway".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 48, line 33, strike out the word "increase" and insert in lieu thereof the word "increased".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 49, line 18, after the word "streets" insert a comma and the words "avenue or highway".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 53, line 22, strike out the word "said" and insert in lieu thereof the word "this".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 55, line 33, strike out the comma after the word "law" and insert in lieu thereof a bracket.

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 333—An act to amend section 627*b* of the Penal Code, relating to the transportation of fish and game.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 336—An act to provide for the protection of fish and to prevent the introduction into this State of parasitized, infected or diseased fish, shellfish, mollusks, crustaceans, amphibians, aquatic plants or aquatic animal life, and declaring the same to be a public nuisance and authorizing the summary destruction of same; providing for a quarantine for the enforcement of this act, and making a violation of the terms of this act a misdemeanor and providing for a penalty therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 300.—An act to amend section 630g of the Penal Code.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1464.—An act to amend section 3250 of the Penal Code, relating to the protection of fish.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 516.—An act to amend section 17456 of the Political Code, relating to the organization of intermediate school districts.

COMMITTEE AMENDMENT.

During second reading of bill the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 20 [illegible] the word "that" [illegible] of the [illegible] of the bill.

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 552.—An act to add a new section to the Political Code to be numbered 1473a, relating to the maximum number of pupils which may constitute a class.

COMMITTEE AMENDMENT.

During second reading of bill the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 6, after the word "the" insert the words "city or".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 625.—An act to amend sections 1817 and 1818 of the Political Code, relating to the county school tax.

COMMITTEE AMENDMENT.

During second reading of bill the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 4, of the printed bill, strike out the period and insert in lieu thereof a semicolon and the following: "provided, that in the amount of county or city and county school taxes thus apportioned a sum than thirty hundred dollars per teacher allowed on the basis of attendance, exclusive of state apportionment for the next preceding school year, than the minimum amount shall be computed at three hundred and dollars per teacher."

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 671.—An act to amend section 1365 of the Political Code, relating to fees for teachers' certificates, and disposition of moneys heretofore received for same.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 3, beginning with the word "who", strike out everything down to and including the word "education" in lines 4 and 5.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, beginning with the period in line 6, strike out everything down to and including the word "shall" in the same line and insert in lieu thereof a semicolon and the following: "*provided*, that such fee shall not".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 820—An act to add a new section to the Political Code to be numbered 1618*a*, providing for transportation and separate class rooms for crippled school children.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 13, strike out the word "must" and insert in lieu thereof the word "may".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 604—An act authorizing the Board of Trustees of the Whittier State School to maintain a department for the clinical diagnosis of inmates of the school and other State institutions, and to inquire into the causes and consequences of delinquency and mental deficiency, and related problems.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 672—An act to provide for the recall of grammar school trustees.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 836—An act to amend sections 1593, 1595, 1596, 1597, 1598, 1599 and 1602 of the Political Code, relating to the holding of school elections.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 995—An act to amend section 1696 of the Political Code, relating to the duties of teachers.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 999—An act to add a new section to the Political Code to be numbered 1617*c*, relating to the sale or leasing of school property by boards of trustees of common school districts and by boards of education in city school districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1174—An act to amend section 1532 of the Political Code, relating to the duties of the Superintendent of Public Instruction.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1181—An act to add a new section to the Political Code of the State of California, to be numbered section 1665a, relating to the course of study in elementary schools.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1378—An act to amend section 1817c of the Political Code, relating to kindergartens.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1471—An act to amend section 1536 of the Political Code, relating to the compensation of deputy school superintendents.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1401—An act to amend section 201 of the Code of Civil Procedure, relating to the trial of issues of fact and the disposal of issues of law.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1282—An act to amend section 276 of the Code of Civil Procedure of the State of California, relating to testimony and examination before District Court of Appeals.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 8, after the word "fact" insert the word "stipulation".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, lines 6 and 7, strike out the words "or a law school or at the office of an Attorney at law in good standing".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 8, strike out the word "three" and insert in lieu thereof the words "at least two".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 12, after the period following the word "appeal" add a new sentence to read as follows: "This section shall not take effect until January 1, 1918."

Amendment adopted.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1460—An act to amend sections 4 and 5 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries and providing for the government, management and control thereof," approved May 1, 1911, as amended.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2 of the title, strike out the words "sections four and" and insert in lieu thereof the word "section".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, strike out the word "four" and insert in lieu thereof the word "five".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, strike out all of lines 8, 9, 10, 11, 12, 13 and 14.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, strike out all of lines 1 and 2.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, strike out all of lines 34, 35, 36, 37 and on page 4 strike out all of lines 1, 2, 3, 4, 5, and 6 and insert in lieu thereof the following: "(b) All the remaining portions of said lands may be leased for a term not to exceed fifty years, and no such lease shall be for a larger area than for forty acres, and such lease shall not be assignable or transferable nor shall any lessee have the right to sublet the leased premises or any part thereof without the consent of the common council by ordinance duly adopted: *provided, however*, that every lease so executed shall reserve to the common council and to the people of San Diego the right and privilege by ordinance duly adopted to terminate, change or modify such lease or leases on such terms, reservations and conditions as may be stipulated in such lease or leases."

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 276—An act to amend section 1646 of the Code of Civil Procedure, relating to the payment by an executor or administrator of the funeral expenses of a last illness of a decedent.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 501—An act to amend section 160 of the Code of Civil Procedure, relating to the holding of superior courts by superior judges of other counties, and providing for their actual and necessary expenses.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 709—An act to amend sections 1 and 2 of an act entitled "An act to secure the payment of the claims of materialmen, mechanics, or laborers, employed by contractors upon state, municipal or other public work," approved March 27, 1897, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 966—An act to amend section 309 of the Civil Code, relating to dividends of corporations.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1009—An act to amend section 474 of the Political Code of the State of California, relating to the powers and duties of the Attorney General.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1[illegible]—An act to amend section [illegible] of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years, and in certain cases providing for their care, custody and maintenance; providing for the protection and treatment of such persons and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls and other institutions; establishing probation offices and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment for commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes, and repealing the Juvenile Court Law approved March 5, 1903, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1362—An act to amend section 908 of the Code of Civil Procedure, relating to justices of the peace.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1434—An act to amend section 718 of the Civil Code, relating to limits of certain leases.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1462—An act to add a new section to the Civil Code, to be numbered 1861a, relating to loss of furniture in furnished apartment houses.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 584—An act to provide for a twenty-six passenger train line lodge.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 8, strike out the word "twenty" and insert in lieu thereof the word "twenty".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, in line 10, strike out the word "fifty" and insert in lieu thereof the word "thirty".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 1519—An act to amend section 4299 of the Political Code, relating to county officers in counties of the sixth class.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended March 20, strike out line 6 and insert in lieu thereof the following:

"1. The county clerk, two thousand five hundred dollars per annum and such fees as are allowed by law;"

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out line 28 and insert in lieu thereof the following: "June first and October first each year (four months), at a".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 4, strike out the words "two thousand five hundred" and insert in lieu thereof the words "two thousand four hundred".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 7, after the word "annum" strike out the rest of the line, and insert in lieu thereof the following: "One copyist, who may also perform the duties of a deputy at a salary of one thousand dollars, three".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 8, after the word "annum" insert a period, and strike out all of line 9, all of line 10, and insert in lieu thereof the words "to be paid at".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 37, of the printed bill, strike out the word "two" and insert in lieu thereof the word "five".

Amendment adopted.

AMENDMENT NUMBER SIX-A.

On page 3, line 37, strike out the word "and" and insert in lieu thereof a comma.

Amendment adopted.

AMENDMENT NUMBER SIX-B.

On page 4, line 1, strike out the period and insert in lieu thereof the following: "and one title transfer deputy at a salary of one thousand two hundred dollars per annum, one draftsman at a salary of one thousand two hundred dollars per annum, one property ownership deputy at a salary of one thousand two hundred dollars per annum, and one office deputy at a salary of one thousand twenty dollars per annum."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On line 21, page 5, of the printed bill, strike out the period and insert a semicolon and the words, "*provided, however*, that in cases of emergency additional help may be furnished the county surveyor by the board of supervisors at a compensation to be fixed by the board."

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 875—An act to amend section 4267 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirty-eighth class.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 9, strike out the words "two thousand one" and insert in lieu thereof the word "fifteen".

Amendment adopted.

AMENDMENT [illegible]

On page 4, line 27, strike out the word "[illegible]".

Amendment adopted.

AMENDMENT [illegible]

On page 4, line 33, after the word "[illegible]" and before the word "[illegible]" insert the following: "[illegible] 1914".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. [illegible]—An act to amend section 4201 of the Political Code, relating to the salaries and fees of officers in counties of the thirty second class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. [illegible]—An act to amend section 4280 of the Political Code, relating to the compensation of county and township officers of counties of the eleventh class.

Bill read second time.

AMENDMENTS FROM THE FLOOR.

During second reading of bill, the following amendments were offered and their adoption moved by Senator Leyan:

AMENDMENT [illegible]

On page 3, line 21, after the semicolon place the word "[illegible]" [illegible] the following words: "[illegible]" and a comma.

Amendment adopted.

AMENDMENT [illegible]

On page 4, line 19, strike out all lines 19 to 26 inclusive, and line 27 down to and including the word "[illegible]" and insert in lieu thereof the following: "[illegible] the following [illegible] compensation [illegible] at a rate of [illegible] four hundred dollars per annum, [illegible] dollars per annum, [illegible] at a rate of [illegible] thousand [illegible] dollars per annum. The provisions [illegible] shall be [illegible] by [illegible] and shall [illegible] at the pleasure of the district attorney and".

Amendment adopted.

Bill ordered to print, and third reading.

Assembly Bill No. 39—An act to amend section 4304 of the Political Code, relating to salaries and fees of officers, and fees and mileage of jurors in counties of the thirty seventh class.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER.

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 25, 1917.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 861—An act to amend an act known as the "Juvenile Court Law," approved June 5, 1915, by adding a new section thereto to be numbered 23a, relating to records of juvenile offenders;

Also: Assembly Bill No. 1470—An act to amend sections 324, 377 and 378 of the Civil Code, all relating to certain rights and remedies of stockholders in California corporations;
Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass, as amended.

KEHOE, Chairman.

Assembly Bills Nos. 861 and 1470 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 737—An act to amend section 280b of the Code of Civil Procedure, relating to admission to practice of graduates of certain law schools;

Also: Assembly Bill No. 964—An act to amend section 322 of the Civil Code, relating to the liability of stockholders;

Also: Assembly Bill No. 1472—An act granting certain lands in the city of San Diego to San Diego Lodge No. 153, of the Independent Order of Odd Fellows of California; and ratifying and declaring valid a conveyance of said lands heretofore made by said city to said lodge;

Also: Assembly Bill No. 748—An act to amend section 1723 of the Code of Civil Procedure, relating to the disposition of life estates or homesteads, on owner's death, in certain cases;

Also: Assembly Bill No. 1354—An act to amend section 6 of an act entitled "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps, unless the same are recorded," approved March 15, 1907, as amended;
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Assembly Bills Nos. 737, 964, 1472, 748, and 1354 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1437—An act to add a new section to the Penal Code, to be numbered 246a, relating to assaults with deadly weapons, committed by inmates of county jails;

Also: Assembly Bill No. 1449—An act to amend section 103 of the Code of Civil Procedure, relating to justices' courts;

Also: Assembly Bill No. 466—An act to amend section 3787 of the Political Code, relative to deeds to property sold for delinquent taxes;

Also: Assembly Bill No. 779—An act to amend section 1365, and to repeal section 1379, of the Code of Civil Procedure;
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Assembly Bills Nos. 1437, 1449, 466, and 779 ordered on file for second reading.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, April 25, 1917.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 23—Relative to providing as expeditiously as possible a fairer and more adequate compensation for those engaged in active service in the Army and Navy of the United States—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

RUSH, Chairman.

Assembly Joint Resolution No. 23 ordered on file.

LEAVE OF ABSENCE.

At three o'clock p.m., Senator Lyon was, on motion of Senator Flaherty, granted leave of absence for the balance of this legislative day.

SECOND READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Senator Tyrrell moved that the Senate take up for second reading all Assembly bills previously reported from committees this day.

Motion carried.

Assembly Bill No. 68.—An act to amend section 722 of the Political Code, relating to salaries of superior judges.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, in line 18 of the printed bill after the comma between the words "Santa Cruz", insert the word "Modoc".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, in line 19, of the printed bill, strike out the word "Modoc".

Amendment adopted.

AMENDMENT FROM THE FLOOR.

During second reading of bill, the following amendment was offered and its adoption moved by Senator Johnson:

AMENDMENT NUMBER ONE.

On page 1, line 16, of the printed bill, after the word "San Mateo".

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 81.—An act making an appropriation to pay the claims of various persons against the State of California.

COMMITTEE AMENDMENTS.

During second reading of bill the following committee amendments were offered:

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, after the word "counties", insert the words "and counties".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1 of the printed bill, in line 5, after the word "counties", insert the words "and counties".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, in line 10, strike out the comma between the words "Contingent", and insert the words "for losses sustained by fire in the State Agricultural building or pavilion at Sacramento, California".

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 217.—An act making an appropriation for the survey, location and construction of a highway between Susanville in Lassen County and a point on the line between California and Nevada, approximately two miles east of Constantia in said county.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 442—An act appropriating money for the construction of agricultural pavilion at the State Agricultural Park.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 971—An act to amend sections 1, 2, 3, 4, 5, 6 and 9 of an act entitled "An act to establish a legislative counsel bureau and making an appropriation therefor," approved May 26, 1913, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1431—An act to amend section 472 of the Political Code relating to the duties of the Attorney General and the appointment of assistants and deputies in such office.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 572—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committtee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 35, of the printed bill, strike out the words "twenty-five cents"

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 6, following subdivision 18, add a new subdivision to be called subdivision 18*a*, to read as follows:

18*a*. To provide at public expense in time of war suitable arms and equipment for the use of special police, or any body of residents of said city who may organize according to law, for the protection of such city and the property therein situate; and for this purpose the board of trustees shall have power, without the necessity of calling any special election therefor, to levy and collect a special tax, in addition to all other taxes now authorized or permitted by law, in such sum as may be necessary.

The limitations contained in subdivision 9 of this section shall have no application to any such special tax.

All moneys collected under such special tax shall be paid into a separate fund in the city treasury and shall be used for no other purpose, without the assent of two-thirds of the qualified electors of such city voting at an election to be held for that purpose.

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 861—An act to amend an act known as the "Juvenile Court Law," approved June 5, 1915, by adding a new section thereto to be numbered 23*a*, relating to records of juvenile offenders.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, commencing with line 5, strike out all of the balance of the bill and insert in lieu thereof the following:

Sec. 23*a*. Whenever the juvenile court finds a person under the age of twenty-one years that has been brought before said court and thereafter granted probation, or discharged as reformed, and not again arrested or brought before the court for an offense within a period of two years from the date of the granting of probation or discharge, the court shall require the clerk of the court to seal up the record in the

case. [illegible] pending.

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. [illegible]—An act to amend sections [illegible] and [illegible] of the Civil Code, all relating to [illegible] of stockholders in California corporations.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2 of title, strike out [illegible].

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line [illegible] of title, strike out the word "[illegible]".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, commencing with the word "Section", strike out all lines to and including line 11 on page 2.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 12, strike out "Sec. 2." and in lieu thereof insert "Section 1."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 30, strike out [illegible] of the corporation."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 32, strike out the period after the word "[illegible]", insert [illegible] the information to be acquired [illegible].

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 31, commencing with the word "The" strike out all lines to and including the word "[illegible]" in line 14 on page 3.

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 18, strike out the figure "3" and in lieu thereof insert the figure "2".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, line 31, commencing with the words "[illegible]" strike out all lines to and including the period after the word "expressed", and in lieu thereof insert

the following: "any officer, bona fide stockholder, member, or creditor of the corporation."

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 737—An act to amend section 280b of the Code of Civil Procedure, relating to admission to practice of graduates of certain law schools.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 964—An act to amend section 322 of the Civil Code, relating to the liability of stockholders.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1472—An act granting certain lands in the city of San Diego to San Diego Lodge No. 153, of the Independent Order of Odd Fellows of California; and ratifying and declaring valid a conveyance of said lands heretofore made by said city to said lodge.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 748—An act to amend section 1723 of the Code of Civil Procedure, relating to the disposition of life estates or homesteads, on owner's death, in certain cases.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1354—An act to amend section 6 of an act entitled "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps, unless the same are recorded," approved March 15, 1907, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1437—An act to add a new section to the Penal Code, to be numbered 246a, relating to assaults with deadly weapons, committed by inmates of county jails.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1449—An act to amend section 103 of the Code of Civil Procedure, relating to justices' courts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 466—An act to amend section 3787 of the Political Code, relative to deeds to property sold for delinquent taxes.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 779—An act to amend section 1365, relating to the administration of the estate of a person dying intestate.

Bill read second time, and ordered on file for third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 25, 1917.

MR. PRESIDENT: Your Committee on Rules, to which was referred the following resolution, introduced by Senator Beeson—*Resolved*, That Senate Rule No. 40 be amended by adding, at the end of said rule, the following: "No notice of reconsideration shall be in order on the day preceding the last day of the session"—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

BREED, Chairman.

Report read.

The question being on the adoption of the report.

The roll was called, and the report and the resolution adopted by the following vote:

Ayes—Senators Ballard, Beban, Boggs, Brown, Carr, F. M., Carr, W. J., Chandler, Cronin, Dennis, Dodge, Edwards, Gerry, Hansen, Irwin, Jones, Lewis, Lipman, Lyon, McDonald, Martin, Owens, Parkes, Stephens, Stone, Sturtevant, Swanson, Roper, Stadtmueller and Tyrrell—26.

Noes—None.

[illegible]

Assembly Bill No. 1[illegible]—An act to amend section 1[illegible] of the Political Code, relating to registration.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1[illegible] passed by the following vote:

Ayes—Senators Brown, Beban, Boggs, Carr, F. M., Carr, W. J., Chandler, Cronin, Dennis, Dodge, Edwards, Gerry, Hansen, Irwin, Jones, Lewis, Lipman, Lyon, McDonald, Martin, Owens, Parkes, Roper, Stadtmueller, Stone, Sturtevant, Swanson, Stephens, Stadtmueller and Tyrrell—26.

Noes—Senators McDonald and Parkes—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 19[illegible]—An act to amend sections 1212, 1213, 1216, 1251, 1216 and 1258 of the Political Code, relating to elections, etc.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 19[illegible] passed by the following vote:

Ayes—Senators Beban, Boggs, Brown, Carr, F. M., Carr, W. J., Chandler, Dennis, Dodge, Edwards, Gerry, Hansen, Irwin, Jones, McDonald, Martin, Parkes, Roper, Ruth, Scott, Stadtmueller, Stone, Sturtevant, Swanson, Stephens, Stadtmueller, and Tyrrell—26.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 9[illegible]—An act providing for [illegible] rest for persons employed by municipal corporations during more than [illegible] twenty hours per week, and providing penalties for violation thereof.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 9[illegible] passed by the following vote:

Ayes—Senators Ballard, Beban, Boggs, Brown, Carr, F. M., Carr, W. J., Chandler, Dennis, Dodge, Edwards, Gerry, Hansen, Irwin, Jones, Lewis, McDonald, Martin, Parkes, Roper, Scott, Stadtmueller, Stone, Sturtevant, Swanson, Stadtmueller and Tyrrell—26.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1432—An act to recognize and declare valid the permanent road division of Inyo and Mono Counties, and to recognize and declare valid all proceedings in relation thereto and for the organization thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1432 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Johnson, Jones, King, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 327—An act to amend section 636½ of the Penal Code, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 327 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, King, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At four o'clock and ten minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Assembly Bill No. 240—An act to amend section 13 of an act entitled "An act for the preservation of public health of the people of the State of California and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907, as amended by acts approved April 1, 1911, and June 13, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 240 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, King, Luce, Nealon, Rigdon, Rush, Sharkey, Slater, and Thompson—24.

NOES—Senators Brown, Kehoe, McDonald, Maddux, Purkitt, Rominger, Scott, Shearer, and Stuckenbruck—9.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 448—An act appropriating money for the construction and equipment of a heating plant at the Lick Observatory of the University of California.

On motion of Senator Jones, Assembly Bill No. 448 ordered to unfinished business.

SENATOR MCDONALD IN THE CHAIR.

At four o'clock and fifty-five minutes p.m., Senator McDonald of the Twenty-third District was called to the chair.

[illegible]

The following resolution was offered:

By Senator Stackelbroek:

WHEREAS, Assembly Bill No. [illegible] has been duly passed constitutional by the Senate Committee on Insurance, Banking and Commerce [illegible] and the committee has been unable to agree upon a report, therefore, be it

RESOLVED, That Assembly Bill No. [illegible] be [illegible] withdrawn from the [illegible] and [illegible] and placed on the general file of the Senate.

Resolution read.

[illegible]

A roll call was demanded by Senators Estep, Stott, and Brown upon the adoption of the resolution offered by Senator Stackelbroek.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Benson, Bennett, Cary, F. M., Chandler, Chandler, Dennison, Flaherty, Gates, Hans, Irwin, King, McDonald, Nelson, Peck, Rimbault, Rose, Stockel, Stewart, Stone, and Stackelbroek—[illegible].

NOES—Senators Bakley, Benson, Brown, Cary, W. J., Chandler, Evans, Gaffney, Inman, Johnson, Jones, Kehoe, Lane, Meadow, Rankin, and Tyrrell—[illegible].

[illegible]

Assembly Bill No. [illegible]—An act appropriating money for the constructing, furnishing, equipping of buildings at the Whittier State School.

In the absence of Senator Kennedy, Assembly Bill No. [illegible] was ordered passed, to retain its place on the file.

Assembly Bill No. 454—An act appropriating money for improvement, including light, heat, water and power systems and general repairs and alterations to buildings, structures and equipment at the Whittier State School.

In the absence of Senator Kennedy, Assembly Bill No. 454 was ordered passed, to retain its place on the file.

Assembly Bill No. 525—An act to provide for the return to the owners thereof of any funds deducted from teachers' retirement salaries in excess of the amounts directed by law to be so deducted; prescribing the procedure relative thereto, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 525 passed by the following vote:

AYES—Senators Benson, Bennett, Brown, Cary, F. M., Cary, W. J., Chandler, Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, King, Lane, McDonald, Meadow, Nelson, Rankin, Rose, Stott, Stewart, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 847—An act to repeal section 4[illegible] of the Political Code, relating to the duties of the auditor and treasurer.

In the absence of Senator Thompson, Assembly Bill No. 847 was ordered passed, to retain its place on the file.

Assembly Bill No. 1114—An act to amend an act entitled "An act authorizing any incorporated town, city or municipal corporation to permit the construction and maintenance of any state or county highway or boulevard over highways or streets in its incorporated limits or any portion thereof by the supervisors or highway commissioners of the county," approved March 19, 1909.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1114 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Burnett, Carr, F. M., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rush, Shearer, Slater, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 470—An act to provide for the extermination of ground squirrels in supervisorial districts; authorizing the filing of petitions with boards of supervisors, praying for the establishment of districts for the extermination of such squirrels; making the charges and expenses of such extermination primarily a county charge; and providing for the assessment and collection of certain charges therefor against certain property owners; and for the dissolution of the district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 470 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 759—An act to divide the State of California into fish and game districts and to repeal an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 15, 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 759 passed by the following vote:

AYES—Senators Benson, Breed, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Sharkey, Shearer, Slater, and Tyrrell—26.

NOES—None.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER

Senator King gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 709 was passed.

Assembly Bill No. 59—An act providing for the establishment and maintenance of motor districts outside of incorporated corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 59 passed by the following vote:

Ayes—Senators Benson, Breed, Brown, Carr, W. J. Crowley, Cronin, Dwyer, Fletcher, Gerlach, Hans, Hewitt, Johnson, Kehoe, Kent, McDonald, Martinez, Nourse, Phillips, Rominger, Ryan, Shaw, Stanton, Thompson, and Tyrrell—23.

Noes—Senators Brown, Carr, F. M., Chandler, Dennis, Dunn, Fisher, Lee, Maddux, Parkin, Shearer, Stern, and Stockbridge—13.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 717—An act to amend section 1256 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-seventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 717 passed by the following vote:

Ayes—Senators Benson, Breed, Brown, Rominger, Carr, F. M., Carr, W. J., Chandler, Crowley, Cronin, Dennis, Dwyer, Fletcher, Dunn, Gerlach, Hans, Hewitt, Johnson, Kehoe, Kent, Lee, McDonald, Maddux, Martinez, Nourse, Parkin, Phillips, Ryan, Shearer, Stern, Shaw, Stanton, Stockbridge, Thompson, and Tyrrell—36.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 145—An act to establish standards for the packing and marketing of apples, forbidding the sale of certain infected and diseased apples, providing for its enforcement, fixing penalties for its violation, and making an appropriation to carry into effect the provisions thereof, and repealing an act entitled "An act to establish a standard for the packing and marketing of apples, fixing penalties for the violation of its provisions, and providing for its enforcement and making an appropriation to carry into effect the provisions hereof," approved June 10, 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 145 passed by the following vote:

Ayes—Senators Benson, Breed, Brown, Rominger, Carr, F. M., Carr, W. J., Crowley, Dennis, Dunn, Fletcher, Gerlach, Hans, Hewitt, Johnson, Jones, Kehoe, Kent, Lee, McDonald, Maddux, Martinez, Nourse, Parkin, Phillips, Ryan, Shearer, Shearer, Shaw, Stockbridge, Thompson, and Tyrrell—34.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1193—An act to amend section 589 of the Political Code, relating to the annual salary of the Insurance Commissioner.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1193 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Evans, Flaherty, Gates, Haus, Ingram, Inman, Johnson, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rush, Scott, Sharkey, Thompson, and Tyrrell—26.

NOES—Senators Brown, Duncan, Irwin, Jones, Purkitt, Rominger, and Stuckenbruck—7.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At five o'clock and fifteen minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 25, 1917.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 421—An act to amend section 6 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended May 30, 1913, as amended June 11, 1915—has had the same under consideration, and respectfully reports the same back and recommends that it do pass, as amended.

TYRRELL, Chairman.

Assembly Bill No. 421 ordered on file for second reading.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 25, 1917.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 514—An act appropriating money for the construction and equipment of ice plant in commissary building at the California School for Girls;

Also, Assembly Bill No. 519—An act appropriating money for the improvement of grounds at the California School for Girls;

Also, Assembly Bill No. 1350—An act to increase the number of judges of the Superior Court of the county of Imperial, State of California, and for the appointment of such additional judge;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

CHANDLER, Chairman.

Assembly Bills Nos. 514, 519, and 1350 ordered on file for second reading.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 25, 1917.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 1469—An act to add a new section to the Penal Code, to be numbered 629a, relating to fish screens—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass, as amended.

MADDUX, Chairman.

Assembly Bill No. 1469 ordered on file for second reading.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 25, 1917.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1167—An act to amend section [illegible] of the Penal Code, relating to [illegible], has had the same under consideration, and respectfully reports the same back with amendments, and recommends that, as so amended, it do pass.

SLATER, Chairman.

Assembly Bill No. 1167 ordered on file for second reading.

ON COUNTY GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, April 25, 1917.

MR. PRESIDENT: Your Committee on County Governments, to which was referred Assembly Bill No. 191—An act to amend section [illegible] of the Political Code, relating to salaries of officers of counties of the [illegible] class.

Also, Assembly Bill No. 712—An act to amend section [illegible] of the Political Code, relating to salaries and fees of officers in counties of the [illegible] class.

Also, Assembly Bill No. 713—An act to amend section [illegible] of the Political Code, relating to salaries and fees of officers in counties of the [illegible] class.

Also, Assembly Bill No. 718—An act to amend section [illegible] of the Political Code, relating to salaries and fees of officers in counties of the [illegible] class.

Also, Assembly Bill No. 1366—An act to add a new section to the Political Code, to be numbered [illegible], relating to the fees of [illegible] in counties of the [illegible] class.

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

INMAN, Chairman.

Assembly Bills Nos. 191, 712, 713, 718, and 1366 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Governments, to which was referred Assembly Bill No. 1390—An act to amend section [illegible] of the Political Code, relating to [illegible].

Also, Assembly Bill No. 1364—An act to amend sections [illegible] of the Political Code, relating to pay of county officers [illegible].

Has had the same under consideration, and respectfully reports the same back without recommendation.

INMAN, Chairman.

Assembly Bills Nos. 1390 and 1364 ordered on file for second reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 25, 1917.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 759—An act to amend sections 1, 3, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 24, 25, [illegible] 49 of an act entitled "An act establishing and creating a department of the State Mining Bureau for the protection of the natural resources of petroleum and gas from waste and destruction through improper practices in production; providing for the appointment of a state oil and gas supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the regulation of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; providing penalties for violation of [illegible]; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act," approved June 10, 1915, and to add a new section thereto to be numbered 41½.

Also, Senate Bill No. 92—An act to prevent the keeping of [illegible] in public places and prescribing penalties for violations of the provisions thereof.

Also, Senate Joint Resolution No. 14—Relative to [illegible] before the United States Congress.

Also: Senate Bill No. 705—An act to amend sections 1663, 1771 and 1775 of the Political Code, relating to the classification of schools, the powers of county boards of education and the granting of teachers' certificates;

Also: Senate Bill No. 1154—An act to add a new section to an act entitled "An act to provide for the formation of protection districts in the various counties of this State, for the improvement and rectification of the channels of unnavigable streams and watercourses, for the prevention of the overflow thereof, by widening, deepening, straightening and otherwise improving the same, and to authorize the boards of supervisors to levy and collect assessments from the property benefited to pay the expenses of the same," approved March 27, 1895, as amended, to be numbered 20½, relating to refund of assessments;

Also: Senate Bill No. 461—An act to amend section 5 of an act entitled "An act to provide for the maintenance and support, in certain cases, of indigent, incompetent, and incapacitated persons, other than persons adjudged insane and confined within the state hospitals, becoming a public charge upon the counties or cities and counties within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons," approved March 23, 1904, and to add thereto a new section to be numbered 10;

Also: Senate Bill No. 591—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, by amending sections 47 and 70 thereof;

Also: Senate Bill No. 777—An act to amend section 7 of an act entitled "An act to carry into effect the provisions of section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, as amended February 3, 1913, and January 28, 1915;

Also: Senate Bill No. 558—An act to amend sections 1 and 2 of an act entitled "An act to prevent the supply of water dangerous to health for domestic purposes and to provide for the installation of sanitary water systems," approved June 13, 1913, so as to prevent the supply of water impure, unwholesome, unpotable or polluted for domestic purposes and to compel the furnishing of pure, wholesome and potable water supplies for domestic purposes;

Also: Senate Bill No. 409—An act authorizing the issuance of letters patent to the heirs at law of P. W. Fahey, deceased, for certain swamp and overflowed land in Tuolumne County, California;

Also: Senate Bill No. 1141—An act to add a new section to the Penal Code to be numbered 1202*a*, relating to imprisonment in the state prison;

Also: Senate Bill No. 663—An act to validate bonds issued and sold, or to be issued and sold for the purpose of the acquisition or construction of any public improvement work or public utility in any portion of a municipality;

Also: Senate Bill No. 1147—An act making an appropriation to defray the expense of legislative printing for the forty-second session of the Legislature of the State of California;

And reports that the same have been correctly enrolled; and presented the same to the Governor on the twenty-third day of April, 1917, at 11 o'clock a.m.

ROMINGER, Acting Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of the State by adding a new section thereto, to be known as section 7½*a* of Article XI, relating to the consolidation of city and county government and to the framing of charters therefor and amendments to such charters;

Also: Senate Concurrent Resolution No. 20—Relating to the publication of an index of the laws of California;

Also: Senate Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to section 9 of Article IX of the Constitution of the State of California in relation to the powers of the Board of Regents of the University of California;

Also: Senate Bill No. 294—An act appropriating money for repairs and improvements to buildings, structures and equipment at the San Quentin State Prison;

Also: Senate Bill No. 328—An act to amend section 1551 of the Political Code, relating to the reporting of attendance by superintendents of schools;

Also: Senate Bill No. 329—An act to amend section 1735 of the Political Code, relating to the lapsing of high schools and high school districts;

Also, Senate Bill No. [illegible]—An act to add a new section to the Political Code, to be numbered [illegible], relating to the lapsing of school districts and the manner of [illegible], and to repeal "An act to provide for the lapsing of school districts and the manner of [illegible]," approved March [illegible].

Also, Senate Bill No. [illegible]—An act to add a new section to the Political Code, to be numbered section [illegible], relating to the [illegible] fund and school moneys, and to repeal section [illegible] of the Political Code, relating to the [illegible], and section 1878 of the Political Code, relating to the [illegible].

Also, Senate Bill No. [illegible]—An act to amend section [illegible] of the Penal Code, relating to the [illegible] of [illegible] and the [illegible] in [illegible] and public waters.

Also, Senate Bill No. [illegible]—An act to amend section 2 of an act entitled "An act to provide for the [illegible] Soldiers' Home [illegible] the California Home for the Care and Training of Feeble-minded Children [illegible]," approved March [illegible], approved [illegible].

Also, Senate Bill No. [illegible]—An act to amend section [illegible] of the Political Code, relating to the [illegible].

Also, Senate Bill No. [illegible]—An act to amend sections [illegible] of an act entitled "An act for the [illegible] of the State of California and empowering the State Board of Health to [illegible]," approved March [illegible], amended April [illegible], 1911, June [illegible], 1913 [illegible] State Board of Health [illegible].

Also, Senate Bill No. [illegible]—An act [illegible] of Reclamation District No. [illegible] [illegible] Legislature approved May [illegible], 1911 [illegible] State of California [illegible] of the [illegible] of said district.

Also, Senate Bill No. [illegible]—An act to [illegible] bonds of [illegible] school districts [illegible] principal and interest on such bonds.

Also, Senate Bill No. [illegible]—An act providing for the [illegible] highways [illegible] Railroad Commission [illegible] and repealing all acts and parts of acts inconsistent with the provisions of this act.

Also, Senate Bill No. [illegible]—An act to amend the Political Code by adding thereto a new section, to be numbered [illegible], relating to [illegible] of foreign-produced walnuts.

Also, Senate Bill No. [illegible]—An act [illegible] the manufacture of egg products which are used in the preparation of foods intended for human consumption, and providing penalties for violations of the provisions hereof.

Also, Senate Concurrent Resolution No. [illegible]—Relating to [illegible] of the Governor and the members of the Senate and Assembly of the [illegible] session of the Legislature of the State of California.

Also, Senate Bill No. [illegible]—An act to amend section [illegible] of the Code of Civil Procedure, relating to the [illegible] money is deposited in a bank.

And reports that the same have been correctly enrolled, and presented to the Governor on April 24th, at 4 o'clock p.m.

ROMINGER, Acting Chairman.

RECESS.

At six o'clock and twenty minutes p.m., on motion of Senator Gates, the President pro tempore declared the Senate at recess until the hour of eight o'clock and thirty minutes p.m.

RECONVENED.

At eight o'clock and thirty minutes p.m., the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

MOTION TO RESCIND.

Senator Tyrrell moved to rescind the action of the Senate in reading Assembly Bill No. 1449 the second time on this day.

Motion carried.

Assembly Bill No. 1449—An act to amend section 103 of the Code of Civil Procedure, relating to justices' courts.

AMENDMENT FROM THE FLOOR.

During second reading of bill, the following amendment was offered, and its adoption moved by Senator Tyrrell.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, line 13, after the word "courts" strike out all of the balance on pages 1, 2, and 3 of the bill, and insert in lieu thereof the following

The board of supervisors may in similar manner, and for like cause abolish any such additional justices' courts heretofore or hereafter established by it.

In every city or town of the first and one-half class there must be five justices of the peace, and in every city of the second class there must be two justices of the peace, and in every city of the second and one-half class there must be one justice of the peace, and in every city of the third and fourth classes there must be one justice of the peace, to be elected in like manner by the electors of such cities, or town, respectively; and such justices of the peace of cities shall have the same jurisdiction, civil and criminal, as justices of the peace of townships and township justice's courts. Said justices of the peace of cities and justice's courts of cities shall also have jurisdiction of all proceedings for the violation of any ordinance of any city in which courts are established, both civil and criminal, and of all actions for the collection of any license required by any ordinance of any such city, and generally exercise all powers, duties and jurisdiction, civil and criminal, of police judges, judges of police courts, recorder's court, or mayor's courts, within such city. No person is eligible to the office of justice of the peace in any city of the first, first and one-half, second, second and one-half, or third class, who has not been admitted to practice law in this State, and no justice of the peace shall be permitted to practice law before another justice of the peace in the city, town or county in which he resides, or to have a partner engaged in the practice of law in any justice's court in such city, town or county.

Every city justice of the peace in any city of the first and one-half class shall receive a salary of four thousand two hundred dollars per annum, and every city justice of the peace in any city of the second class shall receive a salary of four thousand dollars per annum, and every city justice of the peace in any city of the second and one-half class shall receive a salary of three thousand dollars per annum, and every city justice of the peace in any city of the third class shall receive a salary of two thousand dollars per annum, and every city justice of the peace in any city of the fourth class shall receive a salary of one thousand five hundred dollars per annum; and each justice of the peace shall be provided by the city authorities or by the board of supervisors in counties where the salary of the city justice of the peace is paid by the county, with a suitable office in which to hold his court. The compensation of the justice of the peace of any city shall be paid by warrants drawn each month upon the salary fund, or if there be no salary fund, then upon the general fund of such city or county, as the case may be, such warrants to be

[illegible]

Amendment adopted.

Bill read second time, and ordered to print and third reading.

THIRD READING OF ASSEMBLY BILLS — [illegible]

Assembly Bill No. 1146. An act to amend section 2137 of the Political Code, relative to salaries and fees of officers in counties of the eighth class.

Bill read third time.

MOTION TO REFER TO SENATE COMMITTEE OF ONE

During third reading of Bill, Senator Root moved to refer Assembly Bill No. 1146 to Senator Inman as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE

On page 1, line 7, of the printed bill, strike out the word "five" and insert in lieu thereof the word "four".

AMENDMENT NUMBER TWO

On page 1, line 8, of the printed bill, strike out the word "twenty" and insert in lieu thereof the words "four".

AMENDMENT NUMBER THREE

On page 1, line 10, of the printed bill, strike out the word "twenty" and insert in lieu thereof the word "four".

AMENDMENT NUMBER FOUR

On page 1, line 12, of the printed bill, strike out the word "twenty" and insert in lieu thereof the word "four".

AMENDMENT NUMBER FIVE

On page 1, line 16, of the printed bill, strike out the words "three thousand five hundred" and insert in lieu thereof the words "three thousand", and on line 17 strike out all the rest of the paragraph, beginning with the word "If".

AMENDMENT NUMBER SIX

On page 1, line 19, of the printed bill, strike out the words "three thousand" and insert in lieu thereof the words "two thousand seven hundred".

AMENDMENT NUMBER SEVEN

On page 5, line 27, of the printed bill, strike out the word "including" and insert in lieu thereof the words "include and including".

AMENDMENT NUMBER EIGHT

On page 5, line 29, strike out the semicolon following the word "[illegible]" and insert in lieu thereof a period and strike out all of the balance of said paragraph.

AMENDMENT NUMBER NINE

On page 4, lines 10 and 11, strike out the words "five hundred" and insert in lieu thereof the words "one thousand [illegible]".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 24, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 1146, with instructions to amend, respectfully reports the same back, amended as per instructions.

INMAN, Special Committee.

Report read, and, on motion of Senator Rush, adopted.

Bill ordered to print.

Assembly Bill No. 722—An act to provide for cooperation in the acquisition, construction and management of irrigation and drainage works between irrigation districts organized or existing under or by virtue of an act entitled "An act to provide for organization and government of irrigation districts and to provide for acquisition thereby of works for the irrigation of the lands embraced within such districts, and to provide for the distribution of water for irrigation purposes," approved March 31, 1897, and contiguous or adjoining districts in or organized under the laws of other states.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 722 passed by the following vote:

AYES—Senators Breed, Burnett, Carr, W. J., Chamberlin, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1391—An act to amend section 15 of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended.

On motion of Senator Maddux, Assembly Bill No. 1391 was passed on file.

ASSEMBLY CONCURRENT RESOLUTION No. 16.

Relative to California orange day.

WHEREAS, The orange is one of the most important products of the State of California, and one of its chief glories; and

WHEREAS, It is desirable that this product be given suitable recognition at this time; and

WHEREAS, The observance of a special day as "California Orange Day" throughout this state would be an eminently fitting form for such recognition; now, therefore, be it

Resolved by the Assembly, the Senate concurring, That the legislature of the State of California hereby recognizes and sets apart the tenth day of March, 1917, to be observed as "California Orange Day."

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 16 adopted by the following vote:

AYES—Senators Breed, Burnett, Carr, F. M., Carr, W. J., Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Maddux, Nealon, Purkitt, Rigdon,

Roseberry, Rush, Scott, Sharkey, Shearer, Stern, Stockwell, Thompson and Tyrrell—27.

Noes—None.

Title read and approved.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 191—An act to amend section 1708 of the Political Code of the State of California, relating to the composition, qualifications, term of office and organization of committees of county boards of education.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 191 passed by the following vote:

Ayes—Senators Breed, Cary, W. J. Chamberlain, Crane, Dennis, Flaherty, Gates, Hans, Ingram, Johnson, Lanterman, Lewis, Maddux, Nourse, Parkins, Rigdon, Roseberry, Rush, Scott, Sharkey, Shearer, Stern, Stockwell, Thompson and Tyrrell—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ORDER OF BUSINESS TO THE CHAIR

At nine o'clock p.m. Senator Ingram of the Seventeenth District was called to the chair.

Assembly Bill No. 1204—An act relating to the employment of janitors and employees of certain school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1204 passed by the following vote:

Ayes—Senators Breed, Chamberlain, Cogan, W. J. Chamberlain, Crane, Flaherty, Gates, Hans, Ingram, Johnson, Lanterman, Lewis, Maddux, Nourse, Parkins, Rigdon, Roseberry, Rush, Scott, Sharkey, Shearer, Stern, Stockwell, and Tyrrell—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 212—An act to promote the development of the California fruit industry and to protect the State's reputation in outside markets by establishing a standard for the packing of certain fresh fruits specified herein, prescribing penalties for violations of the provisions hereof, and repealing all acts inconsistent herewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 212 passed by the following vote:

Ayes—Senators Breed, Cogan, W. J. Chamberlain, Dennis, Crane, Flaherty, Gates, Hans, Ingram, Johnson, Kehoe, Lewis, Maddux, Nourse, Parkins, Rigdon, Roseberry, Rush, Scott, Sharkey, Shearer, Stern, Stockwell, Thompson and Tyrrell—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 632—An act declaring rats, mice, gophers and ground squirrels a public nuisance, providing for the manner and

means of the abatement of such nuisance, providing that the expense incurred by reason of such abatement shall be a lien on the property and empowering the board of supervisors in each county to carry out the provisions hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 632 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Carr, W. J., Chamberlin, Evans, Flaherty, Gates, Hans, Ingram, Ingram, Johnson, Jones, Kehoe, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 458—An act to amend section 20 of the act known as the "Water Commission Act," approved June 16, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 458 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Evans, Flaherty, Gates, Hans, Ingram, Ingram, Johnson, Kehoe, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Thompson, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1218—An act to amend section 241 of the Civil Code, relating to appointment of guardians by will or by deed.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1218 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 19—An act to add a new section to the Code of Civil Procedure, to be numbered 274c, relating to compensation of phonographic reporters.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 19 refused passage by the following vote:

AYES—Senators Burnett, Flaherty, Johnson, McDonald, Rigdon, Rominger, Scott, and Thompson—8.

NOES—Senators Ballard, Breed, Carr, F. M., Carr, W. J., Hans, Kehoe, Luce, Maddux, Nealon, Purkitt, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—15.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 696—An act to amend section 3618 of the Political Code, relating to redemption from tax sale.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 696 passed by the following vote:

AYES—Senators Barnett, Beban, Benson, Carr, E. M., Carr, W. J., Cassidy, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Law, Mattson, Nourse, Owens, Rominger, Rush, Shearer, Stern, and Yonker—20.

NOES—Senator Stanley—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 210—An act to validate bonds of the Los Angeles County Flood Control District and all proceedings relating thereto, and making final and conclusive except as herein provided, the official canvass of election returns of the election at which said bonds were voted.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 210 passed by the following vote:

AYES—Senators Ballard, Benson, Carr, E. M., Cassidy, Dennison, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Law, Mattson, Nourse, Rigdon, Rominger, Rush, Scott, Shearer, Stern, and Stankovitch—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 476—An act to amend section 604a of the Civil Code, relating to religious corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 476 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, W. J., Cassidy, Dennison, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Law, Mattson, Nourse, Rigdon, Rominger, Rush, Scott, Shearer, Stern, Stankovitch, and Yonker—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1258—An act to add a new section to the Code of Civil Procedure of California to be designated as section 67c, relating to the appointment of an official court interpreter of the Spanish language by the judges of the superior court in counties of the first class, prescribing his duties and providing for the appointment of such interpreter.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1258 passed by the following vote:

AYES—Senators Breed, Carr, W. J., Cassidy, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Kehoe, Mattson, Nourse, Rigdon, Rominger, Rush, Scott, Shearer, Stern, Stankovitch, and Yonker—20.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 735—An act to amend section 343 of the Political Code, relative to the designation and number of civil executive officers.

On motion of Senator Benson, Assembly Bill No. 735 was passed on file.

Assembly Bill No. 1434—An act to amend sections 853, 996 and 4313 of the Political Code, relating to absence of officers from the State and vacancies in public office.

In the absence of Senator Lyon, Assembly bill No. 1434 was ordered passed, to retain its place on the file.

Assembly Bill No. 584—An act to repeal section 1324 of the Penal Code, relating to the testimony of witnesses refusing to answer on the ground that such answer will incriminate himself.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 584 passed by the following vote:

AYES—Senators Benson, Breed, Carr, W. J., Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Kehoe, King, Maddux, Nealon, Parkitt, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck and Thompson—22.

NOES—Senators Ballard, Carr, F. M., Chamberlin, and Rigdon—4.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 246—An act to amend section 1580 of the Code of Civil Procedure, relating to the procedure for the sale of mining property belonging to an estate.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 246 passed by the following vote:

AYES—Senators Ballard, Carr, F. M., Carr, W. J., Duncan, Flaherty, Gates, Hans, Ingram, Johnson, Kehoe, Maddux, Nealon, Parkitt, Rigdon, Rush, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Terrell—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 919—An act to amend section 4049 of the Political Code, relating to the publication of the proceedings of the board of supervisors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 919 passed by the following vote:

AYES—Senators Benson, Breed, Carr, F. M., Chamberlin, Chandler, Flaherty, Hans, Ingram, Inman, King, McDonald, Nealon, Parkitt, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Terrell—22.

NOES—Senators Ballard, Carr, W. J., Duncan, Evans, Kehoe, and Maddux—6.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 674—An act to amend section 3766 of the Political Code, relating to the manner of publication of the delinquent tax list.

Bill read third time

CALL OF THE SENATE.

The roll was called on the final passage of Assembly Bill No. 574.

Pending the announcement of the vote, Senator Irvine moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators [illegible]

The Secretary announced the absentees.

Time, ten o'clock and forty-seven minutes p. m.

The President pro tempore directed the Sergeant-at-Arms to close the doors.

FURTHER PROCEEDINGS, UNDER CALL OF THE SENATE, DISPOSITION OF.

At ten o'clock and forty-eight minutes p. m. further proceedings under the call of the Senate were dispensed with, on motion of Senator Irvine.

The Secretary was directed to call the roll on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Assembly Bill No. 574 finally passed by the following vote:

Ayes—Senators [illegible]

Nays—Senators [illegible] Carr, F. M., Cole, W. J., [illegible] Jones, Kelsey, Mullin, and Pulver—10.

REPORTS OF STANDING COMMITTEES.—(SEE SP. LAWS).

The following report of standing committee was received and read:

ON BILLS ORDERED NOT ORDERED.

SENATE CHAMBER, SACRAMENTO, April 25, 1917.

MR. PRESIDENT: Your committee on Public Health and Quarantine, to which was referred Assembly Bill No. 696, "An act to amend sections 1, 10, and 11 of an act entitled 'An act for preventing the contamination and contamination of inland streams, constituting a board of inland health and fishery and prescribing the duties thereof, providing penalties, constituting a state inspector and fishery officers and defining and making an appropriation therefor,' approved March 19, 1907," as amended, has had the same under consideration and respectfully returns the bill back and recommends that it do pass.

CARR, F. M., Chairman.

Assembly Bill No. 696 ordered on file for second reading.

THIRD READING OF ASSEMBLY BILLS, ETC.—(RESUMED).

Assembly Constitutional Amendment No. 1—Proposed amendment to Article II of the Constitution, relative to the right of suffrage.

Resolution read.

AMENDMENTS FROM THE FLOOR.

Senator Kehoe moved to amend Assembly Constitutional Amendment No. 1 as follows:

AMENDMENT NUMBER ONE.

On page 2, line 14, strike out the words "now has" and insert in lieu thereof the word "had".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 15, insert between the words "State" and the comma following it the following: "on October 10, 1911".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 15, strike out the words "shall be" and insert in lieu thereof the word "was".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 16, strike out the words "at the time this amendment shall take effect" and insert in lieu thereof the following: "on October 10, 1911".

Amendment adopted.

Resolution ordered to print and engrossment.

Assembly Bill No. 752.—An act to amend section 626s of the Penal Code of the State of California, relating to hunting of game in certain districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 752 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, F. M., Chamberlin, Evans, Flaherty, Gates, Hans, Harper, Irwin, Johnson, Jones, Kehoe, King, Lane, McDonald, Maddux, Rigdon, Rush, Scott, Sharkey, Slater, Stackenbruck, Thompson, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 473.—An act fixing the compensation of grand and trial jurors in counties of the seventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 473 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Crowley, Dennis, Flaherty, Gates, Hans, Johnson, Jones, Lane, McDonald, Maddux, Nourse, Pulcifer, Rigdon, Rush, Scott, Sharkey, Slater, Stackenbruck, Thompson, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

LEAVE OF ABSENCE.

At ten o'clock and fifty-five minutes p. m. Senator Ballard was, on motion of Senator Benson, granted leave of absence for the balance of this legislative day.

THIRD READING OF ASSEMBLY BILLS—(CONTINUED).

Assembly Bill No. 758—An act to amend section 653 of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 758 passed by the following vote:

AYES—Senators Benson, Brand, Carr, F. M., Carr, W. J., Chandler, Cronin, Evans, Flaherty, Gates, Hains, Ingram, Johnson, Kent, Lee, McDonald, Mathews, Nelson, Perrigo, Rigdon, Rush, Shaw, Shearer, Stone, Sutherland, Thompson and Tyson—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1115—An act to amend an act entitled "An act to define the duties of and to license land surveyors, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 31, 1891," approved March 16, 1907, by amending sections 1, 2, 3, 11 and 14 thereof, so as to constitute the Surveyor General, the State Engineer and the Highway Engineer, or officers in charge of land surveyors to examine persons applying to become licensed land surveyors, to prescribe the powers and duties of such board, to provide for the revocation, suspension or withholding of licenses, to provide penalties for violations hereof, and to provide for paying the actual necessary expenses of such board.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1115 passed by the following vote:

AYES—Senators Benson, Brand, Benson, Carr, F. M., Carr, W. J., Chandler, Chandler, Evans, Flaherty, Gates, Ingram, Johnson, Kent, Lee, McDonald, Nelson, Perrigo, Rigdon, Rush, Shearer, Shaw, Sutherland, Thompson and Tyson—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 737—An act to add a new section to the Penal Code of the State of California, to be numbered 631b, relating to the protection of fish and game and providing for additional penalties for the violation of the laws relating thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 737 passed by the following vote:

AYES—Senators Benson, Brand, Benson, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Ingram, Johnson, Kent, Lee, McDonald, Nelson, Perrigo, Rigdon, Rush, Shaw, Shearer and Thompson—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 405—An act to provide for a license for trapping fur-bearing mammals for profit, defining fur-bearing mammals and requiring reports to be filed with the Fish and Game Commission.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 405 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Flaherty, Gates, Ingram, Johnson, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER.

Senator Luce moved to reconsider the vote whereby Assembly Bill No. 546 was refused passage.

POSTPONEMENT OF CONSIDERATION.

On motion of Senator Luce, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 546 was refused passage, was continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1423—An act to amend section 634 of the Penal Code, relating to the protection of fish.

On motion of Senator Johnson, Assembly Bill No. 1423 ordered to unfinished business.

Assembly Bill No. 73—An act to regulate the taking and harvesting of kelp and other aquatic plants of the State of California by recognizing and declaring their ownership in the State of California, and providing for the control thereof by the Fish and Game Commissioners, and providing for a license tax upon all persons, firms or corporations engaged in the industry of taking or harvesting kelp or other aquatic plants, and providing for the collection and disbursement of the revenues derived therefrom, and providing for a privilege tax upon all kelp taken in the waters of this State, and providing for the protection of the kelp beds, and for the manner of taking kelp and other aquatic plants, and providing for hearings by the Fish and Game Commissioners, and providing penalties for the violation of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 73 passed by the following vote:

AYES—Senators Breed, Carr, W. J., Chamberlin, Chandler, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rominger, Rush, Sharkey, Slater, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 942—An act to provide for the equipment of steam locomotives with automatic fuel-charging devices.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 942 passed by the following vote:

Ayes—Senators Burnett, Carr, F. M., Carr, W. J., Chandler, Chapman, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Kehoe, Kelly, Lane, McDonald, Meadow, Nealon, Parker, Rigdon, Rosendale, Rush, Scott, Sharkey, Shearer, Stanton, Stockbridge, Thompson, and Tyrrell—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 972—An act to amend section 36[illegible] of the Political Code, and to add a new section to said Political Code to be numbered section 36[illegible], relating to official maps and assessment maps, and assessment by reference to said maps.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 972 passed by the following vote:

Ayes—Senators Benson, Burnett, Carr, F. M., Carr, W. J., Chandler, Chapman, Gates, Hans, Ingram, Johnson, Kehoe, Kelly, Lane, McDonald, Meadow, Nealon, Parker, Rigdon, Rosendale, Rush, Scott, Sharkey, Shearer, Stockbridge, Thompson, and Tyrrell—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1289—An act defining "industrial loan companies," providing for their incorporation, powers and supervision.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1289 passed by the following vote:

Ayes—Senators Benson, Burnett, Brown, Carr, F. M., Carr, W. J., Chandler, Evans, Gates, Hans, Ingram, Johnson, Kehoe, Kelly, Lane, McDonald, Nealon, Parker, Rigdon, Rush, Scott, Shearer, Shearer, Stockbridge, Thompson, and Tyrrell—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 768—An act to amend section 628 of the Penal Code, relating to fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 768 passed by the following vote:

Ayes—Senators Benson, Brown, Carr, F. M., Carr, W. J., Chapman, Chandler, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Kehoe, Kelly, Lane, McDonald, Nealon, Rigdon, Rush, Shearer, Scott, Stockbridge, and Tyrrell—25.

Noes—Senators Burnett, Scott, and Sharkey—3.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Senator McDonald gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 768 was this day passed.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At eleven o'clock and thirty-five minutes p. m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 311—An act to amend section 277 of the Code of Civil Procedure, relating to admission of attorneys to practice law.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 311 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Duncan, Evans, Gates, Hans, Ingram, Inman, Jones, Kehoe, King, Luce, Purkitt, Rominger, Rush, Shearer, Stephenson, Thompson, and Turrell—23.

NOES—Senators Flaherty, McDonald, Nealon, Rigdon, Scott, Sharkey, and Slater—7.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 25, 1917.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 99—An act to add a new section to the Political Code to be numbered 4281*a*, relating to fees of trial jurors in counties of the fifty second class—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

INMAN, Chairman.

Assembly Bill No. 99 ordered on file for second reading.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 25, 1917.

MR. PRESIDENT: Your Committee on Corporations, to which was referred Assembly Bill No. 345—An act to amend section 304 of the Civil Code, relating to entries to be made in the book of by-laws kept by corporations—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

SHARKEY, Chairman.

Assembly Bill No. 345 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 25, 1917.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 960—An act to amend section 4255 of the Political Code, relating to salaries and fees of officers of counties of the twenty-sixth class—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

INMAN, Chairman.

Assembly Bill No. 960 ordered on file for second reading.

[illegible]

[illegible] CHAMBER, SACRAMENTO, April [illegible], 1917.

MR. PRESIDENT: [illegible] Committee on [illegible] Assembly Bill No. [illegible]—An act [illegible]

[illegible], Chairman.

Assembly Bill No. [illegible] ordered on file for second reading.

MESSAGES FROM THE ASSEMBLY—OUT OF ORDER.

On motion of Senator [illegible], the following messages from the Assembly were taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April [illegible], 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. [illegible]—An act [illegible]

Also, Senate Bill No. [illegible]—An act [illegible]

Also, Senate Bill No. [illegible]—An act [illegible]

Also, Senate Bill No. [illegible]—An act [illegible]

[illegible], Chief Clerk of Assembly.
By [illegible], Assistant Clerk.

Senate Bills Nos. [illegible] and [illegible] ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April [illegible], 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. [illegible]—An act [illegible] ordinance.

Also, **Senate Bill No. 431—An act auth**[illegible] property [illegible]

Also, Senate Bill No. [illegible]—An act to [illegible] "An act to provide for the [illegible] establishments," approved June [illegible].

Also, Senate Bill No. [illegible]—An act [illegible] of indemnity, prescribing [illegible] an act entitled "An act [illegible] indemnity, prescribing [illegible]," approved December 24, 1911;

Also: Senate Bill No. 426—An act to add a new section to the Political Code, to be numbered 1838, relating to the powers and duties of the governing boards of school districts in levying taxes for building purposes.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 430, 431, 620, 334 and 426 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage to Senate Bill No. 371—An act authorizing counties to declare noxious or dangerous weeds growing upon the roads and within municipalities to be a public nuisance, and creating a lien upon the abutting property for the cost of abating the same.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 25th refused passage to Senate Bill No. 297—An act to amend section 1 of an act entitled "An act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other laws and parts of acts now in force relating to estrays," approved March 23, 1901, as amended, and to add a new section thereto to be numbered 9*a*.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 19th refused passage to Senate Bill No. 81—An act to authorize the State Board of Education to collect and compile information concerning California industries and occupations.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 29—Relative to making Memorial Day a day of patriotic observance only.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Concurrent Resolution No. 29 ordered to enrollment.

APPROVAL OF JOURNALS.

On motion of Senator Benson, the Senate Journals of Monday, April 16, 1917, Tuesday, April 17, 1917, Wednesday, April 18, 1917, Thursday, April 19, 1917, and Friday, April 20, 1917, were approved as corrected.

ADJOURNMENT.

At eleven o'clock and fifty-five minutes p.m., on motion of Senator Benson, the President pro tempore declared the Senate adjourned until the hour of nine o'clock and thirty minutes a.m. Thursday, April 26, 1917.

IN SENATE.

SENATE CHAMBER,

Sacramento, Thursday, April 26, 1917.

The Senate met at nine o'clock and thirty minutes a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Senator Clifford E. Hewitt at the desk.

The roll was called, and the following senators responded to their names:

Senators Bartlett, Beban, Black, Boyle, Brown, Carr, W. H. Chandler, Cogswell, Cowdery, Dodge, Dorsey, Flaherty, Fuller, Gaffney, Gerlach, Hewitt, Johnson, Jones, Kehoe, King, Lion, McDonald, Marshall, Martin, Evans, Rigdon, Roseberry, Shaw, Stevens, Stewart, Sims, Swanson, Thompson and Tyrrell—40.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dwinell.

READING OF AND APPROVAL OF JOURNAL.

During the reading of the Journal of Wednesday, April 25, 1917, the further reading was dispensed with, on motion of Senator Stewart.

LEAVE OF ABSENCE.

Senator Hare was, on motion of Senator Flaherty, granted leave of absence for this day.

Senator Lyon was, on motion of Senator Scott, granted leave of absence for this day.

Senator Caspar was, on motion of Senator Flaherty, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE CHAMBER.

On request of Senator Nealon, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. and Mrs. A. E. Arbuckle, Mr. and Mrs. Wm. M. O'Neil, Miss Helen Arbuckle and Miss Kathryn Hanrahan, of Sacramento.

On request of Senator Scott, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mrs. Josephine Dixon of Sacramento.

On request of Senator Kennedy, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. F. A. Knight of Long Beach.

On request of Senator Tyrrell, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mrs. Joseph Myers, Miss Alva Myers and Miss Vaeli Myers of Sacramento.

On request of Senator Parkill, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mrs. Alfred L. Bartlett of Hollywood and Mrs. Joe C. Burke of Santa Ana.

On request of Senator Inman, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to the faculty and students of the Sacramento High School.

VISIT BY HIGH SCHOOL STUDENTS.

Students of Sacramento High School occupied the gallery of the Senate Chamber while the high school cadets marched into the chamber and presented the flag.

ADDRESS BY SENATOR BENSON.

After the entire body had risen and joined in singing the Star Spangled Banner, Senator Benson addressed the Senate as follows:

In this hour of our exaltation, with our reverence of this glorified emblem and inspired by the presence and the patriotism of these young citizens, may we not properly, in extending our appreciation of the visit here of these students of the Sacramento High School, take this occasion to renew our vows and allegiance to our county and its flag?

We appreciate this stimulation of our patriotism, and as we go forth in a day or two, it will be with the memory of these sweet young voices still stirring our love of country, and the vision of these stalwart youths giving full promise that the sterling virtues of our country remain undimmed. Let us carry to every nook and corner of our grand state something of the inspiration of this hour.

Mr. President, I move that this Senate do extend its grateful appreciation to the young ladies of the Sacramento High School, the officers of the Sacramento Cadet Battalion, the musicians who have so delightfully contributed to the occasion, and to the teachers under whose direction this demonstration has been arranged.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 114: An act to amend section 673 of the Penal Code, relating to civil rights of convict suspended;

Also: Senate Bill No. 341—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class;

Also: Senate Bill No. 338—An act to amend section 4238 of the Political Code, relating to the compensation of county and township officers of counties of the ninth class, and to the number, appointment and salaries of their assistants and deputies;

Also: Senate Bill No. 942: An act to amend sections 1519 and 1519*a* of the Political Code, and to add five new sections thereto, to be numbered 1519*b*, 1519*c*, 1519*d*, 1534 and 1696*b*, relating to the powers and duties of the State Board of Education and of the Superintendent of Public Instruction, and to the duties of teachers;

Also: Senate Bill No. 566—An act to amend section 4233 of the Political Code, relating to officers and salaries in counties of the fourth class;

And respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 114, 341, 338, 942 and 566 ordered to unfinished business.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 25, 1917.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 455: An act making appropriations for the support of the government of the

[illegible] under consideration, and respectfully report the same back with amendments and recommend that it do pass as amended.

CHANDLER, Chairman.

Assembly Bill No. [illegible] ordered on file for second reading.

Also:

Mr. [illegible]: Your Committee on Finance, to which had been referred Assembly Bill No. [illegible]—An act [illegible] waters of the State [illegible] of the State and [illegible] has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

CHANDLER, Chairman.

Assembly Bill No. [illegible] ordered on file for second reading.

ON PUBLIC HEALTH.

SENATE CHAMBER, SACRAMENTO, April 26, 1917.

Mr. President: Your Committee on [illegible], to which was referred Assembly Bill No. [illegible]—An act to amend section [illegible] of an act entitled "An act to provide a central bureau for the [illegible] statistics [illegible] certificates of births and deaths [illegible] vital statistics [illegible] undertakers, sextons and other persons [illegible] penalties for violations of this act [illegible] of vital statistics [illegible] parts of acts in conflict herewith," approved May 18, 1915, has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

[illegible], Chairman.

Assembly Bill No. 1264 ordered on file for second reading.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 421—An act to amend section 8 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended May [illegible], as amended June 11, 1915.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 4, of the printed bill, strike out the words "[illegible]"

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 15, of the printed bill, after the word "work", insert the following: "of erecting or constructing poles, posts, wires, pipes, conduits, lamps and other suitable or necessary appliances for the purpose of lighting said streets, avenues, lanes, alleys, courts, places or public ways or the planting of trees thereon".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 19, of the printed bill, after the word "work", insert the following: "of erecting or constructing poles, posts, wires, pipes, conduits, lamps and other suitable or necessary appliances for the purpose of lighting said streets, avenues, lanes, alleys, courts, places or public ways or the planting of trees thereon".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 25, of the printed bill, strike out the period after the word "hearing" and insert in lieu thereof a semicolon and the following: "*and it is further provided, however*, that in all other work set forth in section two of this act when the protest is against the proposed work, and the cost thereof is to be assessed upon the property fronting thereon, and the city council finds that such protest is made by the owners of a majority of the property fronting on the proposed work, or when the protest is against the proposed work and the cost thereof is to be assessed upon the property within a district, and the city council finds that such protest is made by the owners of more than one-half of the area of the property to be assessed for said improvements, no further proceedings shall be taken for a period of six months from the date of the decision of the city council on said hearing, unless the said protest be overruled by an affirmative vote of four-fifths of the members of the city council."

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 514—An act appropriating money for the construction and equipment of ice plant in commissary building at the California School for Girls.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 519—An act appropriating money for the improvement of grounds at the California School for Girls.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1350—An act to increase the number of judges of the superior court of the county of Imperial, State of California, and for the appointment of such additional judge.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1469—An act to add a new section to the Penal Code, to be numbered 629*a*, relating to fish screens.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 7, after the word "fish" insert the words "and game".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 1167—An act to amend section 626*i* of the Penal Code, relating to the limit of deer that may be killed.

COMMITTEE AMENDMENT

During the second reading of bill, the following committee amendment was offered:

COMMITTEE AMENDMENT

On page 1, line 1, after the enacting clause, insert the following: "Section 1. Section 1 of an act entitled 'An act to amend the Penal Code by adding thereto a new section to be numbered 1300a, relating to the sale of adulterated, misbranded or mislabeled foods and liquors and regulating the traffic therein, prescribing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor,' approved March 13, 1907, as amended, is amended to read:

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 712—An act to amend section 4268 of the Political Code, relating to salaries and fees of officers in counties of the fifty-third class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 134—An act to amend section 4322 of the Political Code, relating to salaries of officers of counties of the thirty-third class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 714—An act to amend section 4274 of the Political Code, relating to salaries and fees of officers in counties of the forty-fifth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 714—An act to amend section 4270 of the Political Code, relating to salaries and fees of officers in counties of the forty-first class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1409—An act to add a new section to the Political Code, to be numbered 4261a, relating to the fees of jurors in counties of the thirty-second class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1390—An act to amend section 4144 of the Political Code, relating to specific duties of treasurer.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1394—An act to amend sections 4293, 4294, 4295 and 4296 of the Political Code, relating to fees of county officers and statements thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 690—An act to amend sections 5, 16 and 21 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, prescribing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 13, 1907, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 90—An act to add a new section to the Political Code, to be numbered 4281a, relating to fees of sheriff and assessor in counties of the fifty-second class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 843—An act to amend section 384 of the Civil Code, relating to entries to be made by the book, of by laws kept by corporations.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 960—An act to amend section 4255 of the Political Code, relating to salaries and fees of officers of counties of the twenty-sixth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1403—An act to exclude certain territory from the boundaries of the Sacramento and San Joaquin Drainage District.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 22, strike out after the word "of" down to and including the bracket after the word "east" on line 24, and insert in lieu thereof the following: "the east half of township seventeen north, range one east; also all of townships seventeen north, range two and three east; also all of townships eighteen north, range two and three east; also all of township nineteen north, range one west; also all of township nineteen north, range one east."

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

SECOND READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Senator Chandler moved that the Senate take up for second reading all Assembly bills previously reported from committees this day.

Motion carried.

Assembly Bill No. 455—An act making appropriations for the support of the government of the State of California for the sixty-ninth and seventieth fiscal years.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. The following sums of money are hereby appropriated out of any money in the state treasury not otherwise appropriated for the support of the government of the State of California for the sixty-ninth and seventieth fiscal years; *provided*, that in all cases in which statutory provision has already been made for salaries or for other regular annual appropriations, the amounts herein appropriated shall be deemed to be the same amounts appropriated by such statutes, and not additional thereto.

LEGISLATIVE DEPARTMENT.

For salaries of senators, forty thousand dollars.

For mileage of lieutenant governor and senators, four thousand four hundred dollars.

For pay of officers, clerks and all other employees of the senate, fifty thousand dollars.

For contingent expenses of senate, fifteen thousand dollars.

For salaries of assemblymen, eighty thousand dollars.

For mileage of assemblymen, seven thousand five hundred dollars.

For pay of officers, clerks and all other employees of assembly, fifty thousand dollars.

For contingent expenses of the assembly, eighteen thousand dollars.

For printing, binding and all other work performed and materials furnished by the state printing office to the legislature, eighty-five thousand dollars.

JUDICIAL DEPARTMENT.

For salaries of justices of supreme court, one hundred twelve thousand dollars.

For salaries of two secretaries supreme court, nine thousand six hundred dollars.

For salary of reporter of decisions of supreme court and district courts of appeal, five thousand dollars.

For [illegible] dollars.

For salary of [illegible] dollars.

For [illegible] dollars.

For [illegible] dollars.

For [illegible] dollars.

For [illegible] dollars.

For [illegible] dollars.

For [illegible] dollars.

For [illegible] dollars.

For [illegible] dollars.

For [illegible] dollars.

For [illegible] dollars.

For [illegible] dollars.

For [illegible] dollars.

For [illegible] dollars.

For [illegible] dollars.

For [illegible] dollars.

For [illegible] dollars.

For [illegible] dollars.

For [illegible] dollars.

For [illegible] dollars.

For [illegible] dollars.

For [illegible] dollars.

For [illegible] thousand dollars.

[illegible]

For salary of governor, [illegible] thousand dollars.

For salary of [illegible] dollars.

For salary of [illegible] dollars.

For salary of [illegible] dollars.

For salary of [illegible] dollars.

For salary of [illegible] dollars.

For salary of [illegible] dollars.

For [illegible] dollars.

For [illegible] dollars.

For [illegible] dollars.

For [illegible] dollars.

For salary of [illegible] dollars.

LIEUTENANT GOVERNOR

For salary of lieutenant governor, [illegible] thousand dollars.

STATE BOARD OF CONTROL

For salary of members state board of control, [illegible] thousand dollars.

For salary of secretary to state board of control, [illegible] hundred dollars.

For salaries of three clerks, [illegible] hundred dollars.

For salaries of two stenographers, [illegible] thousand dollars.

For salary of messenger, [illegible] hundred dollars.

For salary of superintendent of [illegible] hundred dollars.

For salaries of two assistant superintendents of [illegible] hundred dollars.

For support and maintenance of state board of control, including traveling and contingent expenses, two hundred twenty-eight thousand four hundred fifty dollars.

SECRETARY OF STATE'S OFFICE.

For salary of secretary of state, ten thousand dollars.

For salary of deputy secretary of state, six thousand dollars.

For salary of bookkeeper, office secretary of state, four thousand eight hundred dollars.

For salary of corporation secretary, office secretary of state, five thousand six hundred dollars.

For salary of statistician, office secretary of state, four thousand eight hundred dollars.

For salary of keeper of archives, office secretary of state, four thousand dollars.

For salary of one recording clerk, office secretary of state, three thousand six hundred dollars.

For salaries of five recording clerks, office secretary of state, sixteen thousand dollars.

For salary of one register clerk, three thousand six hundred dollars.

For salaries of two certificate clerks, office secretary of state, six thousand four hundred dollars.

For salary of messenger, office secretary of state, one thousand eight hundred dollars.

For salary of porter, office secretary of state, one thousand four hundred forty dollars.

For salaries of two special legislative clerks, office secretary of state, one thousand dollars.

For postage, expressage and telegraphing, office secretary of state (exempt from section 4 of this act), nine thousand dollars.

For contingent and traveling expenses, office secretary of state, two thousand five hundred dollars.

For printing, etc., secretary of state (exempt from section 4 of this act), nine thousand dollars.

For salary of superintendent and cashier, corporation license department, four thousand eight hundred dollars.

For salaries of two clerks, corporation license department, seven thousand two hundred dollars.

For salaries of four clerks, corporation license department, twelve thousand eight hundred dollars.

For pay of porter, corporation license department, seven hundred twenty dollars.

For pay of messenger, corporation license department, one thousand two hundred dollars.

For postage and contingent expenses, corporation license department, two thousand five hundred dollars.

For printing, etc., corporation license department, four thousand three hundred dollars.

For printing and compiling state roster, eight hundred dollars.

CONTROLLER'S OFFICE.

For salary of controller, ten thousand dollars.

For salary of deputy controller, six thousand dollars.

For salary of bookkeeper, controller's office, four thousand eight hundred dollars.

For salary of expert, controller's office, four thousand dollars.

For salary of one clerk, controller's office, three thousand six hundred dollars.

For salaries of three clerks, controller's office, nine thousand six hundred dollars.

For salary of statistician, controller's office, four thousand eight hundred dollars.

For salary of warrant registrar, controller's office, four thousand eight hundred dollars.

For salary of stenographer, controller's office, two thousand four hundred dollars.

For pay of porter, controller's office, one thousand four hundred forty dollars.

For contingent and traveling expenses, controller's office, twenty-eight thousand six hundred dollars.

For expenses of collecting, compiling and printing county and municipal statistics, two thousand eight hundred dollars.

For printing, etc., controller's office, six thousand five hundred dollars.

For salary of inheritance tax attorney, seven thousand two hundred dollars.

For salaries of two assistant inheritance tax attorneys, fourteen thousand four hundred dollars.

For salary of inheritance tax clerk, Sacramento, three thousand six hundred dollars.

For expenses of inheritance tax department, including printing, traveling and contingent expenses, postage, expressage and telegraphing, clerical and other services, and any other expenses necessary and proper to the enforcement of the inheritance tax law, ninety thousand dollars.

For general expense, branch inheritance tax department, San Francisco, eighteen thousand dollars.

For general expense, branch inheritance tax department, Los Angeles, eighteen thousand dollars.

[illegible]

For salaries of two clerks, stenographer and collector [illegible] two hundred dollars.

For salaries of [illegible] clerks [illegible] thousand dollars.

For postage, stationery, [illegible] and contingent expenses [illegible] department, three thousand six hundred dollars.

For printing, binding and [illegible] [illegible] two thousand [illegible] hundred dollars.

[illegible]

For salary of state treasurer, [illegible] thousand dollars.

For salary of deputy state treasurer, [illegible] two thousand dollars.

For salary of [illegible] treasurer's office, [illegible] two hundred dollars.

For salary of [illegible] treasurer's office, [illegible] dollars.

For salary of [illegible] treasurer's office, [illegible] dollars.

For salary of [illegible] treasurer's office, [illegible] two hundred dollars.

For salary of [illegible] treasurer's office, [illegible] dollars.

For salary of [illegible] treasurer's office, [illegible] dollars.

For salary of [illegible] treasurer's office, [illegible] dollars.

For pay of [illegible] treasurer's office, [illegible] two hundred [illegible] dollars.

For [illegible] and [illegible] treasurer's office, [illegible] dollars.

For printing, etc., treasurer's office, [illegible] two hundred dollars.

[illegible]

For salary of attorney general, [illegible] thousand dollars.

For salary of assistant attorney general, [illegible] dollars.

For salary of chief deputy in attorney general, [illegible] dollars.

For salaries of six deputies in attorney general's office, [illegible] dollars.

For salary of one deputy in attorney general, six thousand dollars.

For salary of another deputy attorney general's office, three thousand six hundred dollars.

For salaries of two public attorney general's office, seven thousand two hundred dollars.

For salary of [illegible] attorney general's office, [illegible] hundred dollars.

For salaries of five stenographers, attorney general's office, [illegible] dollars.

For salary of one stenographer, attorney general's office, [illegible] hundred dollars.

For pay of porter, attorney general's office [illegible] dollars.

For postage, [illegible] attorney general's office, [illegible] dollars.

For [illegible] and [illegible] attorney general's office, [illegible] dollars.

For [illegible] attorney general's office, [illegible] dollars.

For [illegible] attorney general's office, [illegible] dollars.

For [illegible] attorney general's office, [illegible] dollars.

For [illegible] and [illegible] [illegible] of [illegible] dollars.

[illegible]

For support and salaries, [illegible] thousand dollars.

[illegible]

For salary of [illegible] general, [illegible] dollars.

For salary of [illegible] general, [illegible] dollars.

For salary of [illegible] general, [illegible] dollars.

For salaries of three clerks, attorney general's office, [illegible] dollars.

For salaries of three clerks, [illegible] office, [illegible] dollars.

For pay of porter, attorney general's office, [illegible] dollars.

For postage and [illegible], attorney general's office, [illegible] hundred dollars.

For printing, etc., attorney general's office, [illegible] dollars.

SUPERINTENDENT OF STATE PRINTING.

For salary of superintendent of state printing, [illegible] thousand dollars.

For salary of deputy superintendent of state printing, four thousand eight hundred dollars.

STATE BOARD OF EQUALIZATION.

For salaries of members of the state board of equalization, thirty-two thousand dollars.

For salary of secretary, state board of equalization, eight thousand dollars.

For pay of porter, state board of equalization, nine hundred sixty dollars.

For postage, expressage, telegraph, and contingent expenses, state board of equalization, one thousand dollars.

For clerical and expert assistance, printing, postage and all other expenses involved in making the assessment of taxes, twenty-five thousand dollars.

For traveling and contingent clerical expenses, state board of equalization (Political Code, section 3702), seven thousand dollars.

For printing, etc., state board of equalization, five thousand dollars.

SUPERINTENDENT CAPITOL BUILDING AND GROUNDS.

For salary of superintendent of capitol building and grounds, six thousand dollars.

For salary of clerk to superintendent of capitol building and grounds, three thousand six hundred dollars.

For salary of engineer, three thousand six hundred dollars.

For salary of additional engineer during session of the legislature, six hundred dollars.

For salary of fireman, two thousand five hundred twenty dollars.

For salary of additional fireman during session of the legislature, four hundred twenty dollars.

For salary of electrician, three thousand six hundred dollars.

For salary of additional electrician during session of the legislature, six hundred dollars.

For pay of head porter, two thousand five hundred twenty dollars.

For pay of seven special policemen, eighteen thousand four hundred eighty dollars.

For pay of two elevator attendants, four thousand five hundred sixty dollars.

For pay of two additional elevator attendants during session of the legislature, seven hundred sixty dollars.

For pay of three telephone operators, five thousand four hundred dollars.

For pay of two additional elevator attendants during session of the legislature, six hundred dollars.

For pay of one telephone exchange operator for six weeks each year, two hundred twenty-five dollars.

For purchase of carpets and furniture for capitol building and departments, four thousand dollars.

For water for capitol building and grounds, three thousand six hundred dollars.

For repairs to capitol building and furniture, four thousand dollars.

For stationery, fuel, lights and supplies, eighteen thousand dollars.

For salary of head gardener, four thousand two hundred dollars.

For pay of gardeners, porters, and other help in capitol building and grounds, fifty-four thousand five hundred dollars.

For purchase of implements, etc., and care and improvement of grounds of state capitol and executive mansion (except from section 4 of this act), twelve thousand five hundred dollars.

For traveling and contingent expenses, superintendent capitol building and grounds, five hundred dollars.

For salary of emergency electrician, one month, one hundred fifty dollars.

For salary of typewriter expert, two thousand six hundred forty dollars.

BOARD OF RAILROAD COMMISSIONERS.

For salaries of commissioners, eighty thousand dollars.

For salaries of other civil executive officers in office of board of railroad commissioners and the support of the commission, four hundred twenty-seven thousand three hundred dollars.

INSURANCE COMMISSIONER.

For salary of insurance commissioner, twelve thousand dollars.

For salary of deputy insurance commissioner, five thousand four hundred dollars.

CIVIL SERVICE COMMISSION.

For salaries of members of the commission, eighteen thousand dollars.

For support of the commission, fifty-two thousand dollars.

IMMIGRATION AND HOUSING COMMISSION.

For support of the commission, ninety thousand dollars.

[illegible]

For salary of commissioner of [illegible] and [illegible], [illegible] thousand [illegible] hundred dollars.

For salary of deputy commissioner of [illegible] and [illegible], [illegible] thousand six hundred dollars.

For salary of [illegible], of [illegible] and [illegible], [illegible] thousand [illegible] hundred dollars.

[illegible]

For salaries of [illegible] [illegible] thousand dollars.

For support of [illegible] including salaries of other employees, fuel, [illegible] and other incidental expenses to the work of the commission, one hundred [illegible] thousand dollars.

[illegible]

For support of the institution, [illegible] thousand dollars.

[illegible]

For salary of secretary, state board of health, [illegible] thousand dollars.

For salary of assistant secretary, state board of health, [illegible] thousand eight hundred dollars.

For salary of attorney, state board of health, six thousand dollars.

For salary of statistician, state board of health, [illegible] thousand eight hundred dollars.

For salary of deputy statistician, state board of health, three thousand two hundred dollars.

For salary of state [illegible] board of health, [illegible] thousand two hundred dollars.

For salary of [illegible], state board of health, [illegible] thousand dollars.

For salary of chemist, state food and drug inspection, state board of health, six thousand dollars.

For salary of assistant chemist, state food and drug inspection, state board of health, three thousand dollars.

For salary of [illegible], state board of health, [illegible] thousand [illegible] hundred dollars.

For printing and purchased expenses, state board of health, [illegible] eight hundred eighty dollars.

For [illegible] health, [illegible] two thousand dollars.

For support state food and drug inspection, state board of health, [illegible] thousand dollars.

For support state hygienic laboratory, state board of health, [illegible], and rates, [illegible] thousand dollars.

For printing, etc., state board of health, [illegible] thousand dollars.

For salary of [illegible] inspector, [illegible] thousand [illegible] dollars.

[illegible]

For salary of commissioner, bureau of labor statistics, eight thousand dollars.

For salary of deputy commissioner, bureau of labor statistics, [illegible] eight hundred dollars.

For salary of deputy commissioner, [illegible] thousand eight hundred dollars.

For salary of assistant deputy commissioner, bureau of labor statistics, [illegible] thousand two hundred dollars.

For salary of statistician, bureau of labor statistics, [illegible] thousand [illegible] dollars.

For salary of stenographer, bureau of labor statistics, [illegible] thousand [illegible] hundred dollars.

For salary of [illegible], bureau of labor statistics, [illegible] thousand eight hundred dollars.

For salaries of assistants, traveling and contingent expenses, bureau of labor statistics, fifty-five thousand dollars.

For printing, etc., bureau of labor statistics, six thousand dollars.

For support [illegible], [illegible] thousand [illegible] hundred dollars.

For rent, three thousand six hundred dollars.

[illegible]

For salaries of members of the commission, [illegible] thousand dollars.

For support and maintenance of the commission, [illegible] eighty thousand dollars.

HARBOR COMMISSIONERS—EUREKA.

For salaries of three commissioners, two thousand four hundred dollars.

For salary of harbor master, two thousand four hundred dollars.

For salary of secretary to harbor commissioners, two thousand four hundred dollars.

For contingent expenses of harbor commissioners at Eureka, the same being the appropriation made by section 2572 of the Political Code, and not additional thereto, three thousand dollars.

NATIONAL GUARD.

For salary of adjutant general, ten thousand dollars.

For salary of assistant adjutant general, six thousand dollars.

For salary of chief clerk, adjutant general's office, three thousand eight hundred dollars.

For salaries of three clerks, adjutant general's office, ten thousand two hundred dollars.

For salary of clerk and stenographer, adjutant general's office, three thousand dollars.

For salary of military storekeeper, adjutant general's office, two thousand four hundred dollars.

For salary of assistant military storekeeper, adjutant general's office, one thousand eight hundred dollars.

For support of National Guard, three hundred thousand dollars.

STATE ENGINEERING DEPARTMENT.

For salaries of three appointed members, twenty-one thousand six hundred dollars.

For salary of state engineer, ten thousand dollars.

For salary of highway engineer, twenty thousand dollars.

For salaries of two assistant state engineers, twelve thousand dollars.

For salary of state architect, nine thousand six hundred dollars.

For salary of architectural designer, five thousand four hundred dollars.

For salaries of three architectural draughtsmen, for state engineering department, twelve thousand dollars.

For salaries of one engineer's draughtsman, for state engineering department, four thousand dollars.

For salary of one mechanical engineer, for state engineering department, five thousand four hundred dollars.

For salaries of two filing clerks, state engineering department, seven thousand two hundred dollars.

For salary of blue print pressman, state engineering department, three thousand dollars.

For salary of secretary, state engineer, six thousand dollars.

For salaries of two clerks and stenographers, state engineering department, six thousand dollars.

For pay of janitor, state engineering department, one thousand eight hundred dollars.

For contingent and traveling expenses, state engineering department, forty-five thousand dollars.

For printing, etc., state engineering department, five thousand dollars.

For salary of electrical engineer, state engineering department, four thousand two hundred dollars.

For salary of structural engineer, state engineering department, four thousand eight hundred dollars.

For salary of auditor, state engineering department, four thousand eight hundred dollars.

For salary of general superintendent, state engineering department, six thousand dollars.

For salary of assistant state architect, state engineering department, six thousand dollars.

For salary of road engineer, state engineering department, four thousand eight hundred dollars.

SUPERINTENDENT OF PUBLIC INSTRUCTION.

For salary of superintendent of public instruction, ten thousand dollars.

For salary of deputy superintendent of public instruction, four thousand eight hundred dollars.

For salary of statistician, superintendent of public instruction, four thousand eight hundred dollars.

For salary of clerk and stenographer, superintendent of public instruction, three thousand two hundred dollars.

For salary of bookkeeper, superintendent of public instruction, three thousand two hundred dollars.

For salary of statistical clerk, superintendent of public instruction, two thousand four hundred dollars.

[illegible]

For salaries of officers, teachers and employees, of same, one hundred twenty-eight thousand dollars.

[illegible]

For support of state normal, Santa Barbara, seven thousand five hundred dollars.
For salaries of officers, teachers and employees of same, seventy-five thousand dollars.
For care and improvement of grounds of same, one thousand eight hundred dollars.
For library, museum and purchase of scientific apparatus for same, one thousand dollars.
For printing, etc., of same, one thousand dollars.
For support of state normal, Fresno eleven thousand seven hundred fifty dollars.
For salaries of officers, teachers and employees of same, one hundred ten thousand dollars.
For care and improvement of grounds of same, six thousand dollars.
For library, museum and purchase of scientific apparatus for same, four thousand dollars.
For printing, etc., of same, one thousand two hundred dollars.
For support of state normal, Humboldt, seven thousand dollars.
For salaries of officers, teachers and employees of same, fifty-one thousand, nine hundred sixty dollars.
For care and improvement of grounds of same, two thousand dollars.
For library, museum and scientific apparatus for same, two thousand six hundred dollars.
For printing, etc., of same, one thousand eight hundred dollars.

CALIFORNIA POLYTECHNIC SCHOOL.

For support and maintenance, including purchase of stock and equipment for farm and laboratories, thirty-seven thousand five hundred dollars.
For salaries of officers, teachers and employees of same, eighty-five thousand dollars.
For care and improvement of grounds of same, seven thousand dollars.
For library for same, two thousand dollars.
For printing, etc., California Polytechnic School, two thousand dollars.

HASTINGS COLLEGE OF THE LAW.

For payment of interest on one hundred thousand dollars to Hastings College of the Law, fourteen thousand dollars.
For rental, Hastings College of the Law, four thousand eight hundred dollars.

CALIFORNIA SCHOOL FOR THE DEAF AND THE BLIND.

For support of school for deaf and blind at Berkeley, seventy-five thousand dollars.
For salaries of officers, teachers and employees of same, one hundred fifty thousand dollars.

INDUSTRIAL HOME FOR ADULT BLIND.

For support of industrial home for adult blind at Oakland, forty thousand dollars.
For salaries of officers and employees of same, twenty-nine thousand one hundred dollars.
For printing, etc., for industrial home for adult blind, six hundred dollars.

STATE MINING BUREAU.

For salary of state mineralogist, seven thousand two hundred dollars.
For support of the state mining bureau, one hundred ten thousand dollars.

VITICULTURAL COMMISSION.

For support of commission, twenty-five thousand dollars.

STATE AGRICULTURAL SOCIETY.

For aid to state agricultural society, seventy thousand dollars.
For salary of secretary, six thousand dollars.
For salary of assistant secretary, three thousand dollars.
For salary of stenographer, one thousand eight hundred dollars.
For salary of night watchman, one thousand eight hundred dollars.
For salary of gardener, one thousand eight hundred dollars.
For traveling expenses of the directors of the state agricultural society, four thousand dollars.
For salary of assistant gardener, to be employed six months each year, one thousand eight hundred dollars.
For pay of track man, two thousand four hundred dollars.

STATE COMMISSIONER OF HORTICULTURE.

For salary of commissioner, eight thousand dollars.
For salary of deputy commissioner, five thousand four hundred dollars.
For salary of secretary, five thousand four hundred dollars.
For salary of superintendent of state insectary, five thousand four hundred dollars.

For salary of assistant superintendent of state hospital, [illegible] hundred dollars.
For salary of field deputy, [illegible], [illegible] hundred dollars.
For salary of chief deputy [illegible] inspector, [illegible] hundred dollars.
For salary of deputy [illegible] officer, [illegible] hundred dollars.
For salary of chief clerk, [illegible] office, [illegible] hundred dollars.
For [illegible] and support of office of commissioner of [illegible], [illegible] thousand dollars.
For printing, etc., commissioner of [illegible], [illegible] hundred dollars.
For salary of deputy [illegible] officer, [illegible] hundred dollars.
For salaries of two field deputies, [illegible] of [illegible], eight thousand dollars.

STATE VETERINARIAN.

For salary of state veterinarian, eight thousand dollars.
For salary of assistant state veterinarian, [illegible] dollars.
For salary of deputy state veterinarian, [illegible] dollars.
For salary of clerk to state veterinarian, [illegible] hundred dollars.
For [illegible] and transport expenses of state veterinarian, including disinfecting and [illegible] of dairy farms, [illegible] dollars.

STATE DAIRY BUREAU.

For support of state dairy bureau, [illegible] hundred dollars.

STATE BOARD OF FORESTRY.

For salary of state forester, six thousand dollars.
For salary of deputy state forester, [illegible] hundred dollars.
For salary of assistant state forester, three thousand two hundred dollars.
For support other board of forestry including [illegible] and traveling expenses, [illegible] thousand dollars.
For printing, etc., state board of forestry, six thousand dollars.

SOLDIERS' FREE AND MARSHALL MONUMENT.

For salary of guardian, Marshall Monument and grounds, [illegible] hundred dollars.
For care of grounds, Marshall Monument, [illegible] dollars.
For salaries of attendants of Soldiers' Free, [illegible] dollars.
For [illegible] of grounds, Soldiers' Free, [illegible] dollars.
For [illegible] of [illegible] grounds, Soldiers' Free, [illegible] dollars.
For maintenance of grounds and buildings at Soldiers' Free, [illegible] hundred twenty dollars.

VETERANS' HOME.

For support and maintenance, [illegible] dollars.
For printing, etc., Veterans' Home, [illegible] dollars.

WOMAN'S RELIEF CORPS HOME.

For expense of maintenance of Woman's Relief Corps Home, [illegible] dollars.

ORPHAN AID.

For support of orphans, half orphans and disabled children, [illegible] million dollars.
For salaries and support of children's homes, [illegible] hundred [illegible] dollars.
For expenses of children's agent, [illegible] dollars.

STATE BOARD OF CHARITIES AND CORRECTIONS.

For salaries and expenses, state board of charities and corrections, [illegible] thousand dollars.

STATE COMMISSION IN LUNACY.

For salaries of officers and employees, state commission in lunacy, [illegible] thousand one hundred dollars.
For traveling expenses and all other contingent expenses of the commission and its officers and employees, [illegible] dollars.
For printing, etc., state commission in lunacy, [illegible] dollars.
For deportation hospital expenses, [illegible] dollars.

HOSPITALS FOR INSANE.

For support of Stockton State Hospital, four hundred eighty-two thousand six hundred fifty-six dollars.

For salaries officers and employees, Stockton State Hospital, three hundred sixty-four thousand ninety-six dollars.

For support of Napa State Hospital, four hundred forty-five thousand seven hundred twenty-seven dollars fifty cents.

For salaries, officers and employees, Napa State Hospital, three hundred forty-eight thousand nine hundred twelve dollars fifty cents.

For support of Agnews State Hospital, three hundred eighty-eight thousand three hundred dollars.

For salaries officers and employees Agnews State Hospital, two hundred thousand one hundred twenty dollars.

For support of Mendocino State Hospital, two hundred sixty-six thousand four hundred eighty dollars.

For salaries officers and employees Mendocino State Hospital, one hundred ninety-nine thousand one hundred twenty dollars.

For support of Southern California State Hospital, four hundred ninety-seven thousand eight hundred eighty dollars.

For salaries officers and employees Southern California State Hospital, three hundred thirty-three thousand four hundred dollars.

For support of Sonoma State Home, three hundred nine thousand seven hundred dollars.

For salaries officers and employees, Sonoma State Home, two hundred fifty-four thousand six hundred sixty dollars.

For support of Norwalk State Hospital, one hundred eighty thousand dollars.

For salaries officers and employees, Norwalk State Hospital, ninety-two thousand seven hundred twenty-five dollars.

TRANSPORTATION EXPENSES.

For transportation of prisoners, insane, delinquent and feeble-minded children to state institutions to which they are committed (except from section 4 of this act), two hundred twenty thousand dollars.

For expenses of returning criminals arrested without the state (except from section 4 of this act), thirty-four thousand dollars.

STATE CORRECTIONAL SCHOOLS.

For support of Preston School of Industry, two hundred fifty thousand dollars.

For salaries of officers and employees of same, one hundred sixty thousand dollars.

For support of Whittier State School, one hundred seventy-five thousand dollars.

For salaries of officers and employees of same, one hundred fifty-five thousand dollars.

For support of California School for Girls, seventy-seven thousand dollars.

For salaries of officers and employees of same, sixty-five thousand dollars.

STATE BOARD OF PRISON DIRECTORS.

For printing, etc., state board of prison directors, five hundred dollars.

STATE PRISONS.

For support of state prison at Folsom, three hundred thirty-two thousand five hundred dollars.

For salaries of officers and employees of same, two hundred twenty-five thousand dollars.

For support of state prison at San Quentin, four hundred twenty-five thousand dollars.

For salaries of officers and employees of same, two hundred seventy-six thousand dollars.

MISCELLANEOUS.

For official advertising, six thousand dollars.

For purchase of topographic sheets, one thousand dollars.

For care of state burial grounds, two hundred dollars.

For payment of premiums on surety bonds of state officers and employees, seven thousand dollars.

For emergency fund to be expended only upon unanimous vote of the board of control, approved by the controller, one million dollars.

For rent of offices in Forum Building, Sacramento (to be expended under the direction of the state board of control), fifty-five thousand dollars.

For printing, etc., for various offices not heretofore provided for (to be expended under the direction of the state board of control), four thousand five hundred dollars.

For payment of rewards offered by the governor, one thousand five hundred dollars.

For payment of rewards offered by the governor, for illegal voting, five hundred dollars.

For payment of rewards for arrest and conviction of highway robbers, two thousand dollars.

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

jurisdiction by the person or persons, firm or corporation to whom such indebtedness is owing.

SEC. 6. No money appropriated by this act shall be used to renew, or pay for the renewal of any fire insurance on any public building or property, nor to effect or pay for any new insurance on any public building or property, except the state printing office and its contents.

SEC. 7. This act, inasmuch as it provides for an appropriation for the usual current expenses of the state shall, under the provisions of section one, of article four, of the constitution of the State of California, take effect immediately.

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 1027—An act to appropriate money to be expended by and under the direction of the Department of Engineering for the purpose of rectifying and improving the channels of the Sacramento, San Joaquin and Feather rivers and such other waters of the State as the Department of Engineering may determine; improving the navigability of such waters and acquiring land for necessary rights of way therefor; making surveys, investigations and report upon the feasibility of canalizing the rivers of the State and constructing canals for navigation, and making surveys, investigations and plans for flood control; the examination and supervision of dams; the investigation of rainfall, snowfall and runoff affecting navigation and flood control; and giving the Department of Engineering authority over dams, making it unlawful to construct or maintain dams in a dangerous condition and providing penalties for violations of the act and directing who shall prosecute such violations.

Bill read second time.

AMENDMENTS FROM THE FLOOR.

During second reading of bill, the following amendments were offered and their adoption moved by Senator Tyrrell:

AMENDMENT NUMBER ONE.

At page 2, line 14, after the "comma," insert the following "or dams constructed by a municipal corporation maintaining a department of engineering,".

Amendment adopted.

AMENDMENT NUMBER TWO.

At page 2, line 24, strike out the "comma" after the word "corporation" and insert in lieu thereof the word "or".

Amendment adopted.

AMENDMENT NUMBER THREE.

At page 2, line 25, strike out the words "or municipality".

Amendment adopted.

AMENDMENT NUMBER FOUR.

At page 2, line 34, strike out the "comma" after the word "corporation" and insert in lieu thereof the word "or" and strike out the words "or municipality".

Amendment adopted.

AMENDMENT NUMBER FIVE.

At page 2, line 41, strike out the "comma" after the word "corporation" and insert in lieu thereof the word "or" and strike out the final word "or".

Amendment adopted.

[illegible]

At page 2, line 12, after the word "[illegible]"

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 1264.—An act to amend section 18 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics, the issuance and registration of burial and disinterment permits and certificates of births and deaths, the appointment of state and local registrars of vital statistics, to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of state and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1911.

Bill read second time, and ordered on the list third reading.

[illegible]

On motion of Senator Kelly, the following messages from the Assembly were taken up and read, out of the regular order:

[illegible]

Mr. President: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 26, relating to a proposed amendment to the charter of the city of San Luis Obispo, to vote upon at the next election of San Luis Obispo, which has the subject to the qualified electorate of said city of San Luis Obispo at a special municipal election, and provides for the manner thereof, and

Also, Senate Joint Resolution No. 6, relative to the establishment and operation of a military station along the Pacific coast from the Canadian border to the Mexican border.

[illegible]
By M. Stapp, Assistant Clerk.

Senate Concurrent Resolution No. 26 and Senate Joint Resolution No. 6 ordered to enrollment.

Also:

[illegible]

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 592.—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, its duties and powers and duties and the duties, remedies, powers and duties of public utilities and their officers and employees, rights and remedies of persons injured, and to repeal certain laws and remedies of persons injured, and to repeal certain laws and remedies, duties and powers of public utilities, and to provide penalties for officers to public utilities, their officers, agents and employees and for their officers and employees, creating the Railroad Commission, fixing and determining the moneys thereon to carry out the provisions of this act, and repealing Title XV of Part IV of Division First of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, by amending section 45 thereof.

Also, Senate Bill No. 293.—An act to amend section 108 of the Code of Civil Procedure relating to the payment and time of trading when necessary.

Also, Senate Bill No. 1064.—An act to amend section 4 of an act entitled "An act regulating the charging, transporting, selling, offering for sale, and furnishing for use to employees, of wiping rags," approved [illegible], and permitting towns and towns, to enact ordinances prohibiting the charging, transporting, selling, offering for sale of wiping rags without a permit, and to issue and revoke permits, etc.

launder, and sell wiping rags within their respective jurisdictions, authorizing peace and health officers to make inspections of wiping rags, and making violations of this act a misdemeanor," approved April 25, 1913.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 592, 233, and 1034 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 823—An act to repeal an act entitled "An act to establish a uniform system of mine bell signals, to be used in all the mines operated in the State of California, and for the protection of miners," approved March 8, 1893, and known as Chapter 74, Statutes of 1893.

Also: Senate Bill No. 485—An act to amend section 4295 of the Political Code, relating to official services and fees;

Also: Senate Bill No. 616—An act to amend section 1167 of the Code of Civil Procedure, relating to service of summons in unlawful detainer.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 823, 485, and 616 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 319—An act to add a new section to be numbered 1582 and to amend section 1543 of the Political Code, relating to the lapsing, suspending and reestablishing of school districts and the powers and duties of superintendents of schools.

Also: Senate Bill No. 257—An act to amend section 16 of an act entitled "An act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways, to provide for the formation, government and operation of highway lighting districts, for calling and holding of elections in such districts, the assessment, collection, custody and disbursement of taxes therein, and the creation of ex officio boards of supervisors," approved March 20, 1909, and the acts amendatory thereof, and to add two new sections thereto, to be numbered sections 18a and 18b, relating to the annexation of additional territory to highway lighting districts and to the annexing to incorporated cities or cities and counties of territory embraced in highway lighting districts;

And respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 319 and 257 ordered to unfinished business.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 325—An act to amend section 1532, relating to the powers and duties of the superintendent of public instruction, and to repeal section 1505 of the Political Code.

Also: Senate Bill No. 1019—An act to amend section 4300c of the Political Code, relating to the fees of justices of the peace;

Also: Senate Bill No. 94—An act to amend section 4292 of the Political Code, relating to the compensation of officers in counties of the third class;

Also: Senate Bill No. 406—An act creating a state board of forestry and providing for the qualifications and duties of the members of said board and the payment of their expenses; providing for the appointment of a state forester and providing for the appointment of a proper person therefor; providing for the appointment of a deputy and an assistant state forester and for the salaries of such forester, deputy forester and assistant forester; providing for the appointment of technical and other assistants and for their compensation; providing for the duties of the state forester, deputy state forester, assistant state forester and other assistants; providing for cooperation with landowners, counties and others in forest protection and for the employment of fire wardens; providing for the summons of citizens to assist in fighting forest fires; providing for the issuance of permits for burning brush, inflammable debris, or rubbish; providing for prevention of forest destruction by insects; providing for the inspection of forest areas; declaring certain dangerous areas and forest fires to be public nuisances; providing for notice to owners and others of the existence of such nuisance and for the abatement thereof of such owner or others or by the state forester; providing for the payment into county treasuries of

[illegible]

[illegible]

[illegible]

Senate Bills Nos. [illegible], 1914, 94, 106, and 227 ordered to unfinished business.

[illegible]

The Senate took up for consideration Assembly amendments to Senate Bill No. 94—An act to amend section 1111 of the Political Code, relating to the compensation of officers in counties of the third class.

[illegible]

On page 2, line 23, after the word "[illegible]" insert the word "[illegible]".

[illegible]

On page 4, line 9, strike out the word "the".

[illegible]

On page 4, line 14, after the word "[illegible]" insert the word "[illegible]".

[illegible]

On page 7, line 30, strike out the word "[illegible]" and insert in lieu thereof the word "[illegible]".

[illegible]

On page 10, line 24, after the word "[illegible]" insert a comma.

[illegible]

On page 13, line 14, after the word "[illegible]" insert a comma.

[illegible]

On page 14, line 5, after the word "[illegible]" and before the word "[illegible]" insert the word "[illegible]".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 94?

The roll was called, and Assembly amendments to Senate Bill No. 94 concurred in by the following vote:

Ayes—Senators Bulwinkle, Dunnigan, Dwyer, Dwyer, [illegible], W. J. Chamberlain, Chandler, Condon, Dryden, Dryden, Johnson, Jones, Kelsey, Kemp, Lamb, Lundin, Mendelson, Rush, Shearer, Simon, Stankewitch, Thompson, and Tyson—[illegible].

Noes—None.

Senate Bill No. 94 ordered to enrollment.

The Senate took up for consideration Assembly amendments to Senate Bill No. 257—An act to amend an act entitled "An act to allow incorporated towns and villages to establish, repair and maintain systems of street lights on public highways, to provide for the formation, government and operation of highway lighting districts, the calling and holding of elections in such districts, the assessment, collection, custody and disbursement of taxes therein, and the creation of an office bearing

of supervisors," approved March 20, 1909, and the acts amendatory thereof, by adding a new section thereto to be numbered section 18¼, relating to the annexation of additional territory to highway lighting districts.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWO HUNDRED FIFTY-SEVEN.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out line 2 of the title and insert in lieu thereof the words: "to amend section sixteen of an act entitled 'An act to allow unincorporated towns'".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, in line 9 of the title, strike out the words "by adding" and insert in lieu thereof the words "and to add".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, in line 1, after the words "Section 1" strike out the word "An" and insert in lieu thereof the words "Section sixteen of an".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out all of lines 2 and 3 and insert in lieu thereof the words "hereby amended to read as follows:

16. The revenue derived from said tax, together with all other moneys acquired in any manner whatsoever by the lighting district shall be paid into the county treasury to the credit of the lighting fund of the district wherein said tax was collected, subject only to the order of the board of supervisors of said district, and to be by them expended only for and on behalf of the district wherein such money was collected, *provided, however*, that any funds arising from assessments made under the provisions of this act, and remaining in said county treasury after the payment of all outstanding legal obligations incurred by the district, shall be ordered transferred, by the board of supervisors of the county in which such district is situated, to the city treasurer of the city, if any there be, which includes within its corporate limits such district or any considerable portion thereof. If such incorporation has not taken place, then said funds so remaining in said county treasury shall be transferred to a separate fund and, upon the order of the board of supervisors of the county, shall be repaid pro rata to the persons by whom the assessments were originally paid."

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, between lines 3 and 4, insert the following:

SEC. 2. A new section is hereby added to said act approved March 20, 1909, as amended, to be numbered eighteen *a* and to read as follows:

AMENDMENT NUMBER SIX.

On page 3 of the printed bill, strike out lines 6 to 8, inclusive, and insert in lieu thereof the following:

SEC. 3. A new section is hereby added to said act approved March 20, 1909, as amended, to be numbered eighteen *b* and to read as follows:

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 257?

The roll was called, and Assembly amendments to Senate Bill No. 257 were concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Chandler, Crowley, Evans, Flaherty, Irwin, Johnson, Jones, Kehoe, King, Luce, Nealon, Purkitt, Rominger, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—26.

NOES—None.

Senate Bill No. 257 ordered to enrollment.

The Senate took up for consideration Assembly amendments to Senate Bill No. 566. An act to amend section 4232 of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER [illegible]
FIFTY-[illegible]

AMENDMENT NUMBER [illegible]

On page 2, line 5, strike out the phrase "six hundred [illegible]" and insert in lieu thereof the words "eight hundred".

AMENDMENT NUMBER [illegible]

On page 2 and 3, strike out all of section [illegible] and insert in lieu thereof the following:

[illegible]

The question being, Shall the Senate concur in Assembly amendments to Senate Bill No. [illegible]?

The roll was called and Assembly amendments to Senate Bill No. [illegible] concurred in by the following vote:

Ayes—Senators [illegible] and Tyrode—[illegible].

Noes—None.

Senate Bill No. 566 ordered to enrollment.

The Senate took up for consideration Assembly amendments to Senate Bill No. 566—"An act to amend the Political Code of the State of California by adding thereto a new section to be numbered 14[illegible], relating to the powers and duties of boards of school trustees and city boards of education; also to repeal an act entitled '"An act to provide for health and development supervision for the public schools of the State of California,"' approved April 15, 1909.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER [illegible]
FIFTY-SIX

AMENDMENT NUMBER [illegible]

On page 1, line 12, after the word "of" strike out the words "such board of"

AMENDMENT NUMBER [illegible]

On page 1, line 12, after the word "trustees" strike out the words "or such board may elect"

AMENDMENT NUMBER [illegible]

On page 2, line 27, after the word "Where" insert the words "such trustees"

AMENDMENT NUMBER FOUR.

On page 2, beginning with line 29, strike out the balance of the page, and all of page 3, and insert in lieu thereof the following:

Fourth.—The board of school trustees or the city board of education shall make such rules for the examination of the pupils in the public schools, under their jurisdiction as will insure proper care of the sight and prevent secrecy in connection with any defect noted by the physical inspector or his assistant; and may tend to the correction of such physical defect or defects. When a defect has been noted by the physical inspector or his assistant, a report shall be made to the parent or guardian of the child asking such parent or guardian to take such action as will cure such defect or defects. The physical inspector may visit the home of the child or have such home visited to confer with the parent as to the defects found and the best method of correction.

The physical inspector shall make such reports from time to time as he may feel is best to the board of school trustees or city board of education or as the board may call for showing the number of defective children in the schools of the district and the effort made to correct such defects.

AMENDMENT NUMBER FIVE.

On page 2, lines 5 and 6, strike out the words "a California certificate to practice medicine and surgery" and insert in lieu thereof the words "an unrevoked certificate issued by the State Board of Medical Examiners".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 156?

The roll was called, and Assembly amendments to Senate Bill No. 156 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Flaherty, Ingram, Johnson, Jones, Kehoe, King, Lane, Nealon, Purkitt, Rominger, Rush, Scott, Shearer, Slater, Stockenbruck, Thompson and Tyrrell—26.

NOES—None.

Senate Bill No. 156 ordered to enrollment.

The Senate took up for consideration Assembly amendments to Senate Bill No. 767—An act to regulate the business of dealing in fish by wholesale and retail for profit and to provide therefrom revenue for the conservation, propagation and restoration of fish in the State of California, and providing for a record of the transactions therein and providing penalties for the violation thereof and repealing all acts and parts of acts in conflict herewith.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SEVEN HUNDRED SIXTY-SEVEN.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended March 30, 1917, after the comma following the word "fish" in line 2, insert the following: "which are taken in the waters of this state or are brought into this state in a fresh condition, or of manufacturing fish scrap, fish meal, fish oil, chicken feed, or fertilizer from fish or fish offal;".

AMENDMENT NUMBER TWO.

On page 1 of the amended bill, in line 3, insert a comma after the word "wholesale".

AMENDMENT NUMBER THREE.

On page 1 of the amended bill, in line 9, insert after the word "fish" the following: ", to manufacture fish meal, fish oil and other products from fish.".

AMENDMENT NUMBER FOUR.

On page 2 of the amended bill, in line 37, strike out the word "statement" and insert in lieu thereof the word "record".

AMENDMENT NUMBER FIVE.

On page 3 of the amended bill, in line 1, strike out the words "bought, caught or taken by them", and in lieu thereof insert the following: "purchased or received by them from fishermen or taken by themselves".

[illegible]

On page 4 of the amended bill, [illegible]

[illegible]

AMENDMENT NUMBER SIXTEEN.

[illegible]

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 767?"

The roll was called, and Assembly amendments to Senate Bill No. 767 concurred in by the following vote:

Ayes—Senators [illegible] Rominger, Rush, Scott, [illegible]

Noes—None.

Senate Bill No. 767 ordered to enrollment.

The Senate took up for consideration Assembly amendments to Senate Bill No. 319—An act to add a new section to be numbered [illegible] and to

amend section 1543 of the Political Code, relating to the lapsing, suspending and reestablishing of school districts and the powers and duties of superintendents of schools.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER THREE HUNDRED NINETEEN.

AMENDMENT NUMBER ONE.

On page 5, line 13, strike out the period and insert in lieu thereof a semicolon and the following "*and provided, further*, that the county superintendent of schools, after examining and approving any demand, may transmit the same directly to the county auditor, who after allowing such demand shall return the same to the county superintendent of schools, who shall thereupon return said demand to the governing board of the school district, who shall issue said demand to the claimant or to his order".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 319?

The roll was called, and Assembly amendment to Senate Bill No. 319 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Ingram, Johnson, Jones, King, Luce, Neaton, Purkitt, Rominger, Rush, Scott, Sherkey, Shearer, Stuckenbruck, Thompson, and Tyrrell—26.

NOES—None.

Senate Bill No. 319 ordered to enrollment.

The Senate took up for consideration Assembly amendments to Senate Bill No. 325—An act to amend section 1532, relating to the powers and duties of the Superintendent of Public Instruction, and to repeal section 1505 of the Political Code.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THREE HUNDRED TWENTY-FIVE.

AMENDMENT NUMBER ONE.

On page 2, line 5, after the word "teachers" insert a comma.

AMENDMENT NUMBER TWO.

On page 3, line 6, strike out the semicolon, the word "*provided*" and comma, and insert in lieu thereof a comma and the word "provided".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 325?

The roll was called, and Assembly amendments to Senate Bill No. 325 were concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Ingram, Johnson, Jones, Kehoe, King, Luce, Maddux, Neaton, Purkitt, Rush, Scott, Sherkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—None.

Senate Bill No. 325 ordered to enrollment.

The Senate took up for consideration Assembly amendments to Senate Bill No. 406—An act creating a State Board of Forestry and providing for the qualifications and duties of the members of said board and the payment of their expenses; providing for the appointment of a State Forester and providing for the appointment of a proper person therefor; providing for the appointment of a deputy and an assistant state forester and for the salaries of such forester, deputy forester and assistant forester; providing for the appointment of technical and

other assistant and for their compensation; providing for the duties of the State Forester, deputy state foresters, assistant state foresters and other assistants; providing for compensation with local owners, counties and others in forest protection and for the employment of fire warden; providing for the assessment of citizens to assist in fighting forest fires; providing for the issuance of permits for burning brush, inflammable debris or rubbish; providing for prevention of forest destruction by insects; providing for the inspection of forest areas; declaring certain dangerous areas and forest fires to be public nuisances; providing for notice to owners and agents of existence of such nuisances and for the abatement thereof by such owner or agent or by the State Forester; providing for a lien upon the property of such owner for the cost of such abatement, exemption certain classes of owners from liens created by this act; providing for the foreclosure of such liens; providing for the payment into county treasuries of all of moneys accrued under the penal sections of the forest laws of this State; making certain violations of the forest laws of this State misdemeanors and fixing a penalty therefor; defining the term "forest"; repealing Chapter 194 of the Laws of 1946; and all acts and parts of acts in conflict herewith.

[illegible]

[illegible]

[illegible]

[illegible]

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 400?

The roll was called, and Assembly amendments to Senate Bill No. 400 were concurred in by the following vote:

Ayes—Senators Bullock, Brown, Jones, [illegible], Chambers, Clement, Evans, Fleming, Harlee, Hendricks, Jones, Johnson, Jones, Lee, Lewis, McKoy, Nunn, Parks, Rountree, Rush, Scott, Sneeden, Stevens, Stokes, Thompson and Tyndall—27.

Nays—None.

Senate Bill No. 400 ordered to enrollment.

The Senate took up for consideration Assembly amendment to Senate Bill No. 341—An act to amend section 842 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 10, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER THREE HUNDRED FORTY-ONE.

AMENDMENT NUMBER ONE.

On page 2, line 29, of the printed bill, strike out the words "and the doing of such work,".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 341?

The roll was called, and Assembly amendment to Senate Bill No. 341 was concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Chandler, Crowley, Duncan, Evans, Flaherty, Ingram, Inman, Johnson, Jones, Luce, Maddux, Nordan, Purkitt, Rominger, Rush, Scott, Sharkey, Shearer, Stuckenbruck, Thompson, and Tyrrell—24.
NOES—None.

Senate Bill No. 341 ordered to enrollment.

The Senate took up for consideration Assembly amendment to Senate Bill No. 114—An act to amend section 673 of the Penal Code of the State of California, relating to civil rights of convict suspended.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER ONE HUNDRED FOURTEEN.

AMENDMENT NUMBER ONE.

On page 2, line 3 of the printed bill, strike out the words "That the" and insert in lieu thereof the word "The".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 114?

The roll was called, and Assembly amendment to Senate Bill No. 114 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Crowley, Duncan, Evans, Flaherty, Ingram, Inman, Irwin, Johnson, Jones, Luce, Maddux, Nordan, Purkitt, Rominger, Rush, Scott, Sharkey, Shearer, Stuckenbruck, Thompson, and Tyrrell—24.
NOES—None.

Senate Bill No. 114 ordered to enrollment.

The Senate took up for consideration Assembly amendments to Senate Bill No. 338—An act to amend section 4238 of the Political Code, relating to the compensation of county and township officers of counties of the ninth class, and to the number, appointment and salaries of their assistants and deputies.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THREE HUNDRED THIRTY-EIGHT.

AMENDMENT NUMBER ONE.

On page 1, strike out the words "rendered and", in lines 8 and 9.

AMENDMENT NUMBER TWO.

Amend page 1, line 11, of the printed bill by inserting after the word "States" the words "from and after the date of the passage of this act."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 338?

The roll was called, and Assembly amendments to Senate Bill No. 338 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Duncan, Evans, Flaherty, Gates, Ingram, Johnson, Jones,

[illegible]—[illegible].
Noes—None.

Senate Bill No. [illegible] ordered to enrollment.

The Senate took up for consideration Assembly amendments to Senate Bill No. [illegible]—An act to amend sections [illegible] and [illegible], of the Political Code, and to add thereto new sections to be numbered [illegible], [illegible], [illegible], [illegible] and [illegible], relating to the powers and duties of the State Board of Education and of the Superintendent of Public Instruction and to the duties of the teachers.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER [illegible].

AMENDMENT NUMBER ONE.

On page 1, line [illegible], strike out the word "[illegible]" and insert in lieu thereof the word "[illegible]".

AMENDMENT NUMBER TWO.

On page 1, line [illegible], strike out the letter "[illegible]" and insert in lieu thereof the word "[illegible]".

AMENDMENT NUMBER THREE.

On page [illegible], line [illegible], strike out the letter "[illegible]" and insert in lieu thereof the word "[illegible]".

AMENDMENT NUMBER FOUR.

On page 2, line [illegible], strike out the word "[illegible]" and insert in lieu thereof the words "high school".

AMENDMENT NUMBER FIVE.

On page 2, line [illegible], after the word "[illegible]" insert the following: "[illegible]".

AMENDMENT NUMBER SIX.

On page 3, line [illegible], strike out the letter "[illegible]" and insert in lieu thereof the word "[illegible]".

AMENDMENT NUMBER SEVEN.

On page 3, line [illegible], strike out the comma following the word "[illegible]" and the comma following the word "[illegible]".

AMENDMENT NUMBER EIGHT.

On page [illegible], line [illegible], strike out the letter "[illegible]" and insert in lieu thereof the word "[illegible]".

AMENDMENT NUMBER NINE.

On page 5, line 21, strike out the following: "paragraph [illegible]" and insert in lieu thereof the following: "[illegible]".

AMENDMENT NUMBER TEN.

On page 5, line [illegible], strike out the letter "[illegible]" and insert in lieu thereof the word "[illegible]".

AMENDMENT NUMBER ELEVEN.

On page 6, line [illegible], strike out the word "[illegible]" and insert in lieu thereof the word "[illegible]".

AMENDMENT NUMBER TWELVE.

On page 6, line 4, strike out the words "[illegible]" and insert in lieu thereof the word "[illegible]".

AMENDMENT NUMBER THIRTEEN.

On page 6, line [illegible], strike out the letter "[illegible]" and insert in lieu thereof the word "[illegible]".

AMENDMENT NUMBER FOURTEEN.

On page 6, line [illegible], strike out the word "[illegible]" and insert in lieu thereof the word "pay".

AMENDMENT NUMBER FIFTEEN.

On page 7, strike out line 1 and insert in lieu thereof the following: "high school credentials as specified in subdivisions second and fourth".

AMENDMENT NUMBER SIXTEEN.

On page 7, line 3, strike out the letter "(g)" and insert in lieu thereof the word "*Seventh*—".

AMENDMENT NUMBER SEVENTEEN.

On page 7, line 8, strike out the words "subdivision two of" and insert in lieu thereof the following: "the provisions of".

AMENDMENT NUMBER EIGHTEEN.

On page 7, line 10, strike out the letter "(h)" and insert in lieu thereof the word "*Eighth*—".

AMENDMENT NUMBER NINETEEN.

On page 7, lines 16 and 17, strike out "high school credentials, specified in paragraphs (b) and (d)" and insert in lieu thereof the following words: "high school credentials, specified in subdivisions second and fourth".

AMENDMENT NUMBER TWENTY.

On page 11, line 1, strike out the word "his" and insert in lieu thereof the word "its".

AMENDMENT NUMBER TWENTY-ONE.

On page 11, line 2, strike out the word "five" and insert in lieu thereof the word "six".

AMENDMENT NUMBER TWENTY-TWO.

On page 11, line 35, strike out "15906" and insert in lieu thereof the following: "16906".

AMENDMENT NUMBER TWENTY-THREE.

On page 12, line 8, strike out the word "subdivision" and insert in lieu thereof the word "section".

AMENDMENT NUMBER TWENTY-FOUR.

On page 12, line 16, beginning with the word "The", strike out the entire paragraph.

AMENDMENT NUMBER TWENTY-FIVE.

On page 10, after line 14, insert the following paragraph:

"The state board of education may provide for the disposition of such textbooks as are no longer in a condition to be used for purposes of instruction, provided that whenever in its judgment it would be profitable to sell such old textbooks for use in the manufacture of paper pulp or similar purposes, the highest price obtainable shall be secured therefor and the money so obtained deposited in the state school book fund."

The question being "Shall the Senate concur in Assembly amendments to Senate Bill No. 942?"

The roll was called and Assembly amendments to Senate Bill No. 942 concurred in by the following vote:

AYES—Senators Ballard, Brown, Bruce, Burnett, Cary, F. M. Carr, W. J. Chamberlin, Condlin, Downer, Evans, Finnerty, Gates, Ingram, Irwin, Johnson, Kenny, McDonald, Mayberry, Nelson, Perkins, Reeves, Rosenberg, Rush, Scott, Sharkey, Simons, Stachowicz, Tompkins, and Tyrrell—29.

NOES—None.

Senate Bill No. 942 ordered to enrollment.

THIRD READING OF ASSEMBLY BILLS, ETC.

Assembly Joint Resolution No. 23—Relative to providing as expeditiously as possible a fairer and more adequate compensation for those engaged in active service in the Army and Navy of the United States.

ASSEMBLY JOINT RESOLUTION No. 40

[illegible]

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 40 adopted by the following vote:

[illegible]

Title read and approved.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 42—An act to amend section [illegible] of the Civil Code, relating to the continuance of a line of omnibus on a wage.

Bill read third time, passed.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 42 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

RESOLUTIONS

The following resolutions were offered:

By Committee on Contingent Expenses:

Resolved, That the Controller be and he is [illegible] authorized and directed to draw his warrant on the Contingent Fund of the Senate in the sum of [illegible]

[illegible] dollars and forty-five cents ($292.45) in favor of Clifton E. Brooks, Secretary, to and the [illegible] be [illegible], and the State Treasurer is hereby [illegible] to pay the same.

Underwood Typewriter Company, Sacramento—Rent of 32 typewriters [illegible] per month	$288 00	
Rent of 21 [illegible] per month	31 50	
		$319 50
Underwood Typewriter Company, San Francisco—Rent of 1 typewriter [illegible]	3 00	
Rent of 1 stand [illegible]	50	
		3 50
[illegible] for State Chamber and committee rooms January, February, March and April		18 20
W. F. Dowell, 1 No. 107 [illegible]	$50 00	
1 [illegible]	2 25	
		52 25
		$393 45

NEALON, Chairman.

Resolution read.

Senator Nealon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, Maddux, Nealon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—28.

NOES—None.

Also:

By Committee on Contingent Expenses:

Resolved, That the State Controller be and he is hereby authorized to draw his warrant from the contingent fund for the sum of two dollars and fifty cents ($2.50), and the State Treasurer is hereby directed to pay the same, said amount being for the payment of the bill herewith attached.

J. C. Hobrecht Company	$2 50

NEALON, Chairman.

Resolution read.

Senator Nealon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, F. M., Chamberlin, Chandler, Duncan, Evans, Flaherty, Gates, Ingram, Johnson, Jones, Kehoe, King, Maddux, Nealon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—None.

THIRD READING OF ASSEMBLY BILLS, ETC.—(RESUMED).

Assembly Bill No. 695—An act to amend sections 15 and 20 of an act entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, misbranded or misbranded drugs, regulating the traffic in drugs and providing penalties for violations thereof," approved March 11, 1907, as amended.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 695 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, W. J., Chamberlin, Evans, Flaherty, Ingram, Johnson, Jones, Kehoe, McDonald, Maddux, Nealon, Purkitt, Rominger, Rush, Scott, Stuckenbruck, Thompson, and Tyrrell—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR [illegible] IN THE CHAIR.

At ten o'clock and fifty-five minutes a.m., Senator [illegible] of the [illegible] District was called to the chair.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 10.

A resolution [illegible]

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California [illegible]

Sec. [illegible]

Resolution read.

CALL OF THE SENATE.

The roll was called on the adoption of Assembly Constitutional Amendment No. 10.

Pending the announcement of the vote Senator Jones moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators [illegible]

The Secretary announced the absentees.

Time, eleven o'clock a.m.

The Acting President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At eleven o'clock and fifteen minutes a.m., Senators King, McDonald, Chamberlin, and Sharkey were brought to the bar of the Senate, and, on motion of Senator Jones, were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and thirty-five minutes a.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Jones.

The Secretary was directed to call the roll on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Assembly Constitutional Amendment No. 10 adopted by the following vote:

AYES—Senators [illegible], Evans, Flaherty, Gates, [illegible], King, [illegible], McDonald—

Nealon, Rigdon, Rominger, Rush, Scott, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—Senators Ballard, Burnett, Carr, F. M., Carr, W. J., Johnson, Luce, Maddux, Purkitt, Sharkey, and Shearer—10.

Title read and approved.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 481—An act to amend proposed amendment to section 4258 of the Political Code, relating to counties of the twenty-ninth class (Siskiyou).

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 481 passed by the following vote:

AYES—Senators Ballard, Benson, Burnett, Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Ingram, Irwin, Johnson, Jones, Kehoe, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 453—An act appropriating money for the constructing, furnishing, equipping of buildings at the Whittier State School.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 453 passed by the following vote:

AYES—Senators Ballard, Benson, Burnett, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Ingram, Irwin, Kehoe, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 454—An act appropriating money for equipment, including light, heat, water and power systems and general repairs and alterations to buildings, structures and equipment at the Whittier State School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 454 passed by the following vote:

AYES—Senators Ballard, Benson, Burnett, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Ingram, Irwin, Jones, Kehoe, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Slater, Stuckenbruck, Thompson, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 171—An act amending section 4241 of the Political Code, relating to salaries and compensation of officers in counties of the twelfth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 111 passed by the following vote:

Ayes—Senators Bartlett, Benson, Brown, Cory, [illegible] Dennis, Evans, Flaherty, Jeffery, Lewis, Lyon, Kelly, Mathews, Savage, Stevens, Rhodes, Rush, Avey, Shearer, Sutherland, Tyrrell and Young—[illegible]

Noes—None.

Title read and approved.

ASSEMBLY JOINT RESOLUTION NO. 13.

Relative to the act of the [illegible] in the [illegible] State of California, and the use of the grounds by the commission of [illegible] and the protection of the public from [illegible].

Whereas, [illegible]

Whereas, [illegible]

Whereas, [illegible]

Whereas, [illegible]

Resolved by the Senate and Assembly of the State of California, [illegible]

Resolved, [illegible]

Resolved, [illegible]

Resolved, [illegible]

Resolved, [illegible]

Resolved, [illegible]

Resolved, [illegible]

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 13 adopted by the following vote:

Ayes—Senators [illegible] Noes—None.

Title read and approved.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 187. An act to increase the number of judges of the Superior Court of the county of Alameda and for the appointment of such additional judges.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 187 passed by the following vote:

Ayes—Senators Bartlett, Benson, Brown, Cory, [illegible] Chandler, Cowan, Dennis, Evans, Flaherty, [illegible] Jeffery, Kelly, Rhodes, [illegible]

King, Luce, Lyon, McDonald, Maddox, Nealon, Purkitt, Riedon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, and Tyrrell—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1434—An act to amend sections 853, 996 and 4313 of the Political Code, relating to absence of officers from the State and vacancies in public office.

Bill read third time.

Section 4, setting forth the emergency clause, read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Ballard, Benson, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Lyon, McDonald, Maddox, Nealon, Purkitt, Riedon, Rominger, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1434 passed by the following vote:

AYES—Senators Ballard, Benson, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, King, Luce, Lyon, McDonald, Nealon, Purkitt, Riedon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY CONCURRENT RESOLUTION No. 19.

Relative to approving two certain amendments to the charter of the city of San Rafael, county of Marin, State of California, voted for and ratified by the qualified electors of said city of San Rafael at a general municipal election held therein on the ninth day of April, nineteen hundred seventeen.

WHEREAS, The city of San Rafael in the county of Marin, State of California, contains a population of more than three thousand five hundred inhabitants, and has been ever since the first day of July, nineteen hundred thirteen, and is now, organized and acting under a freeholder's charter, adopted under and by virtue of section eight of article eleven of the constitution of the State of California, which charter was duly ratified by a majority of the qualified electors of said city at a special election held for that purpose on the thirtieth day of November, nineteen hundred twelve, and approved by the legislature of the State of California, and filed with the secretary of state March thirty-first, nineteen hundred thirteen (Statutes 1913, page 1549); and

WHEREAS, The city council of said city of San Rafael did, by resolution duly adopted by said city council on the fourteenth day of February, nineteen hundred seventeen, and pursuant to section eight of article eleven of the constitution of the State of California, duly propose to the qualified electors of said city of San Rafael certain amendments to the charter of said city of San Rafael to be submitted to the said qualified electors at a general municipal election to be held in said city on the ninth day of April, nineteen hundred seventeen, said amendments being four in number; and

WHEREAS, Said proposed amendments were, and each of them was, published once in The Marin County Tocsin, a weekly newspaper of general circulation published and circulated in said city of San Rafael, said publication being on the twenty-fourth day of February, nineteen hundred seventeen, and copies of said charter amendments were caused to be printed in convenient pamphlet form, and a notice that such copies could be had upon application to the city clerk was thereafter advertised until the date fixed for said election, in The Marin Journal, a weekly newspaper of general circulation printed and published and circulated in the city of San Rafael; and

[illegible]

[illegible]

[illegible]

same are hereby approved as a whole for and as amendments to said charter of the city of San Rafael.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 19 adopted by the following vote:

AYES—Senators Ballard, Benson, Burnett, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nourse, Parkett, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—34.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 197—An act to amend section 4281 of the Political Code, relating to the compensation of officers of counties of the fifty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 197 passed by the following vote:

AYES—Senators Ballard, Benson, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nourse, Parkett, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1203—An act to amend section 4278 of the Political Code, relating to the compensation of officers of counties of the forty-ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1203 passed by the following vote:

AYES—Senators Ballard, Benson, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Inman, Irwin, Johnson, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nourse, Parkett, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 844—An act to repeal section 924 of the Political Code, relating to the duties of auditing officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 844 passed by the following vote:

AYES—Senators Ballard, Benson, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Gates, Ingram, Irwin, Johnson, Kehoe, King, Lyon, McDonald, Maddux, Nourse, Parkett, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Thompson, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER.

Senator Lane moved to reconsider the vote whereby Assembly Bill No. [illegible] was refused passage.

The roll was called upon the motion to reconsider the vote whereby Assembly Bill No. [illegible] was refused passage, resulted by the following vote:

Ayes—Senators Brown, [illegible] [illegible] Lane, [illegible] Wills, Lyon, Lewis, Kelly, Kelsey, Fairchild, Hughes, Donnelly, Boyd, Chaney, and Shearer—[illegible].

Noes—Senators Bulliard, Benson, Rolfe, and McDonald—[illegible].

Assembly Bill No. [illegible]—An act prohibiting the marriage of all persons affected with certain diseases and requiring health certificates for marriage, requiring the posting of notice of examination for venereal diseases, and prescribing penalties for violations hereof.

Bill read third time, previously.

ROLL CALL ON THE PASSAGE.

The roll was called on the passage of Assembly Bill No. [illegible]

Pending the announcement of the vote, Senator Lane moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Bulliard, Benson, Brown, [illegible] C. M., Clark, W. J., Chandler, Chaney, Chrisman, Dennis, Donnelly, Hughes, Hansen, Hewitt, Jones, Kelsey, Kelly, Lane, Lewis, McDonald, Marks, Nutter, Rolfe, Fairchild, Boyd, Scott, Shearer, Stone, Wendelboe, Thomas, and Tyson—[illegible].

The Secretary announced the [illegible].

Time when polls were [illegible] minutes [illegible].

The Acting President directed the Sergeant-at-Arms to close the doors.

[illegible]

At twelve o'clock and [illegible] minutes p. m., Pending proceedings under the call of the Senate were dispensed with on motion of Senator Lane.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Assembly Bill No. [illegible] duly passed by the following vote:

Ayes—Senators Benson, Bulliard, Brown, [illegible] C. M., Chandler, Chaney, Dennis, Hansen, Hewitt, Donnelly, Hughes, Jones, Kelsey, Kelly, Lane, Lewis, Marks, Rolfe, Fairchild, Boyd, Shearer, and Thomas—[illegible].

Noes—Senators Bulliard, Brown, [illegible] C. M., Chrisman, Dennis, Lyon, Nutter, McDonald, Marks, Nutter, Fairchild, Scott, Shearer, Stone, Wendelboe, and Tyson—[illegible].

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An act to amend an act entitled "An act to establish police courts in cities of the first and second class, to fix the jurisdiction of said courts and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts and to fix

the compensation of certain officers thereof, and to repeal an act entitled "An act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof," which became a law under the provisions of the Constitution of the State of California without the Governor's approval, on the 5th day of March, 1901, and all acts amendatory of said act or supplementary thereto," approved June 6, 1913, by adding two new sections thereto to be numbered 6½ and 13½, relating to the officers of said courts, and fixing the time for rendering judgments in said courts; and by amending sections 8 and 12 of said act, relating to the officers of said courts, and the method of selecting jurors in said courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 459 passed by the following vote:

AYES—Senators Ballard, Benson, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Reminger, Rush, Scott, Sharkey, Thompson, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 955—An act to amend section 4237 of the Political Code, relating to the compensation of county and township officers of counties of the eighth class and to the number, appointment and salaries of their assistants and deputies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 955 passed by the following vote:

AYES—Senators Ballard, Benson, Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, Nealon, Purkitt, Rigdon, Rush, Sharkey, Stirret, Stockenbruck, Thompson, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 26, 1917.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1348—An act to amend section 4260 of the Political Code, relating to the salaries and fees of officers of counties of the thirty-first class;

Also: Assembly Bill No. 1160—An act to add a new section to the Political Code, to be numbered 4268a, relating to fees and mileage of jurors and witnesses in counties of the thirty-ninth class;

Has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

INMAN, Chairman.

Assembly Bills Nos. 1348 and 1160 ordered on file for second reading.

SECOND READING OF ASSEMBLY BILLS—[illegible]

Senator [illegible] moved that the Senate take up the second reading Assembly Bills previously reported from committees this day.

Motion carried.

Assembly Bill No. [illegible]—An act to amend section [illegible] of the Political Code, relating to the salaries and fees of officers of counties of the [illegible] class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. [illegible]—An act to add a new section to the Political Code to be numbered [illegible], relating to fees and mileage of jurors and witnesses in counties of the [illegible] class.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

[illegible]

[illegible]

Mr. President: Your Committee on [illegible] and [illegible] has considered the following:

Senate Bill No. [illegible]—[illegible]

Also, Senate Bill No. [illegible]—[illegible]

Also, Senate Bill No. [illegible]—[illegible]

Also, Senate [illegible] Resolution No. [illegible]—[illegible]

Also, Senate Bill No. [illegible]—[illegible]

Also, Senate Bill No. [illegible]—[illegible]

Also, Senate Bill No. [illegible]—[illegible]

Also, Senate Bill No. [illegible]—[illegible]

Also, Senate Bill No. [illegible]—[illegible]

Also, Senate Bill No. [illegible]—[illegible]

Also, Senate Bill No. [illegible]—[illegible]

Also, Senate Bill No. [illegible]—[illegible]

Also, Senate Bill No. [illegible]—[illegible]

Also, Senate Bill No. [illegible]—[illegible]

Also, Senate Bill No. [illegible]—[illegible]

Also: Senate Bill No. 291—An act appropriating money for the purchase of live stock at the San Quentin State Prison;

Also: Senate Bill No. 293—An act appropriating money for the construction of new additions to farm buildings for San Quentin State Prison;

Also: Senate Bill No. 295—An act appropriating money for the purchase of machinery and equipment for the San Quentin State Prison;

Also: Senate Bill No. 296—An act appropriating money for the improvement of the grounds of the Industrial Home for the Adult Blind;

Also: Senate Bill No. 283—An act appropriating money for employees' cottages at the Folsom State Prison;

Also: Senate Bill No. 864—An act to appropriate money for the payment of compensation benefits accruing by reason of personal injury resulting from accident to state officers and employees while performing services accruing out of and incidental to their employment;

Also: Senate Bill No. 260—An act appropriating money for the construction of a tubercular hospital at the Stockton State Hospital;

Also: Senate Bill No. 192—An act appropriating money for the construction of a pathological laboratory at the Napa State Hospital;

Also: Senate Bill No. 216—An act appropriating money for the construction of cottage for low grade adult females at the Sonoma State Home;

Also: Senate Bill No. 265—An act appropriating money for the completion of the buildings of Riverside citrus experiment station of the University of California;

Also: Senate Bill No. 280—An act appropriating money for the construction of a prison school building at the Folsom State Prison;

Also: Senate Bill No. 281—An act appropriating money for the purchase of new machinery and equipment for the machine and blacksmith shops at the Folsom State Prison;

Also: Senate Bill No. 205—An act appropriating money for furniture and equipment for the San Diego State Normal School;

Also: Senate Bill No. 206—An act appropriating money for repairs and improvements, including fire protection, at the Women's Relief Corps Home;

Also: Senate Bill No. 207—An act appropriating money for traveling expenses of directors of the Women's Relief Corps Home;

Also: Senate Bill No. 221—An act appropriating money for a sewer system at the Santa Barbara State Normal School;

Also: Senate Bill No. 224—An act appropriating money to cover the cost of furnishing workers' cottage for men at the Agnews State Hospital;

Also: Senate Bill No. 240—An act appropriating money for sewerage and water systems at the University of California farm school at Davis;

Also: Senate Bill No. 241—An act appropriating money for the construction and equipment of a creamery at the University of California farm school at Davis;

Also: Senate Bill No. 16—An act appropriating money for painting the temporary buildings of Humboldt State Normal School;

Also: Senate Bill No. 170—An act appropriating money for the care and improvement of grounds of the Fresno State Normal School;

Also: Senate Bill No. 191—An act appropriating money for the construction of a convalescent cottage for females at the Napa State Hospital;

Also: Senate Bill No. 195—An act appropriating money for the construction of a tubercular ward on the grounds of the Veterans' Home;

Also: Senate Bill No. 201—An act to appropriate money to maintain the model and training schools at the several state normal schools;

Also: Senate Bill No. 204—An act appropriating money for the improvement of the grounds of the San Diego State Normal School;

Also: Senate Bill No. 171—An act appropriating money for the completing of the plant and equipment of the Fresno State Normal School;

Also: Senate Bill No. 243—An act appropriating money for the construction of small buildings at the University of California farm school at Davis;

Also: Senate Bill No. 244—An act appropriating money for repairs and improvements to buildings, structures and equipment at the Veterans' Home;

Also: Senate Bill No. 247—An act appropriating money for the construction and equipment of bakery building at the Sonoma State Home;

Also: Senate Bill No. 250—An act appropriating money to cover the cost of water softening plant at the Mendocino State Hospital;

Also: Senate Bill No. 252—An act appropriating money for repairs to flooring at the Mendocino State Hospital;

Also: Senate Bill No. 258—An act appropriating money to cover the cost of four continuous baths for the Stockton State Hospital;

Also: Senate Bill No. 581—An act to appropriate money for paving in front of the San Diego State Normal School;

Also: Senate Bill No. 668—An act to appropriate money for the repair of the naval reserve armory at San Diego, California;

Also: Senate Bill No. 856—An act making an appropriation for the support of the department of sanitary engineering under the direction of the State Board of Health;

[illegible]

[illegible]

Also: Senate Bill No. 1091—An act to amend sections 2283, 2285, 2286 and 2289 of the Political Code relating to the support and maintenance of orphans, half orphans and abandoned children.

Also: Senate Bill No. 1178—An act authorizing the State Board of Control for and on behalf of the State of California to retransfer a certain tract of land back to original owners;

Also: Senate Bill No. 147—An act to amend section 1 of an act entitled "An act to fix the salaries of the State Forester, Deputy Forester and Assistant Forester" approved March 22, 1909, and repealing all acts and parts of acts inconsistent herewith.

Also: Senate Bill No. 242—An act appropriating money for necessary buildings, equipment and the stock for animal husbandry department at the University of California Farm School at Davis;

Also: Senate Bill No. 292—An act appropriating money for construction and equipment of small buildings at the San Quentin State Prison;

Also: Senate Bill No. 400—An act to appropriate money to pay the expense of improving certain streets in the city of Berkeley adjoining the grounds of the University of California;

Also: Senate Bill No. 310—An act appropriating money for the construction and equipment of new laundry and bakery at the Napa State Hospital.

Also: Senate Bill No. 489—An act appropriating money to pay the claim of the county of San Bernardino for additional compensation as determined by investigation of the State Tax Commission;

Also: Senate Bill No. 248—An act appropriating money for the construction and equipment of laundry building at the Sonoma State Home;

Also: Senate Bill No. 1029—An act appropriating money for the support of the California Historical Survey Commission during the sixty-ninth and seventieth fiscal years.

Also: Senate Bill No. 585—An act to amend section 1741 of the Political Code, relating to the powers and duties of high school boards;

Also: Senate Bill No. 1079—An act to provide for the forfeiture of certain lands to the State in the event of the nonpayment of delinquent interest upon any part of the unpaid portion of the purchase price thereof together with penalties and costs as herein provided, as well as for the forfeiture of all moneys previously paid thereon, whether for principal or interest; prescribing the duties of certain public officers with respect thereto; providing for the giving of notice hereof; prescribing certain remedies; and making an appropriation for the purposes of this act;

Also: Senate Bill No. 907—An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California by constructing the levees, removing the debris and continuing the improvement of the Sacramento River, California, in accordance with the plans of the California Debris Commission contained in the report of said commission submitted August 10, 1910, and transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on June 27, 1911, and printed in House of Representatives document number eighty-one of the first session of the sixty-second United States Congress, as modified by the report of said commission submitted December 8, 1913, approved by the chief of engineers of the United States Army and the board of engineers for rivers and harbors and printed in rivers and harbors committee document number five, sixty-third United States Congress, first session, in so far as said plan provides for the rectification and enlargement of river channels and the construction of levees, and making an appropriation for such work; and providing for the continuance of such work as provided by section 2 of an act of the Congress of the United States entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes," approved March 1, 1917;

Also: Senate Bill No. 417—An act making an appropriation for the payment of certain assessments for main outfall sewer levied upon the property of the State of California known as the normal school property, on Vermont avenue, in the city of Los Angeles, State of California;

Also: Senate Bill No. 460—An act to amend sections 2319, 2319a, 2319b, 2319c, 2319d, 2319e and 2319f of the Political Code, to add sections 2319g and 2319h as new sections to the Political Code, relating to the State Commissioner of Horticulture and prescribing the powers, duties and compensation of said State Commissioner of Horticulture and the others and expenses incurred by said commissioner and providing certain penalties for the enforcement of such powers and duties, and providing for the appointment of additional officers fixing their compensation and prescribing their duties;

Also: Senate Bill No. 590—An act to provide for the organization and supervision of courses in physical education in the elementary, secondary and normal schools of the State, and appropriating ten thousand dollars therefor;

Also: Senate Bill No. 617—An act to amend section 791 of the Political Code, relating to the instruction of the office of the Insurance Commissioner;

Also: Senate Bill No. 682—An act appropriating money for the purpose of financing the scientific investigation and search for certain beneficial insects;

[illegible]

[illegible]

[illegible]

RECESS.

The hour of twelve o'clock and thirty minutes p.m. having arrived, the Acting President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

RESOLUTIONS.

The following resolution was offered:

By Senator Irwin:

Resolved, That Senate Rule No. 40 be and the same is hereby temporarily suspended for the purpose of moving a reconsideration of the vote whereby Assembly Bill No. 171, "An act amending section 4241 of the Political Code, relative to the salary and compensation of officers of counties of the twelfth class," was this day passed.

Resolution read.

Senator Irwin moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Ingram, Irwin, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Parkin, Rominger, Rush, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—None.

MOTION TO RECONSIDER.

Senator Irwin moved to reconsider the vote whereby Assembly Bill No. 171 was passed.

The roll was called, and the motion to reconsider the vote whereby Assembly Bill No. 171 was passed, carried by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, W. J., Chandler, Crowley, Evans, Flaherty, Ingram, Irwin, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Parkin, Rominger, Rush, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—25.

NOES—None.

Assembly Bill No. 171—An act amending section 4241 of the Political Code, relating to salaries and compensation of officers in counties of the twelfth class.

Bill read third time, previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Irwin moved to refer Assembly Bill No. 171 to Senator Benson as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 5, line 23, of the printed bill, strike out the comma after the word "employment" and the balance of line 23, all of lines 24, 25 and 26, up to and including the word "year".

Motion carried.

REPORT OF SPECIAL COMMITTEE ON [illegible]

SENATE CHAMBER, SACRAMENTO, April 26, 1917.

Mr. President: Your Special Committee of One, to whom was referred Senate Bill No. [illegible], with instructions to consider constitutionality, reports the same back, recommended to be not [illegible].

[illegible], Special Committee.

Report read, and, on motion of Senator [illegible], adopted.

Bill ordered to print.

MOTION TO RECONSIDER

Senator King moved to reconsider the vote whereby Assembly Bill No. 759 was passed.

The roll was called, and the motion to reconsider the vote whereby Assembly Bill No. 759 was passed, lost by the following vote:

AYES: None.

NOES: Senators Dennett, Dwinelle, Hans, Hewitt, Jones, [illegible], Lewis, McDonald, Mathews, Monroe, Peck, Rominger, Shafter, Shearer, Stern, Stephens, Stevens, Wolfe—[illegible].

Assembly Bill No. 759 ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS—[illegible]

Assembly Bill No. [illegible]—An act to amend section [illegible] of the Penal Code, relating to the fees of county clerks.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE

During third reading of bill, Senator Crosby moved to refer Assembly Bill No. [illegible] to Senator Flaherty, as a Special Committee of One, to amend as follows:

[illegible]

On page 2, line 8, of the printed bill, after the words and figures "[illegible]" insert the following: "[illegible]."

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Jones, Elsner, and Crosby, upon the motion to refer to a Special Committee of One.

The roll was called, and the motion to refer to a Special Committee of One carried by the following vote:

AYES: Senators Bulkley, Brown, Dennett, Gaut, H. W. Hewitt, Jones, Flaherty, Lewis, Kent, Kuhl, Lyon, McDonald, Mathews, Monroe, Peck, Rush, Scott, Shearer, Stern, and Wolfe—[illegible].

NOES: Senators Dwinelle, Gaut, W. J., Hans, Hewitt, Jones, Jones, Sharkey, Stephens, and Thompson—[illegible].

REPORT OF SPECIAL COMMITTEE ON [illegible]

SENATE CHAMBER, SACRAMENTO, April 26, 1917.

Mr. President: Your Special Committee of One, to whom was referred Assembly Bill No. [illegible], with instructions to consider constitutionality, reports the same back, recommended to be not [illegible].

FLAHERTY, Special Committee.

Report read, and, on motion of Senator Crosby, adopted.

Bill ordered to print.

REPORT OF STANDING COMMITTEE — [OUT OF ORDER]

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 26, 1917.

MR. PRESIDENT: Your Committee on Rules, to whom was referred the request of Senator Gates to introduce a bill entitled "An act empowering the State Board of Education to order the closing from time to time of educational institutions during the continuance of a state of war"—has had the same under consideration, and respectfully reports the same back and recommends that the request be granted.

BREED, Chairman.

The question being on the adoption of the report,

The roll was called, in accordance with the provisions of section 2 of Article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Cronin, Evans, Flaherty, Gates, Ingram, Irwin, Jones, Kehoe, King, Lyon, McDonald, Meikle, Nourse, Parkes, Rennager, Rush, Scott, Sharkey, Shearer, Slater, Stakelbeck, and Tyrrell—31.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bill was introduced in accordance with the above report:

By Senator Gates: Senate Bill No. 1202—An act empowering the State Board of Education to order the closing from time to time of educational institutions during the continuance of a state of war.

Bill read first time, and referred to Committee on Education.

INTRODUCTION AND FIRST READING OF BILLS, ETC. [OUT OF ORDER]

By Senator Sharkey: Senate Joint Resolution No. 17—Relative to an invitation to be extended to Arthur James Balfour, British foreign secretary; Marshal Joffre of France and Marquis Pierre de Chambrun of France, to visit the State of California and other western states, that the patriotic citizens of the Great West may fittingly honor the distinguished representatives of our nation's allies, and that their presence may stimulate the whole country to the highest activity, that the joint efforts of England, France and the United States to conquer a common enemy may be successful.

CONSIDERATION OF RESOLUTION — [OUT OF ORDER].

Senator Sharkey asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 17 without reference to committee.

SENATE JOINT RESOLUTION No. 17.

Relative to an invitation to be extended to Arthur James Balfour, British foreign secretary, Marshal Joffre of France and Marquis Pierre de Chambrun of France to visit the State of California and other western states, that the patriotic citizens of the great west may fittingly honor the distinguished representatives of our nation's allies and that their presence may stimulate the whole country to the highest activity, that the joint efforts of England, France and the United States to conquer a common enemy may be successful.

WHEREAS, The United States has joined France and England and their allies to crush the power that threatens the liberties of civilized nations, and

[illegible]

Resolution read:

[illegible]

[illegible]

The question being: Shall the Senate grant permission by yeas and nays? Senate Joint Resolution No. 177?

The roll was called, and permission granted by the following vote:

Ayes—Senators [illegible]

Nays—None.

The question being on the adoption of the resolution:

The roll was called, and Senate Joint Resolution No. 17 adopted by the following vote:

Ayes—Senators [illegible]

Nays—None.

Resolution ordered transmitted to the Assembly.

SUSPENSION OF RULES.

Senator Crowley moved that the Senate Rules be temporarily suspended for the purpose of considering a resolution out of order.

The question being on suspension of the rules.

The roll was called, and the rules suspended by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Kehoe, King, Lyon, McDonald, Maddux, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—29.

NOES—Senators Nealon, and Thompson—2.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Senator Crowley:

WHEREAS, There was, on the 12th day of January, 1917, introduced in the Assembly of the State of California, Assembly Bill No. 31, providing for the disposition of any money or other property accruing to or to be received by the State of California, as its proportionate share of the returns from the holding of the Panama-Pacific International Exposition; and

WHEREAS, Said bill was on April 12, 1917, duly passed by said Assembly, and on April 13, 1917, was read for the first time in the Senate, and referred to the Committee on Finance; and

WHEREAS, There was, on said 12th day of January, 1917, introduced in the Assembly of the State of California, Assembly Bill No. 50, authorizing and empowering the board of trustees of the San Francisco State Normal School to sell or exchange and convey the lands and buildings of said school, to acquire by purchase, gift, condemnation or otherwise a new site for said school, etc.; and

WHEREAS, Said Assembly Bill No. 50 was on said 12th day of April, 1917, duly passed by said Assembly, and on the 13th day of April, 1917, was read for the first time in the Senate and referred to the Committee on Finance; and

WHEREAS, There was on the 12th day of January, 1917, introduced in the Assembly of the State of California Assembly Bill No. 91, transferring $150,000 to "the San Francisco State Normal School Exposition Preservation Fund" and appropriating the same for the preservation of the California Building on the site of the Panama-Pacific International Exposition; and

WHEREAS, Said bill No. 91 was on said 12th day of April, 1917, duly passed by said Assembly, and, on April 13, 1917, was read for the first time in the Senate, and referred to the Committee on Finance; and

WHEREAS, Notwithstanding that said Assembly Bills Nos. 31, 50 and 91 are, and each of them is, of extraordinary vital interest and importance to the people of the State of California, and of the city and county of San Francisco, after repeated requests made for a hearing upon the same in the Finance Committee of the Senate, such hearing has been denied, and the proponents and advocates thereof have been refused by the chairman of said committee an opportunity to present to said committee the merits of said measures and the reasons why passage of the same should be by said committee recommended; and

WHEREAS, By reason of the great public importance of these measures, it is desirable that they should be considered on the floor of the Senate, and that opportunity should be given for a full and fair discussion there of their respective merits; now, therefore, be it

Resolved, That said Assembly Bills Nos. 31, 50 and 91 be and they are hereby withdrawn from said committee, and said committee is hereby ordered to forthwith place said bills and each of them on the files of this house.

Resolution read.

The question being on the adoption of the resolution.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Jones, Crowley, and McDonald, on the adoption of the resolution by Senator Crowley.

The roll was called, and the resolution rejected by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Chamberlin, Crowley, Evans, Flaherty, Rigdon, Rush, Scott, and Shearer—12.

NOES—Senators Benson, Carr, W. J., Chandler, Duncan, Gates, Ingram, Inman, Irwin, Jones, Kehoe, King, McDonald, Maddux, Nealon, Purkitt, Rominger, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—21.

[illegible]

The following request for permission to introduce a bill was presented:

By Senator Cary, W. J.:

[illegible]

Mr. President: In accordance with the provisions of section 3, Article IV, of the Constitution, I request that the consideration of this House be obtained for the introduction of the accompanying bill, the text of which is as follows, to wit:

An act to increase the number of judges of the Supreme Court of the State of Texas and to provide for the appointment of an additional judge.

Request referred to Committee on Rules.

[illegible]

The following report of standing committee was received and read:

[illegible]

Mr. President: Your Committee on Rules to which was referred the request of Senator W. J. Cary for permission to introduce a bill entitled "An act to increase the number of judges of the Supreme Court of the State of Texas and to provide for the appointment of an additional judge," has had the same under consideration and respectfully reports the same back with recommendation that permission be granted.

[illegible], Chairman.

The question being on the adoption of the report,

The roll was called, in accordance with the provisions of section 3 of Article IV of the Constitution, and the report adopted by the following vote:

Ayes: Senators Bailey, Dwyer, Ford, Gibson, Hanson, Hill, E. M. Terrell, W. J. Cary, Chandler, Crawford, Dillard, Edwards, Gaston, Glass, Johnson, Jones, King, Lane, Mahon, Martin, Mayfield, Montague, Neal, Shepherd, Simmons, Stone, Strickland, Thompson, and Tyler—31.

Nays: None.

[illegible]

The following bill was introduced, in accordance with the above report:

By Senator Cary, W. J.: Senate Bill No. [illegible]. An act to increase the number of judges of the supreme court of the county of Travis and to provide for the appointment of an additional judge.

Bill read first time and referred to Committee on Finance.

[illegible]

By Senator Inman: Senate Concurrent Resolution No. 31. Relative to the so-called Sutter Bend conference.

[illegible]

Senator Inman asked for, and was granted unanimous consent, to take up Senate Concurrent Resolution No. 31 without reference to committee.

SENATE CONCURRENT RESOLUTION No. 31.

Relative to the so-called Sutter Basin controversy.

WHEREAS, The so-called Sutter Basin controversy has been before this legislature on many occasions and has received careful and painstaking attention and consideration; and

WHEREAS, We believe the interest of the State of California, and especially that portion thereof located in Sutter county, requires the speedy erection of the eastern levee of the Sutter Basin by-pass so as to give full protection to all lands lying east thereof, and also to enable lands within Reclamation District No. 1500 to be reclaimed and brought into cultivation; and

WHEREAS, It is hoped and believed that such legislation as may be passed by this session of the legislature touching upon said controversy, will be fair to all concerned, with the view of securing harmony of action and the final amicable disposition of said controversy; and

WHEREAS, We believe we should give an expression of our opinion upon said matters to the people of Sutter county, Reclamation District No. 1500 and the reclamation board; now therefore be it

Resolved by the Senate, the Assembly concurring, That it is the sense of this legislature that the people of Sutter county, Reclamation District No. 1500, and the reclamation board, unite and work in harmony and use all honorable means within the power of each toward securing the early completion of the eastern levee of said by-pass.

Resolution read.

RECOMMENDATION BY PRESIDING OFFICER.

In accordance with Joint Rule No. 35, I hereby recommend that the Senate grant permission to vote on Senate Concurrent Resolution No. 31—Relative to the so-called Sutter Basin controversy.

A. H. BREED, President pro tempore.

The question being: Shall the Senate grant permission to vote on Senate Concurrent Resolution No. 31?

CALL OF THE SENATE.

The roll was called on granting permission to vote on Senate Concurrent Resolution No. 31.

Pending the announcement of the vote, Senator Inman moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Brown, Burnett, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Lane, Lyon, Maddux, Purkitt, Rigdon, Rominger, Rush, Sharkey, Shearer, Slater, and Tyrrell—28.

The Secretary announced the absentees.

Time, four o'clock and forty-five minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At four o'clock and fifty minutes p.m., Senators Crowley, Scott, Kehoe, McDonald and Flaherty were brought to the bar of the Senate, and, on motion of Senator Slater, were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At five o'clock p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Inman.

The Secretary was directed to call the roll on granting permission to vote on Senate Concurrent Resolution No. 21, of the Senators who had not answered to their names.

The roll was called, and permission granted to the following [illegible]

Ayes—Senators Ballard, [illegible].

Noes—Senator [illegible].

The question being on the adoption of Senate Concurrent Resolution No. 21,

The roll was called, and the resolution adopted by the following vote:

Ayes—Senators [illegible].

Noes—Senators [illegible].

Resolution ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—[illegible]

The following report of standing committee was received and read:

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 26, 1917.

Mr. President: Your Committee on Education, to which was referred Senate Bill No. [illegible]

[illegible], Chairman.

Senate Bill No. [illegible] ordered on file for second reading.

RESOLUTIONS—[illegible]

The following resolution was offered:

By Senator Chamberlin:

Whereas, Assembly Bill No. [illegible]

Whereas, The said Committee on Finance [illegible]

Resolved, That the Committee on Finance [illegible]

Resolution read.

Senator Chamberlin moved that the resolution be adopted.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Chamberlin, [illegible] and Ballard.

The roll was called, and the resolution [illegible] by the following vote:

Ayes—Senators Carr, E. M. Chamberlin, [illegible].

Noes—Senators Ballard, [illegible].

REPORTS OF STANDING COMMITTEES—OUT OF ORDER.

The following reports of standing committees were received and read:

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, April 26, 1917.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Concurrent Resolution No. 30—Relative to the observance of California Almond Day—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

KING, Chairman.

Senate Concurrent Resolution No. 30 ordered on file.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 26, 1917.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 1396—An act providing for the removal of bodies from the cemetery at the Stockton State Hospital and the disposition thereof, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

CHANDLER, Chairman.

Assembly Bill No. 1396 ordered on file for second reading.

ON CIVIL SERVICE.

SENATE CHAMBER, SACRAMENTO, April 26, 1917.

MR. PRESIDENT: Your Committee on Civil Service, to which was referred Assembly Bill No. 184—An act to amend sections 7, 11 and 13 of an act entitled "An act to provide for a general system, based upon investigation, as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and, on that behalf, to create a state civil service commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

RIGDON, Chairman.

Assembly Bill No. 184 ordered on file for second reading.

MESSAGE FROM THE ASSEMBLY—OUT OF ORDER.

On motion of Senator Tyrrell, the following message from the Assembly was taken up and read out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to recede from its amendments to Senate Bill No. 890—An act to amend section 2643 of the Political Code, relating to the powers of boards of supervisors over roads—and appointed Assemblymen Arbuckle, Manning and Hilton, as a Committee on Conference, to meet with like committee from the Senate.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The President pro tempore announced the appointment of Senators Crowley, Gates and Thompson, as a Committee on Conference, to meet with a like committee from the Assembly to consider Assembly amendments to Senate Bill No. 890.

SECOND READING OF ASSEMBLY BILLS—OUT OF ORDER.

Senator Chandler moved that the Senate take up for second reading Assembly bills previously reported from committees this day.

Assembly Bill No. [illegible]—An act providing for the removal of bodies from the cemetery at the [illegible] State Hospital and the disposition thereof, and making an appropriation therefor.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 194—An act to amend sections 7, 11 and 13 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a state civil service commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out all of line 7 [illegible]

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out all of lines [illegible]

Amendment adopted.

Bill read second time and ordered to print, and third reading.

SENATOR LYON IN THE CHAIR.

At five o'clock and ten minutes p.m., Senator Lyon of the Twenty-ninth District was called to the chair.

MESSAGES FROM THE ASSEMBLY—[illegible]

On motion of Senator Tyrrell the following messages from the Assembly were taken up and read out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. [illegible]

Also, To Assembly Bill No. [illegible]

Also, To Assembly Bill No. [illegible]

Also, To Assembly Bill No. [illegible]

Also, To Assembly Bill No. [illegible]

E. G. [illegible], Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 828—An act to amend section 1605 of the Political Code, relating to the subjects in which instruction shall be provided in the elementary schools of the State;

Also: To Assembly Bill No. 927—An act providing for hours of rest for persons employed by municipal corporations during more than one hundred twenty hours per week, and prescribing penalties for violations hereof;

Also: To Assembly Bill No. 1154—An act to provide for the adoption of textbooks for use in the public high schools of the State and for furnishing textbooks for the use of pupils of such schools;

Also: To Assembly Bill No. 1218—An act to amend section 241 of the Civil Code, relating to appointment of guardians by will or by deed;

Also: To Assembly Bill No. 690—An act to amend section 634 of the Penal Code, relating to the protection of fish;

Also: To Assembly Bill No. 1289—An act defining industrial loan companies, providing for their incorporation, powers and supervision.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1292—An act to amend section 28 of an act entitled "An act to regulate fees of office and salaries of certain officers, and to repeal certain other acts in relation thereto," approved March 5, 1870, as amended March 1, 1872;

Also: To Assembly Bill No. 1416—An act to amend sections 1611, 1613, 1614, 1615, 1616 and 1617 of the Political Code, to add thereto ten new sections, to be numbered 1603, 1603*a*, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1612; and to repeal sections 1617*a*, 1617*b*, 1617*c* and 1617*d* of the Political Code, relating to boards of school trustees and city boards of education.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 502—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors;

Also: To Assembly Bill No. 1093—An act appropriating money to pay the claim of Mrs. George Webb;

Also: To Assembly Bill No. 1109—An act to amend sections 2, 6, 17, 32, and 43 of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices, and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures, and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a state superintendent of weights and measures and his deputy, sealers of weights and measures and their deputies, defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, and known as the "weights and measures act," and amended June 8, 1915, and to add a new section thereto to be numbered 39*a*;

Also: To Assembly Bill No. 1198—An act amending section 4234 of the Political Code, relating to salaries and fees of officers and jurors in counties of the fifth class.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 574—An act to amend section 1743 of the Political Code and to repeal section 1743*a* thereof, relating to high school principals and reports;

Also: To Assembly Bill No. 560—An act to amend sections 2, 60, 63, 66, 68, 70, 72 and 73 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and

[illegible]

Also, [illegible]

Also, [illegible]

[illegible]

Also:

[illegible]

Mr. President: [illegible]

Also, [illegible]

Also, [illegible]

Also, [illegible]

[illegible]

Also:

[illegible]

Mr. President: [illegible]

Also, [illegible]

Also, [illegible]

Also, [illegible]

[illegible]

Also:

[illegible]

Mr. President: [illegible]

Also, [illegible]

Also, [illegible]

Also, [illegible]

[illegible]

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Bill No. 73—An act to regulate the taking and harvesting of kelp and other aquatic plants of the State of California by prohibiting and regulating their ownership in the State of California and providing for the control thereof by the Fish and Game Commissioners, and providing for a license tax upon all persons, firms or corporations engaged in the industry of taking or harvesting kelp or other aquatic plants, and providing for the collection and disbursement of the revenues derived therefrom, and providing for a privilege tax upon all kelp taken in the waters of this State, and providing for the protection of kelp beds, and for the manner of taking kelp and other aquatic plants, and providing for hearings by the Fish and Game Commissioners, and providing penalties for the violation of this act, and requests that your honorable body recede therefrom.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

The question being: Shall the Senate recede from Senate amendments to Assembly Bill No. 73?

The roll was called, and the Senate refused to recede from Senate amendments to Assembly Bill No. 73 by the following vote:

AYES—None.

NOES—Senators Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Evans, Flaherty, Gates, Haus, Ingram, Inman, Irwin, Johnson, King, Loce, Lyon, Nealon, Rush, Slater, Stockenbrock, Thompson, and Tyrrell—24.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The President pro tempore announced the appointment of Senators Johnson, Kehoe, and Rigdon, as a Committee on Conference, to meet with a like committee from the Assembly to consider Senate amendments to Assembly Bill No. 73.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on April 24th passed as amended, Senate Bill No. 946—An act to amend sections 1611, 1613, 1614, 1615, 1616 and 1617 of the Political Code; to add thereto ten new sections to be numbered 1603, 1603a, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1612 and to repeal sections 1617*a*, 1617*b*, 1617*c* and 1617*d* of the Political Code, relating to boards of school trustees and city boards of education—and respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 946 ordered to unfinished business.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 921—An act to amend the Vehicle Act, approved May 10, 1915, by repealing sections 10, 18, 23, 33, and 42 thereof, and by amending sections 1, 3, 4, 5, 6, 7, 8, 9, 11, 13, 15, 17, 20, 22, 24, 26, 27, 28, 32, 34, 35 and 37 thereof, said amendments to provide for the regulation of the use and occupation of the public highways by vehicles and otherwise, for the registration and identification of motor and other vehicles, and for the payment of registration fees thereof, to provide for the licensing of persons operating motor vehicles, and for the payment of license fees therefor, to prohibit the operation of any motor vehicle without the consent of the owner thereof, to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act, to provide for the organization and conduct of the motor vehicle department created by said act, and to provide for the disposition of registration and license fees, fines and forfeitures collected under the provisions of said act; to provide for carrying out the objects of said act and of said amendments thereto, and to make appropriation therefor; to provide for the

[illegible] and [illegible] of land [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] amendments [illegible] [illegible] [illegible] [illegible] [illegible].

E. D. [illegible], Chief Clerk of Assembly.
By W. [illegible], Assistant Clerk.

Senate Bill No. [illegible] ordered to unfinished business.

Also—

Assembly Chamber, Sacramento, April 20, 1911.

Mr. President: I am directed to inform your honorable body that the Assembly [illegible] the Sacramento [illegible] control [illegible].

E. D. [illegible], Chief Clerk of Assembly.
By W. [illegible], Assistant Clerk.

THIRD READING OF ASSEMBLY BILLS—(Continued).

Assembly Bill No. [illegible]—An act to amend section [illegible] of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators Ballard, [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] and [illegible]—[illegible].

Noes—Senators [illegible], [illegible] and [illegible]—[illegible].

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An act to amend the title, and sections [illegible], [illegible], 12, 13, 14, [illegible] and [illegible] of an act entitled "An act to be known as 'The California Irrigation Act,' providing for cooperation between the State of California and the United States and independent proceedings in the storage and diversion of water, the distribution thereof for irrigation, the manufacture of power, and for domestic purposes, creating an irrigation board to form water districts, make contracts, construct reservoirs, divert and distribute water, generate, lease and sell electric current, lease water power, levy assessments, issue bonds,

of water districts, providing for the management, control and supervision of such water districts and of the works constructive pursuant to this act; directing the State Department of Engineering relative to such works; authorizing irrigation districts to reorganize under this act and generally providing a policy relating to storage, diversion and use of water, and adopting a plan for providing revenues therefor," approved June 4, 1915.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 792 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, F. M., Carr, W. J., Evans, Flaherty, Ingram, Inman, Irwin, Johnson, Jones, King, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Shearer, Slater, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1340. An act to amend section 1097 of the Political Code, relating to registration of electors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1340 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Shearer, Slater, Stuckenbruck, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1341. An act to amend sections 1, 3 and 9 of an act entitled "An act to regulate the conduct of election campaigns, and repealing an act entitled 'An act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,' approved February 23, 1893," approved March 19, 1907, as amended by an act approved June 6, 1913.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Carr, W. J., moved to refer Assembly Bill No. 1341 to Senator Ballard, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3, line 32, commencing with the word "and" strike out down to and including the word "guilty" in line 35, and insert in lieu thereof the words "any candidate for public office is convicted".

AMENDMENT NUMBER TWO.

On page 3, line 36, commencing with the word "and" strike out down to and including the comma after the word "guilt" in line 37.

[illegible]

On page 4, line 8, [illegible] the word "[illegible]" [illegible] and insert in lieu thereof the word "[illegible]" [illegible].

Motion carried.

REPORT OF SPECIAL COMMITTEE ON [illegible]

Senate Chamber, Sacramento, April 29, 1917.

Mr. President: Your Special Committee, [illegible] Bill No. [illegible], [illegible] to the Senate.

[illegible], Special Committee.

Report read and on motion of Senator Cox, [illegible], adopted.

Bill ordered to print.

Assembly Bill No. 1424—An act to provide for the formation, government, organization, operation and dissolution of local health districts in any part of the State and for obtaining the installation thereof, the appointment and compensation of local district health officers, their duties and measures, defining the qualifications, powers and duties of such officers, and to provide for the possession, care, collection, custody and disposition of vacant property.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1424 passed by the following vote:

AYES—Senators Ballard, Beard, Bishop, Cox, [illegible], Crow, Finnigan, Gaige, Ingram, Holohan, Irwin, Johnson, Jones, Kehl, Lyon, Marshall, Nutter, Hopkins, Scott, Shearer, Stevens, Stephenson and Wright—[illegible].

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1394—An act to regulate the heating, temperature and ventilation of certain buildings, houses, apartments, dwellings, rooms, towers and vehicles and providing a control for the same and providing a penalty for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1394 passed by the following vote:

AYES—Senators Ballard, Beard, Bishop, Cox, [illegible], Crow, Finnigan, Gaige, Ingram, Irwin, Johnson, Jones, Kehl, Lyon, Marshall, Nutter, Hopkins, Scott, Shearer, Stevens, Stephenson and Wright—[illegible].

NOES—Senators Holohan, Irwin and McDonald—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF CONFERENCE ON CONCURRENCE.

Senate Chamber, Sacramento, April 29, 1917.

Mr. President: Your committee on Concurrence concerning Senate Bill No. [illegible], [illegible] Assembly, concerning its Amendment thereto, [illegible] Senators Ingram, Beard and Holohan and Assemblymen Crowley, Gates and [illegible] Conference on Free Conference by unanimous vote.

GATES,
CROWLEY,
Senate Committee on Conference.

COMMITTEE ON FREE CONFERENCE APPOINTED.

The Acting President announced the appointment of Senators Tyrrell, Johnson, and Carr, F. M., as a Committee on Free Conference, to meet with a like committee from the Assembly for the consideration of Senate Bill No. 890.

The Secretary was directed to notify the Assembly of the Senate's appointment of Committee on Free Conference.

THIRD READING OF ASSEMBLY BILLS—RESUMED.

Assembly Bill No. 1463—An act to amend an act entitled "An act to regulate the issuance of licenses for resale to hunters and anglers," approved May 20, 1915, relating to the sale of hunting and fishing licenses, and providing for the execution of bonds by the persons selling the same and the payment of the premiums thereon.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1463 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Evans, Gates, Ingram, Inman, Irwin, Johnson, Jones, King, Lyon, Maddux, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 968—An act relating to health and accident insurance and the conduct of the business of such insurance, and preserving certain standard provisions for such insurance policies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 968 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Lyon, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 911—An act adding a new section to the Civil Code, to be numbered section 2767, relating to the disposition by the beneficiary of his interest under a policy of life insurance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 911 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Lyon, Maddux, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1448.—An act to amend section [illegible] of the Civil Code, relating to investments for insurance companies.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1448 passed by the following vote:

AYES.—Senators Ballard, Brown, Bond, Burnett, Chandler, Crossley, Dennis, Fairbanks, Gates, Inman, Kinney, Kilkenny, Lewis, Lyon, Mendelson, Mitchell, Rigdon, Rominger, Scott, Shearer, Shepard, Stevenson, and Wyllie—[illegible].

NOES.—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 808.—An act to amend sections 1, 8, 10 and 17 of an act entitled "An act to provide for the organization and management of county fire insurance companies," approved April 1, 1909, and acts supplementary thereto, and to add a new section thereto, to be numbered 18½.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 808 passed by the following vote:

AYES.—Senators Ballard, Brown, Bond, Burnett, Carr, W. J., Chandler, Crossley, Dennis, Fairbanks, Gates, Inman, Kilkenny, Kinney, Lewis, Lyon, Mendelson, Mitchell, Rigdon, Rominger, Scott, Shearer, Shepard, Stevenson, and Wyllie—[illegible].

NOES.—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1234.—An act to amend sections 1180 and 1182 of the Political Code, relating to the nomination of candidates otherwise than by primary election, and to the filing of nominating papers.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE ON [illegible].

During third reading of bill, Senator Carr, W. J., moved to refer Assembly Bill No. 1238 to Senator Mitchell, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 23, of the printed bill, after the word "time" and insert in lieu thereof the word "[illegible]".

Motion carried.

REPORT OF SPECIAL COMMITTEE ON [illegible].

SENATE CHAMBER, SACRAMENTO, April 26, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 1248, with instructions to amend, respectfully returns the same back amended as per recommendation.

BALLARD, Special Committee.

Report read and, on motion of Senator Carr, W. J., adopted.

Bill ordered to print.

Assembly Bill No. 1124.—An act to prevent the sale of impure and unwholesome milk products and to promulgate rules and regulations to govern the sale of such products, providing machinery for the enforcement of this act, and prescribing penalties for the violation hereof.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Inman moved to refer Assembly Bill No. 1124 to Senator Shearer, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 7, line 21, strike out the comma after the word "sold" and insert in lieu thereof a period, and strike out the balance of the line and down to and including line 4 on page 8.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 26, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 1124, with instructions to amend, respectfully reports the same back, amended as per instructions.

SHEARER, Special Committee.

Report read, and, on motion of Senator Inman, adopted.

Bill ordered to print.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 921: An act to amend the Vehicle Act, approved May 10, 1915, by repealing sections 10, 18, 23, 33, and 42 thereof, and by amending sections 1, 3, 4, 5, 6, 7, 8, 9, 11, 13, 15, 17, 20, 22, 24, 26, 27, 28, 32, 34, 35 and 37 thereof, said amendments to provide for the regulation of the use and occupation of the public highways by vehicles and otherwise, for the registration and identification of motor and other vehicles, and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles, and for the payment of license fees therefor; to prohibit the operation of any motor vehicle without the consent of the owner thereof; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the organization and conduct of the Motor Vehicle Department created by said act, and to provide for the disposition of registration and license fees, fines and forfeitures collected under the provisions of said act; to provide for carrying out the objects of said act and of said amendments thereto, and to make appropriation therefor; to provide for the printing and distribution of said act as amended, and to provide for the time that said amendments shall go into effect.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER NINE HUNDRED TWENTY-ONE.

AMENDMENT NUMBER ONE.

On page 10, of the printed bill, in line 2, after the semicolon strike out the word "for" and in line 3 strike out the words "the original license of every operator, fifty cents;".

AMENDMENT NUMBER TWO.

On page 36, of the printed bill, strike out all after the period in line 25, all of line 26, and in line 27 the word "application" and the period.

[illegible]

The question being: Shall the Senate concur in Assembly amendments Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, adopted by the Assembly on April 25th, and Assembly Amendment No. 1, adopted by the Assembly on April 25th, to Senate Bill No. 921?

The roll was called, and Assembly amendments to Senate Bill No. 921 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Lyon, Maddux, Rigdon, Rominger, Scott, Sharkey, Slater, Stockenbruck, and Tyrrell—23.

NOES—None.

The question being: Shall the Senate concur in Assembly amendments Nos. 13 and 14, to Senate Bill No. 921, adopted by the Assembly on April 23d?

The roll was called, and Assembly amendments to Senate Bill No. 921 refused concurrence by the following vote:

AYES—None.

NOES—Senators Ballard, Benson, Breed, Burnett, Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Lyon, Maddux, Rominger, Scott, Sharkey, Slater, and Stockenbruck—21.

RECESS.

At six o'clock p.m., on motion of Senator Benson, the Acting President, declared the Senate at recess until the hour of eight o'clock p.m.

RECONVENED.

At eight o'clock p.m., the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

THIRD READING OF ASSEMBLY BILLS—RESUMED.

Assembly Bill No. 1452. An act to amend section 321*a* of the Civil Code, relating to the change of the principal place of business by a corporation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1452 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Carr, W. J., Chamberlin, Evans, Gates, Ingram, Irwin, Johnson, Jones, Lyon, Maddux, Nealon, Rominger, Rush, Shearer, Slater, Stockenbruck, Thompson, and Tyrrell—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 781. An act to amend section 602 of the Penal Code, prescribing a penalty for malicious injury to real property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 781 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Carr, W. J., Chamberlin, Evans, Gates, Haus, Ingram, Inman, Irwin, Johnson, Jones, Lyon, Maddux, Nealon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stockenbruck, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An act to amend section [illegible] of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 13, 1887, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators [illegible]—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An act to standardize fire hydrants.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators [illegible]—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An act granting land and entitled "An act to provide for the incorporation and organization and management of county water districts and to provide for the acquisition of water rights or the construction thereby of water works, and for the organization of all property necessary therefor, etc."

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators [illegible]—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An act to amend the Code of Civil Procedure by adding a new section thereto to be numbered [illegible], relating to actions concerning water rights.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators [illegible]—[illegible].

Maddux, Nealon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 735—An act to amend section 343 of the Political Code, relative to the designation and number of civil executive officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 735 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Evans, Gates, Hans, Ingram, Irwin, Johnson, Jones, Lyon, McDonald, Maddux, Nealon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 396—An act to amend sections 323 and 325 of the Code of Civil Procedure, relating to the adverse possession of land.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 396 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Evans, Gates, Hans, Ingram, Irwin, Johnson, Jones, Lyon, McDonald, Maddux, Nealon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 614—An act to amend section 1 of an act entitled "An act to amend an act entitled 'An act to provide for the burial of ex-Union soldiers, sailors and marines in this State who may hereafter die without leaving sufficient means to defray burial expenses,' approved March 15, 1889, and to extend the operation of said act to all honorably discharged soldiers, sailors and marines who served in the Army and Navy of the United States," approved March 23, 1901, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 614 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Canepa, Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, Lyon, McDonald, Maddux, Nealon, Purkitt, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 266—An act to amend sections 1107, 1214 and 1217 of the Civil Code, relating to the effect of transfers of real property and of the recording and nonrecording thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. [illegible] passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. [illegible]

[illegible]

Resolution read.

The question being on the adoption of the resolution,

The roll was called, and Assembly Constitutional Amendment No. [illegible] adopted by the following vote:

[illegible]

Title read and approved.

Resolution ordered transmitted to the Assembly.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. [illegible]

[illegible]

day of January, nineteen hundred seventeen, two-thirds of the members elected to each of the two houses of the said legislature voting therefor hereby proposes to the people of the State of California to amend article thirteen of the constitution of this state by adding a new section thereto to be numbered five and to read as follows:

SEC. 5. The state, from time to time, after due investigation by the legislature, may appropriate money from the general revenues to supply to any city the loss of revenue resulting to such city from the exemption from taxation allowed by section one and one-quarter of article thirteen of this constitution; *provided, however*, that no such appropriation shall be made unless it shall sufficiently appear to the legislature that the value of the property so exempted from taxation is not less than five per cent of the total assessed valuation of property in such city.

Resolution read.

The question being on the adoption of the resolution

The roll was called, and Assembly Constitutional Amendment No. 23 adopted by the following vote:

AYES—Senators Benson, Breed, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, King, Lyon, McDonald, Maddux, Nealon, Rigdon, Rush, Sharkey, Slater, Stuckenbruck, and Tyrrell—28.

NOES—None.

Title read and approved.

Resolution transmitted to the Assembly.

Assembly Bill No. 1428—An act to amend section 331 of the Penal Code, relating to gambling in houses owned or rented.

Bill read third time.

CALL OF THE SENATE.

The roll was called on the passage of Assembly Bill No. 1428.

Pending the announcement of the vote, Senator Jones moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Luce, Lyon, McDonald, Maddux, Nealon, Rush, Scott, Slater, Stuckenbruck, and Tyrrell—26.

The Secretary announced the absentees.

Time, nine o'clock p.m.

The President pro tempore directed the Sergeant-at-Arms to close the doors.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At nine o'clock and ten minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Jones.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Assembly Bill No. 1428 finally passed by the following vote:

AYES—Senators Benson, Breed, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Evans, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Maddux, Rominger, Rush, Slater, Stuckenbruck, Thompson, and Tyrrell—24.

NOES—Senators Burnett, Canepa, Crowley, Flaherty, Lyon, McDonald, Nealon, and Scott—8.

Title read and approved.

Bill ordered transmitted to the Assembly.

[illegible]

The following resolution was offered:

By the Committee on Contingent Expenses:

Resolved, That the committee be and hereby is authorized and instructed to have the publication of the stenographic record of the hearings held by the subcommittee of the committee on anti-monopoly legislation, which the Senate Committee on Public Welfare is now conducting, printed as a part of the record of the Public Welfare and Contingent Expenses Committee.

[illegible]

Resolution read.

Senator Neuberger moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

Ayes, [illegible]

Nays, None.

[illegible]

On motion of Senator Purnell, the following message from the Assembly was taken up, and read, and all the regular order:

[illegible]

Mr. President: I am directed to inform your honorable body that the Assembly has this day passed an amendment to Senate Bill No. 5, by its amendments to the bill concerning [illegible] and provides a penalty for the violation thereof.

[illegible]

The Senate took up for consideration Assembly amendments to Senate Bill No. 5—An act relating to the use and furnishing of permanent prices, stamps, coupons, tickets, certificates, cards, or other advertising devices, for or with the sale of goods, wares, merchandise, and providing a penalty for the violation thereof.

[illegible]

[illegible]

On page 1, line 19, of the printed bill, after the word "Sec. 1." [illegible] the words "Sec. 7."

[illegible]

On page 2, line 12, of the printed bill, add the following section:

Sec. 8. This act shall take effect [illegible]

[illegible]

On page 2 of the printed bill add the following:

Sec. 7. Nothing in this act shall apply to the use, furnishing or redemption of such coupons, tickets, certificates, cards or other devices as are included within, or made a part of, the regular purchase of goods, wares or merchandise by the consumer, [illegible] or packed therein, and no [illegible] shall be required to be [illegible] or packed.

The question being "Shall the Senate concur in Assembly amendments Nos. 1 and 3 to Senate Bill No. 5?"

The roll was called, and Assembly amendments Nos. 1 and 3 to Senate Bill No. 5 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, W. J., Chandler, Duncan, Flaherty, Gates, Ingram, Irwin, Johnson, Jones, Kehoe, King, McDonald, Maddux, Rush, Scott, Sharkey, Slater, and Stuckenbruck—22.

NOES—Senators Chamberlin, Evans, Hans, Inman, Lyon, Nealon, Thompson, and Tyrrell—8.

The question being: Shall the Senate concur in Assembly amendment No. 2 to Senate Bill No. 5?

The roll was called, and Assembly amendment No. 2 to Senate Bill No. 5 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Chandler, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Scott, Sharkey, Slater, Stuckenbruck, and Thompson—25.

NOES—None.

Senate Bill No. 5 ordered to enrollment.

THIRD READING OF ASSEMBLY BILLS—RESUMED.

Assembly Bill No. 1253—An act to amend section 4261 of the Political Code, relating to the salaries and fees of officers in counties of the thirty-second class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Irwin moved to refer Assembly Bill No. 1253 to Senator Inman as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3, line 27, of the printed bill, strike out the word "nine" and insert in lieu thereof the word "eight".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 26, 1917.

MR. PRESIDENT—Your Special Committee of One, to whom was referred Assembly Bill No. 1253, with instructions to amend, respectfully reports the same back, amended as per instructions.

INMAN, Special Committee.

Report read, and, on motion of Senator Irwin, adopted.

Bill ordered to print.

Assembly Bill No. 1370—An act providing for the sale or exchange of a tract of land owned by the State of California and situated in the county of Napa, in said State, and the purchase of land for the "California State Reformatory," and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1370 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, W. J., Chamberlin, Chandler, Evans, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Lyon, Maddux, Nealon, Rush, Scott, Sharkey, Slater, and Stuckenbruck—25.

NOES—Senator Duncan—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE [Concluded].

The following report of standing committee was received and read:

[illegible]

SENATE CHAMBER, PORTLAND, April 26, 1917.

MR. PRESIDENT: Your Committee on Finance to which was referred House Bill No. 1208, "An Act to increase the salaries of judges of the municipal courts of the cities of Portland and Lewiston," [illegible] ought not to pass.

[illegible], Chairman.

[illegible]

The following resolution was offered:

By Senator [illegible]:

Resolved, That Senate Bills Nos. 1202 and 1203, giving a view of majority, so that [illegible] of Article IV of the Constitution, and the consideration of that section requiring that the bill shall be read on three several days in each House, be suspended with, and it is ordered that said bills be read the second and third times and passed upon their passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES: Senators Bullard, Bunker, Bryant, Cargill, Cary, W. J. Chamberlain, Chandler, Dennis, Gates, Hale, Hanson, Hewes, Hinckley, Johnson, Kelley, Kelso, King, Lane, Lewis, McDonald, Mackey, Newell, Robinson, Rose, Shaughnessy, Thurston, and Tuttle—24.

NOES: None.

Whereupon, the President declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering at this time Senate Bills Nos. 1202 and 1203.

Senate Bill No. 1202—"An Act empowering the State Board of Education to order the closing from time to time of educational institutions during the continuance of a state of war."

Bill read second time, considered engrossed, and ordered to be read a third time.

Bill read third time.

Section 3, setting forth the emergency clause, read.

The question being: Shall this section, setting forth the emergency features of this bill, be passed?

The roll was called, and the emergency section passed by the following vote:

AYES: Senators Bullard, Bunker, Bryant, Cargill, Cary, W. J. Chamberlain, Chandler, Dennis, Gates, Hale, Hanson, Hewes, Hinckley, Johnson, Kelley, Kelso, King, Lane, Lewis, McDonald, Mackey, Newell, Robinson, Rose, Shaughnessy, Shumway, Stetson and Thurston—28.

NOES: None.

RECOMMENDATION BY PRESIDENT [illegible].

In accordance with Joint Rule No. 21, I hereby recommend that the Senate grant permission to vote on Senate Bill No. 1202, entitled "An Act empowering the State Board of Education to order the closing from time to time of educational institutions during the continuance of a state of war."

(Signed) A. H. BREED, President pro tempore of the Senate.

The question being: Shall the Senate grant permission to vote on Senate Bill 1202?

The roll was called, and permission granted by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Thompson—30.
NOES—None.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 1202 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Canepa, Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, King, Luce, Lyon, McDonald, Maddux, Nealon, Rominger, Rush, Scott, Sharkey, Slater, Thompson, and Tyrrell—28.
NOES—Senators Ballard, Irwin, and Stuckenbruck—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1203—An act to increase the number of judges of the superior court of the county of Fresno, and to provide for the appointment of an additional judge.

Bill read second time, considered engrossed, and on file for third reading.

RECOMMENDATION BY PRESIDING OFFICER

In accordance with Joint Rule No. 35, I hereby recommend that the Senate grant permission to vote on Senate Bill No. 1203, entitled "An act to increase the number of judges of the superior court of the county of Fresno, and to provide for the appointment of an additional judge."

(Signed) A. H. BREED, President pro tempore of the Senate.

The question being: Shall the Senate grant permission to vote on Senate Bill No. 1203?

The roll was called, and permission granted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, King, Luce, McDonald, Maddux, Nealon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—31.
NOES—None.

The roll was called, and Senate Bill No. 1203 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, King, Luce, Lyon, McDonald, Purkitt, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—30.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 849—An act to amend section 4290 of the Political Code, relating to fees and salaries of county officers.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators [illegible].

Noes—Senators [illegible].

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO RESCIND.

Senator Duncan moved to rescind the action this day taken whereby Assembly Bill No. 1403 was ordered to print and third reading and also moved to rescind the vote whereby the committee amendments to said bill were this day adopted by the Senate.

POINT OF ORDER.

Senator Jones raised the point of order that the motion to rescind was out of order.

DECISION ON POINT OF ORDER.

The President pro tempore announced his decision and declared the point of order well taken.

MOTION TO RECONSIDER.

Senator Duncan moved to reconsider the vote by which the Senate this day adopted committee amendments to Assembly Bill No. 1403.

Motion carried.

RECONSIDERATION OF ADOPTION OF AMENDMENTS.

The question being, Shall the Senate adopt the proposed committee amendments to Assembly Bill No. 1403?

A viva voce vote was taken and the amendments rejected.

AMENDMENT FROM THE FLOOR.

During second reading of bill, the following amendment was offered and its adoption moved, by Senator Duncan:

AMENDMENT NUMBER ONE.

On page 1, line [illegible], of the printed bill, commencing with the word [illegible] strike out down to and including the word [illegible] in line [illegible] and insert in lieu thereof the following: [illegible] County of Butte [illegible] range [illegible] township [illegible] is hereby excluded and eliminated from said district.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Duncan, Inman, and McDonald, upon the adoption of the amendment offered by Senator Duncan to Assembly Bill No. 1403.

The roll was called, and the amendment adopted by the following vote:

AYES—Senators Ballard, Caminetti, Chandler, Chandler, Crowley, Duncan, Gates, King, Lyon, McDonald, Martin, Nourse, Peixotto, Rigdon, Rominger, Scott, Sharkey, Slater and Stephenson—19.

NOES—Senators Benson, Broad, Burnett, Carr, W. J. Evans, Ingram, Inman, Jones, Kehoe, Lane, Thompson, and Tyrrell—12.

Bill ordered to print and third reading.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1282—An act to amend section 276 of the Code of Civil Procedure of the State of California, relating to testimonials and examination before District Courts of Appeal.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Chamberlin moved to refer Assembly Bill No. 1282 to Senator Gates, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill strike out lines 13 and 14 and insert in lieu thereof the following: "law for a period of at least two years, and undergo".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 26, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 1282, with instructions to amend, respectfully reports the same back, amended as per instructions.

GATES, Committee.

Report read, and, on motion of Senator Chamberlin, adopted.

Bill ordered to print.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Benson, the following message from the Assembly was taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that, pursuant to the recommendation of the Committee on Conference on Senate Bill No. 890, the Speaker of the Assembly has on this day appointed Assemblymen Gordon, Herbach and Knight as a Committee on Free Conference, to meet with the committee from your honorable body to further consider Senate Bill No. 890—An act to amend an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance," approved May 10, 1915, relating to the terms and conditions upon which corporations may transact business in this State.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

Amendments read.

The question being on the adoption of the amendments.

The roll was called, and the amendments adopted by the following vote:

[illegible]

Senate Bill No. [illegible] ordered to published journal.

[illegible]

Assembly Bill No. 1001.—An act to amend section [illegible] of the Political Code, relating to county officers and their salaries and fees, to township officers and their compensation, and to the compensation of jurors and grand jurors in counties of the twenty-third class.

Bill read third time.

The question being on the passage of the act.

The roll was called, and Assembly Bill No. 1001 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 847.—An act to amend section [illegible] of the Political Code, relating to the duties of the auditor and treasurer.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 847 passed by the following vote:

[illegible]

Maddox, Nealon, Parkett, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Thompson and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR CHAMBERLIN IN THE CHAIR.

At eleven o'clock and forty minutes p.m., Senator Chamberlin of the Thirty-first District was called to the chair.

Assembly Bill No. 1421—An act to amend an act entitled "An act to create a reclamation district to be called Reclamation District No. 1001, and providing for the management and control thereof, and dissolving certain levee districts, swamp land districts and reclamation districts within the boundaries of said Reclamation District No. 1001, and providing for the liquidation and winding up of said dissolved districts," approved April 8, 1911, by amending section 2 thereof so as to change the location of the office of said district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1421 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Evans, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddox, Nealon, Parkett, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 139—An act to amend section 881 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 139 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, W. J., Chamberlin, Chandler, Evans, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Nealon, Parkett, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 641—An act to amend sections 851, 852, 853 and 855 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 641 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, W. J., Chamberlin, Chandler, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe,

[illegible]

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1111—An act to amend section 1 of an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territories to incorporated towns and cities, and for the incorporation of such annexed territory to and as a part of such municipalities, and for the disbanding, government and organized control of annexed territory," approved March 19, 1909, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1111 passed by the following vote:

Ayes—Senators Ballard, Benson, Boyce, Carlson, Chandler, Crowley, Evans, Gerdes, Hans, Hughes, Johnson, Jones, Kelly, King, Lane, McDonald, Staples, Parkes, Rosher, Rominger, Shale, Scott, Shearer, and Trevitt—20.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 994—An act amending sections 1, 2, 6, 7, 14 and 15, of an act entitled "An act to provide for work upon public roads, streets, avenues, boulevards, lanes and alleys not within the territory of incorporated cities or towns, for the incidental establishment of grades thereof, for the construction thereon or thereon of sidewalks, sewers, culverts, bridges, crossings, gutters, curbs, curbing and crosswalks, for the issue of bonds representing the same and expenses thereof, for a special fund derived in part from the county road fund and in part by special assessment upon property, and for the establishment of such districts," approved March 21, 1907, and adding new sections 3a and 13a thereto, providing for added security to laborers and material men and the furnishing of material by the county for the making of highway improvements.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 994 passed by the following vote:

Ayes—Senators Ballard, Benson, Boyce, Brown, Carlson, Chandler, Crowley, Evans, Gerdes, Hans, Hughes, Johnson, Jones, Kelly, King, Lane, McDonald, Staples, Parkes, Rosher, Rominger, Shale, Scott, Shearer, and Trevitt—20.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 587—An act to amend section 470 of the Penal Code, relating to the issuance of bank checks.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 587 passed by the following vote:

Ayes—Senators Ballard, Benson, Brown, Boyce, Carlson, Cart, W. J. Chandler, Chandler, Crowley, Evans, Gerdes, Hans, Hughes, Hulsen, Johnson, King,

Luce, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Sharkey, Slater, Thompson, and Tyrrell—29.

NOES—Senators Burnett, McDonald, and Scott—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 745—An act to amend section 6 of an act entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 745 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Thompson, and Tyrrell—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 727—An act to provide a relief fund in the several counties of the State for the needy blind, providing for a commission to be known as the "Blind Relief Commission" and prescribing its powers and duties.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 727 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Thompson, and Tyrrell—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1146—An act to amend section 4247 of the Political Code, relative to salaries and fees of officers in counties of the eighteenth class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Rush moved to refer Assembly Bill No. 1146 to Senator Evans as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 42, of the printed bill, after the sentence ending with the word "annum" insert the following sentence: "He shall also be allowed one deputy, which office of deputy tax collector is hereby created, who shall receive as compensation the sum of nine hundred dollars per annum, payable out of the same fund and in the same manner as the salaries of the other county officers are paid."

Motion carried.

REPORT OF SPECIAL COMMITTEE ON [illegible]

[illegible]

Mr. President: Your Special Committee of Five, to whom was referred Assembly Bill No. [illegible], which amendments to [illegible] respectfully report the same back, [illegible] as not [illegible].

[illegible], Special Committee.

Report read, and, on motion of Senator [illegible], adopted.

Bill ordered to print.

Assembly Bill No. [illegible]—An act requiring the labeling of articles offered for sale and intended for personal wear, manufactured in state penitentiaries, reform schools or other institutions supported at public expense, and requiring that notice that such goods are so made shall be conspicuously posted in places where such goods are offered for sale.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators Pulliam, Boggs, Boyd, Brown, Campbell, Chandler, Crump, Dennis, Dillon, Dunn, Dunnigan, Finnerty, Flaherty, Gerlach, Gerrigan, Hans, Hart, Hewitt, Hoyt, Hudson, Jones, Kehoe, Kent, Kerr, Lane, McDonald, McKinney, Mitchell, Nelson, Nutter, Rigdon, Rush, Sanborn, Shaw, Shearer, Shortridge, Stevens, Thompson, and Young—38.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An act to authorize and empower the board of managers of the Agnews State Hospital to grant, under the conditions herein provided, to the Southern Pacific Railroad Company, a corporation, a right of way and easement for the purpose of constructing, maintaining and operating an industrial spur track and switching yard upon a strip of land situate on the county of Santa Clara and belonging to the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators Pulliam, Boggs, Boyd, Brown, Campbell, Chandler, Crump, Dennis, Dillon, Dunn, Dunnigan, Finnerty, Flaherty, Gerlach, Gerrigan, Hans, Hart, Hewitt, Hoyt, Hudson, Jones, Kehoe, Kent, Kerr, Lane, McDonald, McKinney, Mitchell, Nelson, Nutter, Rigdon, Rush, Sanborn, Shaw, Shearer, Shortridge, Stevens, Thompson, and Young—38.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An act to amend an act entitled "An act for the regulation and control of financial benefit societies," approved May 1, 1911, as amended, by adding three new sections thereto to be numbered [illegible], [illegible], and [illegible], providing for penalties upon officers and others for borrowing the funds of the society, or for giving or receiving any compensation in relation thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1112 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chamberlin, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Lace, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Sharkey, Slater, Thompson, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1288—An act to amend sections 2 and 3 of an act entitled "An act authorizing municipalities to declare noxious or dangerous weeds upon the streets or sidewalks, or upon private property within municipalities to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same," approved May 26, 1915, and to add a new section thereto to be numbered 8.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1288 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Lace, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 626—An act to amend section 79 of an act to provide for work upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for cost thereof and providing a method for the payment of such bonds, approved April 7, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 626 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, Lace, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Thompson, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 67.

A resolution to propose to the people of the State of California an amendment to article eleven of the state constitution by adding a new section thereto, relating to the reimbursement of official funds held by the treasurer of Los Angeles county.

Resolved by the Assembly, the Senate concurring. That the legislature of the State of California, at its forty-second regular session commencing the eighth day of January, 1917, two-thirds of all the members elected to each of the two houses

[illegible]

Resolution read.

The question being on the adoption of the resolution.

The roll was called and Assembly Constitutional Amendment No. 10 adopted by the following vote:

Ayes—Senators [illegible]

Noes—None.

Title read and approved.

Constitutional amendment ordered transmitted to the Assembly.

ASSEMBLY JOINT RESOLUTION No. 1

[illegible]

WHEREAS, [illegible]

[illegible]

only apply so long as the building in question is used as an art museum, and for no other purpose"; and

WHEREAS, Under and in pursuance of said provision the secretary of war by an instrument dated on the eighteenth day of November, one thousand nine hundred sixteen, did grant to the Panama-Pacific International Exposition Company permission to occupy and use for the purposes of maintaining thereon the Palace of Fine Arts and its appurtenances; and

WHEREAS, It is deemed for the best interest of the people of the State of California to accept the cession of jurisdiction as provided in said act; now, therefore, be it

Resolved by the Senate and Assembly of the State of California jointly, That the State of California shall and does hereby accept the cession of jurisdiction over that portion of the Presidio of San Francisco military reservation, permission to occupy which was granted as aforesaid to the Panama-Pacific International Exposition Company, such jurisdiction to terminate upon the expiration of said grant subject to the provisions and conditions in said act of congress above set forth, and be it further

Resolved, That the secretary of state of California be and he is hereby requested to transmit certified copies hereof, one each to the secretary of state of United States and the secretary of war of the United States and two copies to the librarian of congress; and

Resolved further, That the acceptance of jurisdiction herein provided for shall take effect in accordance with the provisions of said act of congress.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 7 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Duncan, Evans, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nourse, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Thompson, and Tyrrell—31.

NOES—None.

Title read and approved.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 206—An act to amend section 1 and to repeal section 2 of an act entitled "An act granting to the city of Alameda the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Alameda, and regulating the management, use and control thereof," approved June 11, 1913.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 206 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chamberlin, Duncan, Evans, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nourse, Purkitt, Rigdon, Rominger, Rush, Sharkey, Slater, Thompson, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

ASSEMBLY CONCURRENT RESOLUTION No. 20.

Relative to revision of statutes affecting the public schools of the state.

WHEREAS, The several statutes relating to the public schools of this state are contained in the Political Code and in various general laws; and

WHEREAS, The sections of the Political Code dealing with the school law are not orderly arranged and some of these sections have been rendered obsolete in whole or in part by subsequent enactments; and

[illegible]

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. [illegible] adopted by the following vote:

Ayes—Senators Bellard, Brown, Bunel, Dumont, Fanning, Geo. W. A. Chamberlin, Chandler, Dennis, Dixon, Fredericks, Hess, Hughes, Johnson, Jones, Kelly, King, Lane, Lyons, Meadows, Nourse, Nutter, Pedrin, Pigeon, Rominger, Rush, Sam, Sigler, Simpson, Smith, and Wyatt—[illegible].

Noes—None.

Title read and approved.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 607—An act to amend section 2 of an act entitled "An act to provide for direct legislation by citizen and farm initiative and referendum," approved January 2, 1912.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 607 passed by the following vote:

Ayes—Senators Bellard, Brown, Bunel, Dumont, Fanning, Geo. W. A. Chamberlin, Chandler, Dennis, Dixon, Gates, Hess, Hughes, Johnson, Jones, Kelly, King, Lane, Lyons, Meadows, Nourse, Pedrin, Pigeon, Rominger, Rush, Sam, Sigler, Simpson, Smith, and Wyatt—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECOND READING OF BILLS.

Assembly Bill No. 1447—An act to add a new section to the Penal Code, to be numbered [illegible], relating to the licensing of pawn brokers, dealers in automobiles and [illegible].

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1447 passed by the following vote:

Ayes—Senators Brown, Bunel, Dennis, Dumont, Fanning, Geo. W. A. Chamberlin, Chandler, Dixon, Gates, Hess, Hughes, Johnson, Jones, Kelly, King, Lane, Lyons, Meadows, Nourse, Pedrin, Rominger, Rush, Sam, Sigler, Simpson, Smith, Wyatt, and Dilworth—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1128. An act to add a new section to the Civil Code to be numbered section 322a, relating to the exoneration from personal liability of persons holding stock in a corporation as executors, administrators, guardians or trustees, and of persons holding stock as collateral security.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1128 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Chamberlin, Chandler, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Parkitt, Rigdon, Rominger, Rush, Sharkey, Shearer, Slater, Stuckenbruck, and Thompson—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1419.—An act authorizing the use of convict labor on county highways; regulating the handling of such labor; authorizing extra good time allowance; and providing penalties for interference.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1419 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Duncan, Evans, Gates, Ingram, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Parkitt, Rominger, Rush, Sharkey, Slater, Stuckenbruck, and Thompson—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1123.—An act to prevent the sale of impure and unwholesome milk and milk products, to grade milk, to provide rules and regulations therefor, and to empower cities, groups of cities, counties and groups of counties, or cities and counties, to establish inspection service; to provide for the enforcement of this act; to prescribe penalties for violation of the provisions hereof; to make appropriation therefor.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1123 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Duncan, Evans, Gates, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Rominger, Sharkey, Stuckenbruck, and Thompson—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 611.—An act to add a new section to the Political Code, to be numbered 4052c, relating to the powers of the board of supervisors.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 614 passed by the following vote:

Ayes—Senators Bennett, Boggs, Brown, Burnett, Chandler, Cogdill, Cole, W. A. Cunningham, Cunningham, Dennis, Dunn, Finn, Gaffney, Gerry, Gibson, Lewis, Mathias, Morgan, Peixotto, Rominger, Stevens, Tyler, Wallace, Wolfe, Young, Zeh, Zellerbach, Zenovich, Zerman, Zion, Zirkel, Zirkelbach and Zirkelbach—38.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1425—An act to establish and permanently locate the boundary line between the county of Riverside and the county of San Bernardino.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1425 passed by the following vote:

Ayes—Senators Bennett, Brown, Burnett, Burnett, Cogdill, Cole, W. A. Cunningham, Cunningham, Dennis, Dunn, Finn, Gaffney, Gerry, Gibson, Lewis, Lewis, Lewis, Mathias, Morgan, Peixotto, Rominger, Stevens, Tyler, Wallace, Wolfe, Young, Zeh, Zellerbach, Zenovich, Zerman, Zion, Zirkel, Zirkelbach and Zirkelbach—38.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 174—An act to provide for the location, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary disposal of sewerage systems, the acquisition of property therefor, the calling and conducting of elections in such districts, the assessment, levying, collection, custody and disbursement of taxes thereon, the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 174 passed by the following vote:

Ayes—Senators Bennett, Brown, Brown, Brown, Burnett, Cogdill, Cole, W. A. Cunningham, Cunningham, Dennis, Dunn, Finn, Gaffney, Gerry, Gibson, Lewis, Lewis, Lewis, Mathias, Morgan, Peixotto, Rominger, Stevens, Tyler, Wallace, Wolfe, Young, Zeh, Zellerbach, Zenovich, Zerman, Zion, Zirkel, Zirkelbach and Zirkelbach—37.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 178—An act to amend section 3746, section 3747 and section 3817 of the Political Code, relating to the time when taxes are due and delinquent, penalties thereon, the tax collector's published notice thereof, and to the redemption of property sold to the State and penalties thereon.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 738 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Duncan, Evans, Flaherty, Gates, Ingram, Johnson, Jones, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rominger, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—28.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1013—An act to regulate and limit the amount that may be produced by tax levies in the aggregate by political subdivisions of this State, and repealing all acts and parts of acts in conflict with this act.

Bill read third time.

On motion of Senator Benson, Assembly Bill No. 1013 was passed on file.

Assembly Bill No. 1299—An act to amend sections 1746, 1747, 1886, and 1887 of the Political Code, relating to school bonds and interest.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1299 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Chamberlin, Chandler, Duncan, Evans, Gates, Ingram, Jones, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rominger, Sharkey, Slater, Stuckenbruck, and Thompson—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1468—An act to amend an act entitled "An act authorizing and providing for an investigation and report upon the matter of revenue and taxation, and making an appropriation therefor," approved May 11, 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1468 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Canepa, Carr, W. J., Chamberlin, Chandler, Duncan, Evans, Gates, Ingram, Jones, King, Luce, Maddux, Nealon, Purkitt, Rominger, Sharkey, Slater, Stuckenbruck, and Thompson—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 567—An act to amend section 3898 of the Political Code, relating to properties sold for delinquent taxes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 567 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Chamberlin, Chandler, Duncan, Evans, Gates, Ingram, Johnson, Jones, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Sharkey, Slater, Stuckenbruck, and Thompson—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An act to regulate the sale, production and manufacture of dairy products; to define and grade the same; to prevent deception or fraud in the production, manufacture and sale of dairy products; to provide rules and regulations therefor; for inspection of dairies and creameries, and for shipping and transporting dairy products; to empower cities, group of cities, counties and group of counties or cities and counties, to establish inspection service; to provide for the enforcement of its provisions and for the punishment of violations thereof; to make an appropriation therefor; and to repeal all acts or parts of acts either in conformity or in conflict with this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators [illegible]—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An act to regulate the payment of wages, establishing regular pay days, providing penalties for the violation of its provisions, and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators [illegible]—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An act to provide for semimonthly pay days of laborers in the employ of the state, or of any county or city.

Bill read third time.

On motion of Senator Lyon, Assembly Bill No. [illegible] was passed on file.

Assembly Bill No. [illegible]—An act to amend section [illegible] of the Political Code, relating to the compensation of officers of the counties of the fourteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators [illegible]—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 7—An act to amend section 4245 of the Political Code of the State of California relating to the salaries, fees, and expenses of officers in counties of the sixteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 7 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Chamberlin, Chandler, Cosgrove, Crane, Crites, Dennett, Johnson, Jones, Kehoe, King, Lane, Leon, McDonald, Martinez, Nourse, Pipes, Rigdon, Rominger, Scott, Shockley, Stern, Stevenson, and Thomson—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 155—An act to promote the reclamation of arid land and to provide that certain land belonging to the State of California within the boundaries of an irrigation district shall be subject to the assessments levied in said district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 155 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Chamberlin, Chandler, Cosgrove, Crane, Crites, Dennett, Johnson, Jones, Kehoe, King, Lane, Leon, McDonald, Martinez, Nourse, Pipes, Rigdon, Rominger, Scott, Shockley, Stern, Stevenson, and Thomson—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 464—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 11, 1897, by repealing sections 23, 24, 35, 39, 40, 42, 44, 45, 46, 47, 48, 51, 52, 53, 54, 55, 56, 57, 58, 60, 61, 67, 72, 74, 76, 77, 78, 80, 81, 82, 83, 84, 86, 87, 88, 89, 91, 92, 93, 94, 96, 98, 99, 102, 106, 107, and 108 thereof, by repealing sections 54, 74, 85, 92, 98, and 99 thereof, and by adding thereto a new section to be numbered 50½.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 464 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Canepa, Carr, W. J., Chamberlin, Chandler, Cosgrove, Crane, Crites, Dennett, Johnson, Jones, Kehoe, King, Lane, Leon, McDonald, Martinez, Nourse, Pipes, Rigdon, Rominger, Scott, Shockley, Stern, Stevenson, and Thomson—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 467—An act to repeal sections 62, 64, 65, 66, 69, 70, 71, 82, and 97 of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the

acquisition or construction directly of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 887 passed by the following vote:

Ayes—Senators Elsman, Dennis, Avery, Rivers, Lanterman, Lord, W. A. Chandler, Chandler, Crump, Scott, Saylor, Anderson, Johnson, Jones, Kelly, Kehoe, Lewis, Lyon, McDonald, Mendelson, Wyman, Dudley, Walker, Stevenson, Wood, Boynton, Shaw, Shortridge, and Thompson—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 902—An act to amend an act entitled "An act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, trust companies, trust companies, trust funds, trust school funds, and money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of work shall not be prohibited," approved June 11, 1913, by adding sections four, four, and five, numbered sections 3b, 3c, and 3d.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 902 passed by the following vote:

Ayes—Senators Ashurst, Dennis, Elsman, Avery, Rivers, Lanterman, Lord, W. A. Chandler, Chandler, Brown, Gerlach, Johnson, Jones, Kehoe, Kelly, Lewis, Lyon, McDonald, Mendelson, Nourse, Dudley, Kehoe, Stevenson, Wood, Shortridge, Walker, Boynton, Shaw, and Thompson—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1007—An act to validate and declare valid all proceedings in Baxter Creek Irrigation District.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1007 passed by the following vote:

Ayes—Senators Ashurst, Dennis, Elsman, Avery, Rivers, Lanterman, Lord, W. A. Chandler, Chandler, Brown, Gerlach, Johnson, Jones, Kehoe, Kelly, Lewis, Lyon, McDonald, Mendelson, Nourse, Dudley, Kehoe, Stevenson, Wood, Shortridge, Walker, Boynton, Shaw, and Thompson—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 23—Relative to preventing the exhibition of motion pictures that tend to promote race hatred.

Resolution read.

On motion of Senator Scott, Assembly Concurrent Resolution No. 23 was passed on file.

ADJOURNMENT.

At eleven o'clock and forty-five minutes p.m., on motion of Senator Benson, the President pro tempore declared the Senate adjourned, until Friday, April 27th, at eight o'clock a.m.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Friday, April 27, 1917.

Pursuant to adjournment, the Senate met at eight o'clock a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kelly, King, Lane, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—39.

Quorum present

PRAYER.

Prayer by the Chaplain, Rev. Isaac Dawson.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, April 26, 1917, its further reading was dispensed with, on motion of Senator Purkitt.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Slater, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Rev. Father T. P. Moran, Rector of St. Francis Church of Sonoma, and Mr. J. J. Murray of Sonoma.

On request of Senator Carr, F. M., the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Hon. Frank Mitchell, Jr., of Hayward and Miss Alice F. Taylor of Oakland.

On request of Senator Nealon, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mrs. F. B. Fauchet of Sacramento and Miss Annie L. Featherstone of San Francisco.

On request of Senator Canepa, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. Paul De Martini, Jr., of San Francisco.

On request of Senator Johnson, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Lieut. Emery Winship of the United States Navy.

TELEGRAM RECEIVED

The following telegram was received and ordered printed in the Journal:

Hon. [illegible], President of the Senate, [illegible], D. C., April [illegible], 1917.
Sacramento, California.

Have received resolution of California Legislature [illegible] principle of [illegible] military training [illegible] California [illegible] Training bill as emergency measure.

[illegible]

MESSAGES FROM THE ASSEMBLY

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April [illegible], 1917.

MR. PRESIDENT: I am directed to inform your honorable body that [illegible]

[illegible], Chief Clerk of Assembly.
By [illegible], Assistant Clerk.

Also,

ASSEMBLY CHAMBER, SACRAMENTO, April [illegible], 1917.

MR. PRESIDENT: I am directed to inform your honorable body that [illegible] Senate Constitutional Amendment No. 44—A resolution proposing to the people of the State of California [illegible] Article VI of the Constitution of the State of California [illegible]

[illegible], Chief Clerk of Assembly.
By [illegible], Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS

The Senate took up for consideration Assembly Amendments to Senate Constitutional Amendment No. 44—A resolution proposing to the people of the State of California an amendment to section 4 of Article VI of the Constitution of the State of California, relating to the Supreme Court and District Courts of Appeal and providing for two divisions of the District Courts of Appeal of the First and Second Appellate districts.

ASSEMBLY AMENDMENTS TO SENATE CONSTITUTIONAL AMENDMENT NUMBER FORTY-FOUR

AMENDMENT NUMBER ONE

On page 1, line 14, [illegible]

AMENDMENT NUMBER TWO

On page 2, lines 2 and 3, [illegible]

AMENDMENT NUMBER THREE

On page 2, line 12, after the word [illegible] insert a comma.

AMENDMENT NUMBER FOUR

On page 5, line 31, change the word "the" at the end of the line to "a".

AMENDMENT NUMBER FIVE

On page 5, line 32, after the word "or" insert the words "a judge".

AMENDMENT NUMBER SIX

On page 6, line 1, change the word "the" to "a".

AMENDMENT NUMBER SEVEN.

On page 6, line 2, change the word "a" where it occurs the second time to "the".

AMENDMENT NUMBER EIGHT

On page 6, line 4, change the word "judge" to "justice".

AMENDMENT NUMBER NINE.

On page 1, lines 8 and 9, strike out the entire heading "Jurisdiction of Supreme Court and District Court of Appeal".

The question being: Shall the Senate concur in Assembly amendments to Senate Constitutional Amendment No. 45?

The roll was called, and Assembly amendments to Senate Constitutional Amendment No. 45 concurred in by the following vote:

AYES—Senators Ballard, Breed, Brown, Burnett, Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Kelso, Lee, Lyon, Nealon, Purkitt, Regden, Rominger, Rush, Scott, Sharkey, Shearer, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Senate Constitutional Amendment No. 45 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 1182—An act to authorize cities, cities and counties, and counties to compensate residents thereof who engage in the national defense; and to authorize the incurrence of bonded indebtedness for such purpose.

Also: Senate Bill No. 159—An act to create a cattle protection board, to define its powers and duties, to protect the breeders and growers of cattle from theft, to provide for the registration of cattle brands and the licensing of cattle slaughterers and sellers of the meat thereof, to provide for the inspection of cattle and cattle hides for brands and marks, to provide for the collection of license and inspection fees, to provide for the creation of a fund to be known as the cattle protection fund, and to provide for violation of the provisions hereof;

And respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 1182—An act to authorize cities, cities and counties, and counties to compensate residents thereof who engage in the national defense; and to authorize the incurrence of bonded indebtedness for such purpose.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE THOUSAND ONE HUNDRED EIGHTY TWO.

AMENDMENT NUMBER ONE

On page 1, line 3 of title, strike out the words "the making of tax levies or".

AMENDMENT TO PAGE FIVE.

On page 5 line 20 strike out all of said line commencing with the word "but" and ending on line 22 of said page 5 and insert in lieu thereof the following:

The question being, Shall the Senate concur in Assembly amendments to Senate Bill No. 1187?

The roll was called, and Assembly amendments to Senate Bill No. 1187 concurred in by the following vote:

AYES—Senators Ballard, Brown, Bond, Carr, [illegible], Chandler, Dennett, Evans, Fillmore, Gibson, Hewitt, Johnson, Kilbourne, Lane, Lyon, Marron, Mitchell, Mighon, Rosenquist, Rush, Sandt, Shearer and President—[illegible].

NOES—None.

Senate Bill No. 1187 ordered to be engrossed.

Also

The Senate took up for consideration Assembly amendments to Senate Bill No. 179, "An act to create a cattle protection board, to define its powers and duties, to protect the brands and property of cattle from theft, to provide for the registration of cattle brands and the licensing of cattle slaughterers and sellers of the meat thereof, to provide for the inspection of cattle and cattle sides for brands and marks, to provide for the collection of license and inspection fees, to provide for the creation of a fund to be known as the cattle protection fund, and to provide for violations of the provisions hereof."

ASSEMBLY AMENDMENT TO SECTION ONE, BY WHICH THE SENATE CONCURS.

AMENDMENT TO PAGE ONE.

On page 1 of the printed bill, line 20, strike out the word "shall" and insert in lieu thereof the word "may."

AMENDMENT TO PAGE TWO.

On page 2 of the printed bill, line 21, strike out the word "shall" and insert in lieu thereof the words "may not."

AMENDMENT TO PAGE FOUR.

On page 4 of the printed bill, line 10, strike out the word "shall" and insert in lieu thereof the word "may."

AMENDMENT TO PAGE FOUR.

On page 4 of the printed bill, line 26, strike out the word "shall" and insert in lieu thereof the word "may."

AMENDMENT TO PAGE SIX.

On page 6 of the printed bill, line 7, after the word "to" insert the word "an."

AMENDMENT TO PAGE SIX.

On page 6 of the printed bill, line 10, strike out the comma after the word "premises" and the words following to and including the word "and" in line 14 and insert in lieu thereof "for the sole consideration, and nothing herein shall be so construed as to prohibit such consignee from selling or giving cattle or sheep thereof."

AMENDMENT TO PAGE SIX.

On page 6 of the printed bill, line 20, strike out the comma after the word "cattle" and insert in lieu thereof a comma and the following: "or such cattle sides are inspected."

AMENDMENT NUMBER NINE.

On page 9 of the printed bill, strike out lines 1 to 12, inclusive.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 159?

The roll was called, and Assembly amendments to Senate Bill No. 159 concurred in by the following vote:

AYES—Senators Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Johnson, Jones, Kehoe, Lane, Lyon, Maddux, Nelson, Rigdon, Roninger, Rush, Scott, Shearer, Stockenbruck, Thompson, and Tyrrell—27.

NOES—None.

Senate Bill No. 159 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1917.

MR. PRESIDENT—I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference appointed to consider Senate Bill No. 890—An act to amend an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance," approved May 10, 1915, relating to the terms and conditions upon which corporations may transact business in this State.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1917.

MR. PRESIDENT—I am directed to inform your honorable body that the Assembly on April 25th passed Senate Bill No. 76—An act defining commission merchants and consigners—providing for filing of bond and certificates showing names of persons doing business or advertising as commission merchants, and providing penalties for the violation of the requirements herein contained.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 76 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1917.

MR. PRESIDENT—I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 793—An act to amend section 182 of the Penal Code, relating to punishment for conspiracy;

Also: Senate Bill No. 67—An act to further divide the State into fish and game districts by establishing a district specially suited for propagation of game, and to provide for the management and protection thereof;

Also: Senate Bill No. 1184—An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for the payment of claims and judgments together with costs and interest upon such judgments;

Also: Senate Bill No. 680—An act to amend section 36 of an act entitled "An act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 27, 1915;

And respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 793—An act to amend section 182 of the Penal Code, relating to punishment for conspiracy.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SIXTY-SEVEN.
SIXTY-EIGHT.

AMENDMENT NUMBER ONE.

On page 2, line 1, after the word "[illegible]" strike out [illegible] and insert the word "of".

AMENDMENT NUMBER TWO.

On page 6, line 3, strike out the words "or by any action [illegible]".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 7?

The roll was called and Assembly amendments to Senate Bill No. 7 concurred in by the following vote:

Ayes—Senators Brown, Brown, Brown, Cox, W. E., Chandler, Dunn, Foster, Fuller, Gates, Hanna, Hill, Johnson, Kelly, Lee, Lyon, Parker, Rosenberg, Rush, Smith, Stevens, and Wyckoff—22.

Nays—None.

Senate Bill No. 7 ordered to enrollment.

The Senate took up for consideration Assembly amendments to Senate Bill No. 67—An act to further divide the Bronx into 5th and 6th districts by establishing a district specially suited for prosecution of cases, and to provide for the management and prosecution thereof.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SIXTY-SEVEN.

AMENDMENT NUMBER ONE.

On page 2, line 10, after the word "[illegible]" insert the word "[illegible]".

AMENDMENT NUMBER TWO.

On page 2, line 11, strike out the words "[illegible] of such [illegible]".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 67?

The roll was called, and Assembly amendments to Senate Bill No. 67 concurred in by the following vote:

Ayes—Senators Brown, Brown, Brown, Chandler, Dunn, Foster, Fuller, Gates, Hanna, Hill, Johnson, Kelly, Lee, Lyon, Parker, Rosenberg, Rush, Smith, Stevens, Wyckoff, and [illegible]—[illegible].

Nays—None.

Senate Bill No. 67 ordered to enrollment.

The Senate took up for consideration Assembly amendments to Senate Bill No. 1184—An act authorizing the incorporation of individuals by cities, towns and municipal corporations for the purchase of claims and judgments together with costs and interest upon such judgments.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED AND FIFTY-FOUR.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 10, strike out the word "[illegible]" and insert in lieu thereof the word "[illegible]".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, in line 14, strike out the words "[illegible]" and insert in lieu thereof the following: "[illegible] [illegible] provisions without the consent [illegible]".

AMENDMENT NUMBER THREE

On page 2 of the printed bill, at the end of line 13, strike out the words "or modify".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 1184?

The roll was called, and Assembly amendments to Senate Bill No. 1184 concurred in by the following vote:

AYES—Senators Ballard, Breed, Brown, Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, Lyon, Nealon, Purkitt, Rominger, Rush, Scott, Stuckenbruck, Thompson and Tyrrell—23.

NOES—None.

Senate Bill No. 1184 ordered to enrollment.

The Senate took up for consideration Assembly amendment to Senate Bill No. 680—An act to amend section 36 of an act entitled "An act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 27, 1915.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER SIX HUNDRED EIGHTY.

AMENDMENT NUMBER ONE.

On page 4 of the printed bill, amended in Senate April 18, 1917, in line 46, after the word "them" insert the following—"Said board of directors shall have the power to enter into contracts with individuals or corporations to construct the plants and take the output or product of such individuals or corporations or plants at a fixed price for such output or product for term of years not exceeding thirty years which contract shall be a binding obligation upon such public utility district, for such period of years; *provided, however*, that the plant or plants and property of such individuals or corporations shall become the absolute property of said public utility district at the end of the period of time covered by such contract free from liens and incumbrances. Said contract shall only be entered into by ordinance, which ordinance shall not be passed or become effective without the affirmative vote of at least a majority of the members of said board and shall not take effect until thirty days after its passage, and shall be subject to a referendum as provided in section fifty-two of this act."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 680?

The roll was called, and Assembly amendment to Senate Bill No. 680 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Carr, W. J., Chandler, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Kehoe, Lyon, Nealon, Purkitt, Rominger, Rush, Scott, Shearer, Stuckenbruck, and Thompson—24.

NOES—None.

Senate Bill No. 680 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1917.

MR. PRESIDENT—I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 556—An act to provide for experiment and research work in the drying, canning and preservation of fruits, the handling, preparation and manufacture of fruit products and by-products;

Also: Senate Bill No. 845—An act amending sections 287, 288, 289 and 290 of the Code of Civil Procedure, relating to the causes for which courts may remove

[illegible]

Also, Senate Bill No. [illegible], [illegible] and now ordered to engrossment.

Also,

[illegible]

Mr. President: I am [illegible] [illegible]

[illegible]

Also,

[illegible]

Mr. President: I am [illegible] [illegible]

[illegible]

CONSIDERATION OF SENATE BILL UNFINISHED.

The Senate took up for consideration unfinished business, Senate Bill No. 437—"An act to amend section 1 of an act entitled 'An act prohibiting the issuance or payment for wages of any employee of indebtedness unless the same is negotiable and payable without discount, and providing that the same shall be payable upon demand,' approved March 3, 1913, and as amended by an act approved June 3, 1915."

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER [illegible] TO [illegible] INCLUSIVE.

AMENDMENT NUMBER [illegible].

On line 11, page 1, of the printed bill after the word "Bank" insert a semicolon.

AMENDMENT NUMBER [illegible].

On line 12, page 1, of the printed bill strike out the word "value" and insert in lieu thereof the word "value".

AMENDMENT NUMBER [illegible].

On page 1, line 21, of the printed bill after the word "bank" strike out the semicolon.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 437?

The roll was called and Assembly amendments to Senate Bill No. 437 concurred in by the following vote:

AYES—Senators Ballard, Bond, Boyer, Dennis, [illegible], F. M. Gray, W. J. Chandler, Crowley, Dingman, Evans, Faherty, Gross, Hale, Lachman, Lamm, [illegible]

Johnson, Kehoe, Luce, Lyon, Neacon, Parkes, Roemer, Rush, Scott, Sharkey, Shearer, Thompson, and Tyrrell—29.

NOES—None.

Senate Bill No. 437 ordered to enrollment.

The Senate took up for consideration Assembly amendments to Senate Bill No. 1019—An act to amend section 4300 of the Political Code, relating to the fees of justices of the peace.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE THOUSAND NINETEEN.

AMENDMENT NUMBER ONE.

On page 1, line 2 of the title, strike out the words "eight hundred fifty-four of the Code of" and insert in lieu thereof "four thousand three hundred e of the Political Code".

AMENDMENT NUMBER TWO.

Strike out lines 3 and 4 of the title and insert in lieu thereof "relating to the fees of justices of the peace".

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out the words "eight hundred fifty-four of the Code of", and insert in lieu thereof "four thousand three hundred e of the Political Code".

AMENDMENT NUMBER FOUR.

On page 1, line 2, strike out "Civil Procedure"; also, on line 2 of the title, strike out the word "Civil".

AMENDMENT NUMBER FIVE.

On page 1, strike out all of lines 3, 4, 5, 6 and 7 and insert in lieu thereof the following:

4300. Fees of justices of the peace. Justices of the peace, except as in this title otherwise provided: For all services to be performed by him before trial, in a civil action, two dollars, and for the trial of a question of fact, and all proceedings subsequent thereto, including all affidavits, swearing witnesses and jury, and the entry of judgment and issuance of execution, ten dollars, three dollars, to be paid when such trial is calendared for hearing, and for the rendition and entry of judgment by default or confession, and services subsequent thereto, including execution and satisfaction of judgment, two dollars. For all services in a criminal action or proceeding, whether on examination or trial, three dollars. For taking bail after commitment by another magistrate, fifty cents. For certificate and transmitting transcript and papers on appeal, one dollar. For copies of papers on docket, per folio, ten cents. For issuing a search warrant, to be paid by the party demanding the same, fifty cents. For taking an acknowledgment of any instrument, for the first name, fifty cents; for each additional name, twenty-five cents. For taking depositions, per folio, fifteen cents. For administering an oath, and certifying the same, twenty-five cents. For issuing a commission to take testimony, fifty cents. For all services connected with the posting of estrays, one dollar. In cases before a justice of the peace, when the venue shall be changed, the justice before whom the action shall be brought, for all services rendered, including the making up and transmission of transcript and papers, shall receive one dollar, and the justice before whom the trial shall take place shall receive the same fees as if the action had been originally before him. For receiving and filing an abstract of judgment rendered by a justice or judge of another jurisdiction, and for subsequent services based thereon, two dollars. For performing the duties of coroner, when the coroner fails to act, the same fees and mileage as are allowed the coroner in all cases. For issuing each process, writ, order or paper required by law to be issued not otherwise in this article provided for, twenty-five cents. For administering oath or affirmation not otherwise in this article provided for, ten cents. For each certificate or affidavit not otherwise in this article provided for, twenty-five cents. For taking and approving bond or undertaking, including the justification of sureties, fifty cents.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 1019?

The roll was called, and Assembly amendments to Senate Bill No. 1019 refused concurrence by the following vote:

AYES—None.

NOES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, F. M., Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones,

[illegible]

Senate Bill No. 1019 ordered transmitted to the Assembly.

The Senate took up for consideration Assembly amendments to Senate Bill No. 940, An act to amend sections 1611, 1613, 1614, 1615, 1616 and 1617 of the Political Code, to add thereto two new sections, to be numbered 1602, [illegible] 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1619 and to repeal sections 1611a, 1617a, 1617c and 1617d of the Political Code, relating to boards of school trustees and city boards of education.

[illegible]

[illegible]

[illegible]

[illegible]

The question being, Shall the Senate concur in Assembly amendments to Senate Bill No. 940?

The roll was called, and Assembly amendments to Senate Bill No. 940 concurred in by the following vote:

AYES—Senators Beard, Brown, Cart, J. M. Chandler, Cowan, Dunn, Fancy, Gates, Hans, Inman, Julian, Kennedy, Kent, Kerr, Lee, Lyon, Nealon, Riggin, Rominger, Rose, Sims, Stevenson, Stockwell, Thompson, and Tyrrell—24.

NOES—None.

Senate Bill No. 940 ordered to enrollment.

[illegible]

The following resolution was offered:

By the Committee on Contingent Expenses.

Resolved, That the State Controller be and he is hereby directed to draw his warrant upon the contingent fund of the Senate for the sum of [illegible] dollars and the State Treasurer is hereby directed to pay the same, said amount being for the purchase of the bill between [illegible].

Clerk E. Rooks, Secretary of the Senate.

To Mimeo. Resolution, Dr.

April 26	For 500 resolutions and cards	[illegible]
April 27	For 100 resolutions and cards	[illegible]
Total		[illegible]

Resolution read.

NEALON [illegible]

Senator Nealon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Brown, Beard, Cowan, Cart, J. M. Chandler, Dunnar, Fancy, Flaherty, Hans, Inman, Julian, Kennedy, Kent, Kerr, Lee, Lyon, Nealon, Riggin, Rominger, Rose, Sims, Stevenson, Stockwell, Thompson, and Tyrrell—27.

NOES—None.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 285—An act to provide for semimonthly pay days of laborers in the employ of the State, or of any county or city.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Flaherty moved to refer Assembly Bill No. 285 to Senator Benson, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 2 of the title, strike out the following: "the state, or of".

AMENDMENT NUMBER TWO.

On page 1, line 2 of the title, strike out the comma after the word "county" and all the remainder of said line and all of line 3 and insert in lieu thereof the following: "of the first or second class."

AMENDMENT NUMBER THREE.

On page 1, line 7, strike out the words "the state, or of".

AMENDMENT NUMBER FOUR.

On page 1, line 8, strike out the comma after the words "any county" and also strike out the following: "city, or city and county", and insert in lieu thereof the following: "of the first or second class".

AMENDMENT NUMBER FIVE.

On page 1, line 12, strike out the following: "the state, of".

AMENDMENT NUMBER SIX.

On page 1, line 13, strike out the comma after the first word "county" and also strike out "city, or city and county" and insert in lieu thereof the following: "of the first or second class".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 285, with instructions to amend, respectfully reports the same back, amended as per instructions.

BENSON, Special Committee.

Report read, and, on motion of Senator Flaherty, adopted.

Bill ordered to print.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Benson, the following messages from the Assembly were taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed Assemblymen Measer, Morris, and Wright as a Committee on Conference to meet a like committee of the Senate to consider amendments to Assembly Bill No. 73—An act to regulate the taking and harvesting of kelp and other aquatic plants of the State of California by recognizing and declaring their ownership in the State of California and providing for the control thereof by the Fish and Game Commissioners, and providing for a license tax upon all persons, firms or corporations engaged in the industry of taking or harvesting kelp or other aquatic plants, and providing for the collection and disbursement of the revenues

[illegible]

[illegible], Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April [illegible], 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly [illegible]

Also [illegible]

[illegible]

[illegible], Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

Assembly Bill No. [illegible] ordered to unfinished business.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April [illegible], 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly [illegible]

[illegible], Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

The question being: Shall the Senate recede from Senate amendments to Assembly Bill No. [illegible]?

The roll was called, and the Senate refused to recede from Senate amendments to Assembly Bill No. [illegible] by the following vote:

Ayes—None.

Noes—Senators [illegible]

Assembly Bill No. [illegible] ordered transmitted to the Assembly.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April [illegible], 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly [illegible]

Also, Senate Bill No. [illegible]

Also, Senate Bill No. [illegible]

Also, Senate Bill No. [illegible]

Also, Senate Bill No. [illegible]

Also, Senate Bill No. [illegible]

Also, Senate Bill No. [illegible]

Also, Senate Bill No. [illegible]

[illegible], Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

Senate Bills Nos. 1195, 888, 987, 816, 1025, 88, 1192 and 228 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly [illegible] this day passed as amended Senate Bill No. 990—An act to amend section 1444 of the Code of Civil Procedure, relating to appraisers of estates of deceased persons, and respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT

The Senate took up for consideration Assembly amendment to Senate Bill No. 990—An act to amend section 1444 of the Code of Civil Procedure, relating to appraisers of estates of deceased persons.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER NINE HUNDRED NINETY

AMENDMENT NUMBER ONE

On page 2, line 13, strike out the word "level" and on line 14 strike out the word "and".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 990?

The roll was called, and Assembly amendment to Senate Bill No. 990 concurred in by the following vote:

AYES—Senators Boggs, Brown, Elliott, Burnett, Carr, F. M., Carr, W. J., Chandler, Crowley, Dennett, Dogan, Dunning, Gates, Hatton, Johnson, Jones, Kehoe, Kent, Lane, Marron, Rose, Savage, Seeley, Shankland, Thompson, and Ingram—27.

NOES—None.

Senate Bill No. 990 ordered to enrollment

SENATOR INGRAM IN THE CHAIR

At eight o'clock and five minutes a.m., Senator Ingram of the Third District was called to the chair.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly [illegible] this day passed as amended Senate Bill No. 997—An act to add a new section to the Penal Code to be numbered 654a, relating to unfair competition and substitution.

Also: Senate Bill No. 992—An act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers to provide for its collection and to direct the disposition of the proceeds; to provide for the enforcement of liens created by this act and to make such liens a preferred and first series to every other lien against claims of state arising to creditors, or rights not now or hereby imposed, to be known as the "inheritance tax act" and to repeal Chapter 765 of the laws of the session of the Legislature of California of 1913 approved June 16, 1913, known as the "inheritance tax act" and all supplementary laws, and to repeal all acts and parts of acts in conflict with this act.

Also: Senate Bill No. 8—An act to amend section 1 of an act entitled "An act to secure to members and supporters of the United States the exclusive right to be employed in any department of the State, county, city and county and city government, in this State, except in certain cases, to validate certain acts and to repeal all acts in conflict herewith" approved May 19, 1915, relating to exceptions in cases of emergency.

Also: Senate Bill No. 1193—An act to add a new section to the Civil Code to be numbered 330, relating to capital par value of capital stock of corporations;

And respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

[illegible]

The Senate took up for consideration Assembly amendments to Senate Bill No. 297—An act to add a new section to the Penal Code to be numbered [illegible] relating to [illegible] and prohibition.

[illegible]

[illegible]

On page 1, line 1, after the word "[illegible]" insert the word "[illegible]"

[illegible]

On page 1, line 2, after the word "[illegible]" insert the word "[illegible]"

[illegible]

On page 1, line 3, after the word "[illegible]" insert the word "[illegible]"

[illegible]

On page 1, line 5, after the word "[illegible]" insert the word "[illegible]"

[illegible]

On page 1, line 15, after the word "[illegible]" insert the words "[illegible]"

[illegible]

Strike out all of line 16

[illegible]

On page 2, line 2, after the word "[illegible]" insert the words "[illegible]"

[illegible]

On page 2, line 7, after the word "[illegible]" insert the words "[illegible]"

[illegible]

On page 2, line 8, after the word "[illegible]" insert the words "[illegible]"

[illegible]

On page 2, line 9, after the word "[illegible]" insert the word "[illegible]"

The question being "Shall the Senate concur in Assembly amendments to Senate Bill No. 297?"

The roll was called, and Assembly amendments to Senate Bill No. 297 concurred in by the following vote:

AYES—Senators Bishop, Boggs, Brown, Chew, [illegible], Dennis, Dillon, [illegible], Johnson, Kelley, [illegible], Lewis, [illegible], Sanders, Scott, Shelley, Stevenot, Tyler and Wyman—[illegible].

NOES—None.

Senate Bill No. 297 ordered enrolled.

The Senate took up for consideration Assembly amendments to Senate Bill No. 292—An act to establish a tax on gifts, bequests, inheritances, legacies, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds, to provide for the enforcement of laws enacted by this act and by and act hereby repealed and for suits to enjoin the enforcement of laws enacted hereunder, or under an act hereby repealed, to be known as the "Inheritance Tax Act", and to repeal Chapter 403 of the Laws of the session of the Legislature of California of 1913, approved June 16, 1913, known as the "Inheritance Tax Act," and all amendments thereto, and to repeal all acts and parts of acts in conflict with this act.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER NINE HUNDRED NINETY-TWO.

AMENDMENT NUMBER ONE.

On page 20, strike out all of lines 11 to 20, inclusive.

AMENDMENT NUMBER TWO.

On page 20, line 21, strike out "(4)" and insert in lieu thereof "(3)".

AMENDMENT NUMBER THREE.

On page 20, line 24, strike out the following: "less than one thousand dollars, nor".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 992?

The roll was called, and Assembly amendments to Senate Bill No. 992 concurred in by the following vote:

AYES—Senators Ballard, Breed, Brown, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Flaherty, Ingram, Johnson, Jones, Kehoe, Lyon, Maddux, Rigdon, Rominger, Slater, Stuckenbruck, Thompson and Tyrrell—21.

NOES—None.

Senate Bill No. 992 ordered to enrollment.

The Senate took up for consideration Assembly amendment to Senate Bill No. 8—An act to amend section 1 of an act entitled "An act to secure to native-born and naturalized citizens of the United States the exclusive right to be employed in any department of the state, county, city and county and city government in this State, except in certain schools, to validate certain acts, and to repeal all acts in conflict herewith," approved May 19, 1915, relating to exceptions in cases of emergency.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER EIGHT.

AMENDMENT NUMBER ONE.

On page 2, line 1, of the printed bill, strike out the comma after the word "state" and strike out the word "or" at the end of the line.

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 8?

The roll was called, and Assembly amendment to Senate Bill No. 8 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, F. M., Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Johnson, Jones, Luce, Lyon, Maddux, Rominger, Rush, Sharkey, Slater, Stuckenbruck, and Tyrrell—21.

NOES—None.

Senate Bill No. 8 ordered to enrollment.

The Senate took up for consideration Assembly amendments to Senate Bill No. 1193—An act to add a new section to the Civil Code to be numbered 330, relating to liability for unpaid par value of capital stock of corporations.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE THOUSAND ONE HUNDRED NINETY-THREE.

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, after the word "corporation" insert a comma and the following words: "other than a corporation conducting the business,".

[illegible]

On page 1, line 9, insert after the word "[illegible]" the words "[illegible]".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. [illegible]?

The roll was called, and Assembly amendments to Senate Bill No. [illegible] concurred in by the following vote:

Ayes—Senators Dickey, Brown, Rand, Carr, F. M. Alex, W. S. Chandler, Cowan, Dennis, Evans, Fisher, Fong, Hansen, Jones, Lee, Lewis, Madden, Nejedly, Rees, Sankewitsch, Thompson, and Tunnell—[illegible].

Noes—None.

Senate Bill No. [illegible] ordered to enrollment.

[illegible]

Assembly Bill No. [illegible], an act making appropriations for the support of the government of the State of California for the sixty-ninth and seventieth fiscal years.

Bill read third time.

[illegible]

The roll was called on the passage of Assembly Bill No. [illegible].

Pending the announcement of the vote, Senator Dennis moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following responded to their names:

Senators Brown, Carr, Rand, Dennis, F. M. Alex, Chandler, Cowan, Evans, Fisher, Fong, Hansen, Jones, Dickey, Madden, Nejedly, Rees, Lewis, Lee, Rattigan, Rich, Sankewitsch, Sieroty, Thompson, and Tunnell—[illegible].

The Secretary announced the absentees.

Time, eight o'clock and ten minutes p.m.

The Acting President directed the Sergeant-at-Arms to close the doors.

[illegible]

At eight o'clock and fifteen minutes p.m. further proceedings under the call of the Senate were dispensed with, on motion of Senator Chandler.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Assembly Bill No. [illegible] finally passed by the following vote:

Ayes—Senators Brown, Rand, Dennis, Fisher, Carr, F. M. Alex, W. S. Chandler, Cowan, Evans, Fong, Hansen, Jones, Dickey, Lewis, Lee, Madden, Nejedly, Rees, Rattigan, Rich, Sieroty, Sankewitsch, Thompson, and Tunnell—[illegible].

Noes—None.

Title read and accepted.

Bill ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY (OUT OF ORDER).

On motion of Senator Benson, the following messages from the Assembly were taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage to Senate Bill No. 612—An act to amend section 537 of the Penal Code, relating to fraudulent practices upon keepers of hotels, inns, restaurants, boarding houses, lodging houses or furnished apartment houses.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on April 26, 1917, passed as amended, Senate Bill No. 1035—An act to make lawful certain agreements between employees or laborers, to define the cases in which injunctions may and may not issue, to prescribe the procedure in trials for contempt, to secure the right of jury trial in all such cases, to prescribe the time in which proceedings for contempt shall be instituted, to prescribe the penalty for the violation of such injunctions and excepting certain organizations—and respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 1035—An act to make lawful certain agreements between employees or laborers, to define the cases in which injunctions may and may not issue, to prescribe the procedure in trials for contempt, to secure the right of jury trial in all such cases, to prescribe the time in which proceedings for contempt shall be instituted, to prescribe the penalty for the violation of such injunctions and excepting certain organizations.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE THOUSAND THIRTY-FIVE.

AMENDMENT NUMBER ONE.

On page 1, line 2, of the title, after the word "employees" insert "or among"; also in same line strike out the word "and" and insert the word "or".

AMENDMENT NUMBER TWO.

In line 7 strike out the word "and".

AMENDMENT NUMBER THREE.

In line 8 strike out the period and insert "and excepting certain organizations".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 1035?

The roll was called, and Assembly amendments to Senate Bill No. 1035 concurred in by the following vote:

AYES—Senators Ballard, Breed, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Rigdon, Rominger, Rush, Slater, Stuckenbruck, and Tyrrell—24.
NOES—None.

Senate Bill No. 1035 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 24, 1917, passed Senate Bill No. 806—An act to repeal sections 1518, 1519, 1526, 1527; also Article III, Chapter 7, Title XI, Part III, comprising sections 1529,

1290, 1337, 1393 and 1395, [illegible] sections [illegible] and [illegible] of the Code of Civil Procedure, all relating to [illegible]

Also, Senate Bill No. 807, An act to repeal sections [illegible] of the Code of Civil Procedure, relating to [illegible]

[illegible], Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

Senate Bills Nos. 806 and 807 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly [illegible] Senate Concurrent Resolution No. 31 [illegible]

[illegible], Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

Senate Concurrent Resolution No. 31 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly [illegible]

[illegible], Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly [illegible] passed Senate Bill No. 86 [illegible]

[illegible], Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

Senate Bill No. 86 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly [illegible] Senate Bill No. [illegible] of the Penal Code.

[illegible], Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 628—An act providing for the registration of land titles, and giving the Surveyor General certain powers in respect thereto.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SIX HUNDRED TWENTY-EIGHT.

AMENDMENT NUMBER ONE.

On page 1, line 7, strike out the words [illegible] and insert in lieu thereof the words [illegible]

AMENDMENT NUMBER TWO.

On page 1, line 11, after the word "registered" insert the words "of land titles."

AMENDMENT NUMBER THREE.

On page 1, line 14, after the words "registered" insert the words "of land titles."

AMENDMENT NUMBER FOUR.

On page 1, line 17, after the word "registrars" insert the words "of land titles".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 628?

The roll was called, and Assembly amendments to Senate Bill No. 628 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, Maddux, Nealon, Rigdon, Rominger, Sharkey, Shearer, and Stuckenbruck—22.

NOES—None.

Senate Bill No. 628 ordered to enrollment.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 262—An act to amend section 1 and to repeal section 2 of an act entitled "An act granting to the city of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Berkeley, and regulating the management, use and control thereof," approved June 11, 1913, also approved May 27, 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 262 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Burnett, Chandler, Crowley, Duncan, Evans, Gates, Hans, Ingram, Johnson, Kehoe, King, Lyon, Nealon, Purkitt, Scott, Sharkey, Shearer, Slater, Thompson, and Tyrrell—23.

NOES—Senators Jones, and Luce—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1332—An act to cure defects in maps or plats filed for record prior to January 1, 1917, and in deeds or conveyances referring to such maps.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1332 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Carr, W. J., Chandler, Duncan, Evans, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MINUTE CLERK JOSEPH A. BEEK AT THE DESK.

Assembly Bill No. 1264—An act to amend section 18 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of state and local registrars of vital statistics; to prescribe the powers and duties

of embalmers, nurses, physicians, undertakers, persons and other persons in relation to their registration and to be penalties for violation of this act; to repeal the affiliation of state and local registration of vital statistics; to provide for the salary and fees of nurses; to repeal all acts and parts of acts in conflict herewith," approved May 20, 1907.

Bill read third time.

[illegible]

During third reading of Bill Senator Dickson moved to refer Assembly Bill No. 1968 to Solons Fisheries, as a Special Committee of One, to consist as follows:

[illegible]

On page 2, line 14, at the comma add after the word "affiliate" insert the following: "or shall be home grown, affiliate shall be Class 2 of the present law, after the word "Class" insert the following: "or Standard."

Motion carried.

[illegible]

Senate Chamber, Sacramento, April 27, 1911.

Mr. President: Your Senate Committee of One to whom was referred Assembly Bill No. 1968, with instructions to amend, respectfully reports the same back amended as per instructions.

FLAHERTY, Special Committee.

Report read, and the motion to concur in Senate Amendments adopted.

Bill ordered to print.

Assembly Bill No. 1248—An act to amend sections 1208 and 1209 of the Political Code, relating to the canvassing of certificates of nomination by primary elections and to the filing of nomination papers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1248 passed by the following vote:

Ayes—Senators Bulard, Brown, Chase, Roberts, Cosgrove, Chandler, Curtis, Dale, Dunn, Dwyer, Lewis, Lewis-Lake, Miller, Lane, Lyon, Mathews, Nelson, Owsley, Rigdon, Shortridge, Rush, Stetson, Stevens, Stone, Thompson, Wolfe, Thompson, and Young—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

[illegible]

Assembly Bill No. 1984—An act to provide for and regulate municipal elections in cities of the fifth and sixth classes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1984 ordered passed by the following vote:

Ayes—Senators Brown, Bond, Cory, W. J. Crowley, Dunn, Flaherty, Gray, Johnson, Mathews, Pulcher, and Stanton—11.

Noes—Senators Bulard, Brown, Cosgrove, Chase, Dale, Dwyer, Estudillo, Rush, Lane, Lyon, Nelson, Rigdon, Rowlands, Scott, Shortridge, Stone, Thompson, and Tyrrell—18.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1342—An act to amend an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, by amending sections 1, 2, 4, 5, 7, 19, 21, 22, 23, 24, 25, 28, 30, and 33 thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1342 passed by the following vote:

AYES—Senators Breed, Burnett, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, and Tyrrell—24.

NOES—Senators Ballard, Purkitt, and Stuckenbruck—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 880—An act to amend section 637*a* of the Penal Code, relating to the killing of birds other than game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 880 passed by the following vote:

AYES—Senators Benson, Burnett, Canepa, Carr, F. M., Chandler, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Jones, Lyon, Maddux, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—24.

NOES—Senators Ballard, Carr, W. J., Kehoe, King, Luce, and Nealon—6.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1241—An act to amend section 3881 of the Political Code, relating to clerical errors in assessment books, corrections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1241 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Duncan, Evans, Flaherty, Hans, Ingram, Inman, Johnson, Jones, King, Luce, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1328—An act authorizing suit against the State of California concerning certain real property and regulating the procedure thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators [illegible]—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS

At eight o'clock and [illegible] minutes p.m., on motion of Senator [illegible], the Acting President declared the Senate at recess until the hour of eight o'clock and twenty minutes p.m.

REASSEMBLED

At eight o'clock and twenty minutes p.m. the Senate reassembled.

Hon. Arthur H. Breed, President pro Tempore of the Senate, in the chair.

Minute Clerk Joseph A. Beek at the desk.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER)

On motion of Senator [illegible], the following messages from the Assembly were taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. [illegible] [illegible]

Also, To Assembly Bill No. [illegible] [illegible]

Also, To Assembly Bill No. [illegible] [illegible]

Also, To Assembly Bill No. [illegible] [illegible]

Also, To Assembly Bill No. [illegible] [illegible]

[illegible], Chief Clerk of Assembly.
[illegible], Assistant Clerk.

Also,

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly [illegible]

Also, To Assembly Bill No. [illegible] [illegible]

Also, To Assembly Bill No. [illegible]—An act appropriating money for the [illegible] furnishing and equipping of buildings at the Whittier State School.

Also: To Assembly Bill No. 1128—An act to add a new section to the Civil Code to be numbered 322a, relating to the exoneration from personal liability of persons holding stock in a corporation as executors, administrators, guardians or trustees, and of persons holding such as collateral security.

Also: To Assembly Bill No. 1333—An act to amend an act entitled "An act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter, and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section 17 of an act approved March 4, 1897, entitled 'An act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor,' and to repeal all acts and parts of acts inconsistent with this act," approved April 21, 1911, and the act amendatory thereof, approved May 4, 1915, by amending sections 2, 35 and 42 thereof, by repealing sections 25, 26 and 27 thereof, by adding thereto a new section to be numbered 1a, relating to the cleaning and sterilization of empty milk, cream or ice cream containers before returning the same to the producer, and by adding three new sections thereto to be numbered 25, 26 and 27, relating to and providing for the uniform manner of sampling, weighing and testing milk, cream and butter fat, and providing for the use of standard glassware for testing and weighing milk, cream and butter fat and providing for licensing creameries and testers, and providing for punishment for violations of the same.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1097—An act to amend section 4249 of the Political Code, relating to county officers and their salaries and deputies, to township officers and their compensation, and to the compensation of jurors and grand jurors in counties of the twentieth class;

Also: To Assembly Bill No. 745—An act to amend section 6 of an act entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911, as amended;

Also: To Assembly Bill No. 1288—An act to amend sections 2 and 3 of an act entitled "An act authorizing municipalities to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within municipalities, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same," approved May 26, 1915, and to add a new section thereto to be numbered 8;

Also: To Assembly Bill No. 298—An act to amend section 4243 of the Political Code, relating to the compensation of officers of counties of the fourteenth class;

Also: To Assembly Bill No. 626—An act to amend section 79 of an act entitled "An act to provide for work upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for cost thereof and providing a method for the payment of such bonds," approved April 7, 1911;

Also: To Assembly Bill No. 42—An act to amend section 2972 of the Civil Code, relating to the continuance of a lien of mortgage on a crop.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Joint Resolution No. 17—Relative to an invitation to be extended to Arthur James Balfour, British Foreign Secretary, Marshal Joffre of France and Marquis Pierre de Chambrun of France to visit the State of California and other western states, that the patriotic citizens of the Great West may fittingly honor the distinguished representatives of our nation's allies and that their presence may stimulate the whole country to the highest activity, that the joint efforts of England, France and the United States to conquer a common enemy may be successful.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Joint Resolution No. 17 ordered to enrollment.

Also,

[illegible]

[illegible]

And respectfully asks [illegible]

[illegible], Chief Clerk of Assembly.
[illegible], Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS

The Senate took up for consideration Assembly amendments to Senate Bill No. 1164—An act to amend sections 3, 4 and 7 of an act entitled "An act to authorize and empower the board of trustees of the San Francisco State Normal School to sell or exchange and convey the lands and buildings of said school; to acquire by purchase, gift, condemnation or otherwise a new site for said school and to erect thereon buildings suitable and appropriate therefor or to remodel or reconstruct any buildings already erected on the site so purchased or acquired and to purchase therefor necessary and appropriate furniture and equipment; to create a fund into which shall be paid the proceeds of the sale of the present school property and making an appropriation to carry out the purposes of this act," approved January 11, 1916, and to add a new section thereto to be numbered section 8.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE THOUSAND ONE HUNDRED SIXTY-FOUR

AMENDMENT NUMBER ONE

Strike out all of the title and insert in lieu thereof the following: "An act to amend sections 3, 4 and 7 of an act entitled 'An act to authorize and empower the board of trustees of the San Francisco State Normal School to sell or exchange and convey the lands and buildings of said school; to acquire by purchase, gift, condemnation or otherwise a new site for said school and to erect thereon buildings [illegible]

suitable and appropriate therefor, or to remodel or reconstruct any buildings already erected on the site so purchased or acquired, and to purchase therefor necessary and appropriate furniture and equipment; to create a fund into which shall be paid the proceeds of the sale of the present school property and making an appropriation to carry out the purposes of this act.' Approved January 11, 1916, and to add a new section thereto to be numbered section eight."

AMENDMENT NUMBER TWO.

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. Section three of an act entitled "An act to authorize and empower the board of trustees of the San Francisco State Normal School to sell or exchange and convey the lands and buildings of said school; to acquire by purchase, gift, condemnation or otherwise a new site for said school and to erect thereon buildings suitable and appropriate therefor, or to remodel or reconstruct any building already erected on the site so purchased or acquired, and to purchase therefor necessary and appropriate furniture and equipment; to create a fund into which shall be paid the proceeds of the sale of the present school property and making an appropriation to carry out the purposes of this act," approved January 11, 1916, is hereby amended to read as follows:

SEC. 3. Monies received from the sale of said lands shall be paid into the general fund in the state treasury. The board of trustees of the state normal school at San Francisco is hereby authorized and empowered to examine the lands heretofore and now occupied or owned by the Panama-Pacific International Exposition or any corporation or individual representing or acting for or in conjunction with said exposition, and to select therefrom a new and suitable site for said school, and to acquire by purchase, gift, condemnation or otherwise for and on behalf of the State of California the necessary lands and structures; and the lands so selected and purchased shall be and remain the site of the state normal school at San Francisco until otherwise provided by law.

SEC. 2. Section six of said act, approved January 11, 1916, is hereby amended to read as follows:

SEC. 6. The said board is hereby authorized and empowered to improve the new site in a manner suitable for its intended uses, to erect and construct thereon new and modern normal school buildings and improvements necessary and proper for said normal school. The said board is also authorized and empowered to provide and purchase such furniture, fixtures, apparatus and other things as may be required for the proper equipment of said buildings and grounds for conducting said normal school.

SEC. 3. Section seven of said act, approved January 11, 1916, is hereby amended to read as follows:

SEC. 7. A fund in the state treasury is hereby created and shall be known as "the San Francisco State Normal School Exposition preservation fund." After the conveyance of said site to the State of California the state controller and the state treasurer shall transfer and make the proper entries upon their records, transferring the money paid into the San Francisco State Normal School Exposition preservation fund and into the general fund under the provisions of an act entitled "An act to provide for the disposition of any money or other property accruing to or to be received by the State of California as its proportionate share of the returns from the holding of the Panama-Pacific International Exposition," approved January 11, 1916, to the general fund in the state treasury and placed to the credit of the appropriation herein made from the general fund of the state treasury. The money so transferred shall be used for the purposes of this act.

SEC. 4. A new section to be numbered eight is hereby added to said act, approved January 11, 1916, to read as follows:

SEC. 8. Out of any money in the state treasury not otherwise appropriated, the sum of four hundred fifty thousand dollars, together with the sum of money herein ordered credited to this appropriation, is hereby appropriated to be expended in accordance with law for the purposes of this act.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 1194?

The roll was called, and Assembly amendments to Senate Bill No. 1194 refused concurrence by the following vote:

AYES—None.

NOES—Senators Breed, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Sharkey, Slater, and Thompson—28.

Senate Bill No. 1194 ordered transmitted to the Assembly.

The Senate took up for consideration Assembly amendment to Senate Bill No. 818—An act to promote the comfort, health, safety and general welfare of the people of this State, as affected by injury causing the disability or death of employees in the course of their employment, providing for a complete plan of workmen's compensation by creating a liability on the part of immediate employers, principal employers, contracting employers and their insurance carriers to compensate employees and their dependents for such disability or death, irrespective of the fault of any party, providing the means and methods of enforcing such liability and providing for certain long term compensation, and regulating independent insurance coverage against such liability, securing the payment of compensation and enforcing the establishment and maintenance of the State Compensation Insurance Fund, and requiring safety in all employments and places of employment in this State and providing the means and methods of enforcing such safety, and requiring reports of industrial injuries and providing penalties for offenses as defined herein, by employers, their officers and agents and by employees and other persons and corporations; and defining the powers and duties of the Industrial Accident Commission under this act, and providing for a review of its orders, decisions and awards; and repealing sections 2, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76a, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86 and 87 of Chapter 176, Statutes of 1913, and all other acts and parts of acts inconsistent herewith, except sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 30, 31, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51 and 52 of said Chapter 176, Statutes of 1913.

ASSEMBLY AMENDMENT TO SENATE BILL 818 [illegible] [illegible]

[illegible]

On page 6, line 30, of the amendment bill, insert after the comma following the word "[illegible]" the following: "[illegible]" [illegible]

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 818?

The roll was called, and Assembly amendment to Senate Bill No. 818 refused concurrence by the following vote:

Ayes—Senators Chandler, Irwin, Martinez, Stewart, Shaw, Swanson, and Thompson—7.

Noes—Senators Ballard, Belshaw, Boggs, Chan, E. M. Cox, M. A. Cronin, Crowley, Dennis, Edwards, Gates, Gualco, Hans, Kelly, Rigdon, Tyler, McDonald, Norton, and Rodgers—19.

Senate Bill No. 818 ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS—[illegible]

Assembly Bill No. 609—An act to amend section 1708a of the Penal Code, relating to the fees of notary clerks.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 699 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Inman, Irwin, Johnson, Jones, Kehoe, King, Lies, Lyon, McDonald, Maddux, Nealon, Rigdon, Scott, Shearer, Slater, Stockenbruck, and Thompson—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 981—An act to amend section 2322*a* of the Political Code, relating to inspection of fruit trees and eradication of pests.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 981 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Chamberlin, Chandler, Crowley, Flaherty, Gates, Ingram, Irwin, Johnson, Jones, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Scott, Shearer, Slater, Stockenbruck, and Thompson—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR SHEARER IN THE CHAIR.

At eight o'clock and twenty-five minutes a.m., Senator Shearer of the Second District was called to the chair.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 1.

A resolution to propose to the people of the State of California an amendment to the constitution of said state by amending section one of article two thereof, relating to the right of suffrage.

Resolved by the Assembly, the Senate concurring. That the legislature of the State of California, at its regular session, commencing on the eighth day of January, nineteen hundred seventeen, two thirds of all the members elected to each of the two houses of said legislature voting in favor thereof, hereby proposes to the people of the State of California that section one of article two of the constitution of this state be amended to read as follows:

Section 1. Every native citizen of the United States, every person who shall have acquired the rights of citizenship under or by virtue of the treaty of Queretaro, and every naturalized citizen thereof, who shall have become such ninety days prior to any election, of the age of twenty-one years, who shall have been resident of the state one year next preceding the election, and of the county in which he or she claims his or her vote ninety days, and in the election precinct thirty days, shall be entitled to vote at all elections which are now or may hereafter be authorized by law; *provided*, no native of China, no idiot, no insane person, no person convicted of any infamous crime, no person hereafter convicted of the embezzlement or misappropriation of public money, and no person who shall not be able to read the constitution in the English language, and write his or her name, shall ever exercise the privileges of an elector in this state; *provided*, that the provisions of this amendment relative to an educational qualification shall not apply to any person prevented by a physical disability from complying with its requisitions, nor to any person who had the right to vote on October 10, 1911, nor to any person who was sixty years of age and upwards on October 10, 1911; *provided further*, that by general law the legislature may provide for the manner in which duly registered voters who are absent from the place of their residence on the day of any general or primary election may vote wherever they may be.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Constitutional Amendment No. 1 adopted by the following vote:

AYES—Senators Benson, Breed, Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson,

Kehoe, King, [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

Title read and approved.

Resolution ordered transmitted to the Assembly.

ASSEMBLY CONCURRENT RESOLUTION No. [illegible]

[illegible]

WHEREAS, [illegible]

WHEREAS, [illegible]

WHEREAS, [illegible]

WHEREAS, [illegible]

WHEREAS, [illegible]

WHEREAS, [illegible]

WHEREAS, [illegible]

WHEREAS, [illegible]

WHEREAS, [illegible]

[illegible]

[illegible]

may lease for a term not to exceed ninety-nine years that portion of the land granted to the City of Oakland by the Act of the Legislature of the State of California, approved May 1, 1911 (Stat. 1911, p. 1258) lying between Seventh Street and Thirty-fourth Street and lying easterly of a line drawn parallel to and at least one hundred feet easterly of the stone and earthen bulkhead in the Key Route Basin, upon condition that the lessee expend an hour for million dollars in development during the first six years of said term, of which at least one million five hundred thousand dollars shall be expended under the direction of the Contractor in the dredging of the Key Route Basin westerly of said bulkhead, in the filling of the land easterly of said bulkhead, and in the building of docks and wharves at or near said bulkhead and westerly of property to be leased, and upon the condition that all improvements made or erected by said lessee shall immediately vest in and belong to the city, and upon such other terms and conditions not inconsistent herewith, as the Council may prescribe; and provided that the Council may in its discretion reject any and all bids.

CITY OF OAKLAND,
County of Alameda, } ss.
State of California.

This is to certify that we, J. L. DAVIE, Mayor of the City of Oakland, and L. W. CUMMINGS, City Clerk of said City, have compared the foregoing proposed and ratified amendment to the charter of the City of Oakland with the original proposal submitting the same to the electors of said city at a special election held on the twenty-second day of August, 1916, and find that the foregoing is a full, true and correct and exact copy thereof. And we further certify that the facts set forth in the preamble preceding said amendment to said charter are and each of them is true.

In witness whereof, we have hereunto set our hands and caused the same to be authenticated by the seal of the City of Oakland this fourth day of January, 1917.

(Seal)

JOHN L. DAVIE,
Mayor of the City of Oakland.
L. W. CUMMINGS,
City Clerk of the City of Oakland.

Now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring (a majority of all the members elected to each house voting therefor and concurring therein), That said amendment to the charter of the city of Oakland as proposed and adopted and ratified by the electors of said city, and as hereinbefore fully set forth, be, and the same is hereby approved as a whole without amendment or alteration, for and as an amendment to and as part of the charter of the City of Oakland.

Resolution read.

The question being on the adoption of the resolution

The roll was called, and Assembly Concurrent Resolution No. 7 adopted by the following vote:

AYES—Senators Beard, Beason, Bond, Burnett, Campo, Chamberlin, Chandler, Crowley, Evans, Faberty, Gates, Hans, Ingram, Irwin, Irwin, Jones, King, Luce, McDonald, Maddux, Rigdon, Roninger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—29.

NOES—None.

Title read and approved.

Resolution ordered transmitted to the Assembly.

EXPLANATION OF VOTE.

The following explanation was received and ordered printed in the Journal:

When the proposed Ninth Charter Amendment was before the people, as is well known, I was one of the few who subsequently fought its adoption, and after its adoption by the voters of Oakland I immediately took steps to have a charter amendment proposed allowing a referendum on waterfront leases. I took this proposed amendment from committee to committee without making any progress, but finally with the help of the Committee of Fifteen an amendment of this kind was submitted and approved by the people on April 17th last.

On my own initiative I introduced in the Senate a bill limiting the length of leases on the western waterfront to fifty years, and that bill was passed, and has been signed by the Governor.

The resolution ratifying the ninety-nine year charter amendment was adopted by the Assembly on March 1st, and no one appeared from Oakland to oppose its ratification by the Assembly. It then came to the Senate, and was sent to the Municipal

[illegible]

[illegible]

[illegible]

of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 741 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Canepa, Carr, W. J., Chandler, Evans, Gates, Hans, Ingram, Inman, Irwin, Jones, Lane, Lyon, McDonald, Maddux, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stockenbruck, Thompson, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 845—An act to amend section 3650 of the Political Code, relating to the assessment of property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 845 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Canepa, Carr, W. J., Evans, Gates, Irwin, Jones, Lane, Lyon, McDonald, Maddux, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Stockenbruck, and Thompson—22.

NOES—Senator Chandler—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 987—An act to amend section 2 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, relating to common carriers, and defining what shall constitute common carriers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 987 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Kuhl, Lane, Lyon, McDonald, Maddux, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Stockenbruck, and Thompson—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 932—An act to amend sections 1 and 2 of an act entitled "An act to regulate the construction and maintenance of subways, manholes, and underground rooms, chambers, and excavations, used to contain, encase, cover, or conduct wires, cables, or appliances to conduct, carry, or handle electricity, and providing the punishment

for violation thereof," approved April [illegible], and to add a new section thereto to be numbered [illegible].

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators [illegible]

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

[illegible]

Assembly Bill No. 1013—An act to [illegible] the [illegible] that may be produced by [illegible] of this State, and repealing all acts and parts of acts in conflict with this act.

Bill read third time.

[illegible]

Senator [illegible] asked for, and was granted, excuse from voting on Assembly Bill No. 1013.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1013 passed by the following vote:

Ayes—Senators [illegible]

Noes—Senators [illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY CONCURRENT RESOLUTION No. [illegible].

Relative to [illegible]

Resolved by the Assembly, the Senate concurring, [illegible]

Resolved, [illegible]

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. [illegible] adopted by the following vote:

Ayes—Senators [illegible]

Noes—None.

Resolution ordered transmitted to the Assembly.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 37.

A resolution to propose to the people of the State of California an amendment of the constitution of said State by amending section 3 of Article XII thereof, relating to the liability of stockholders and directors.

The legislature of the State of California, at its regular session commencing on the eighth day of January, 1917, two-thirds of all the members elected to each of the two houses of said legislature voting in favor thereof, hereby proposes that section 3 of Article XII of the Constitution of the State of California be amended to read as follows:

SEC. 3. Each stockholder of a corporation, or joint-stock association, shall be individually and personally liable for such proportion of all its debts and liabilities contracted or incurred during the time he was a stockholder, as the amount of stock or shares owned by him bears to the whole of the subscribed capital stock or shares of the corporation or association. The directors or trustees of corporations and joint-stock associations shall be jointly and severally liable to the creditors and stockholders for all moneys embezzled or misappropriated by the officers of such corporation or joint-stock association, during the term of office of such director or trustee.

Nothing in the preceding paragraph of this section shall be held to apply to any corporation hereafter organized under the laws of this state which shall adopt and use as the last word of its corporate name, the word "Limited" or its abbreviation, "Ltd.", but the stockholders of such corporations shall be subject to such liabilities as may be provided by the legislature.

Resolution read.

The question being on the adoption of the resolution

The roll was called, and Assembly Constitutional Amendment No. 37 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Burnett, Canepa, Carr, F. M., Chandler, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, King, Luce, Maddux, Nealon, Purkitt, Reminger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 658—An act providing for the inspection of animals slaughtered for human food, providing for the inspection of the meat and meat food products of such animals, providing for the collection of fees to defray the expenses incurred by maintaining such inspection, providing for the appointment and duties of officials to carry into effect the provisions of this act, providing for the marking of carcasses and parts thereof, and providing a penalty for violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 658 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Canepa, Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Luce, Maddux, Nealon, Rigdon, Reminger, Rush, Scott, and Shearer—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 61.

A resolution to propose to the people of the State of California an amendment to Article VI, section 1, of the Constitution of the State of California, relating to judicial powers.

The legislature of the State of California, at its regular session commencing on the eighth day of January, one thousand nine hundred seventeen, two-thirds of the members elected to each of the two houses of the said legislature voting in favor

[illegible]

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Constitutional Amendment No. 11 adopted by the following vote:

Ayes—Senators [illegible]—[illegible].

Noes—Senators [illegible].

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 14—An act to amend section [illegible] of the Political Code relating to the appointment of a photographic reporter for each of the District Courts of Appeal, and prescribing his duties and compensation.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 14 passed by the following vote:

Ayes—Senators [illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 94—An act to amend section 1 of an act entitled "An act to establish a state training school for girls, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved June 14, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 94 passed by the following vote:

Ayes—Senators [illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 146—An act to amend section [illegible] of the Political Code of the State of California relating to the salary of the State Librarian.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 146 passed by the following vote:

AYES—Senators Benson, Brown, Burnett, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Johnson, Kehoe, Luce, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, and Tyrrell—24.
NOES—Senator Duncan—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 259—An act to provide for the fighting of forest fires in the San Antonio Canyon in the San Gabriel Mountains, California, and to make an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 259 passed by the following vote:

AYES—Senators Benson, Burnett, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Evans, Gates, Ingram, Johnson, Kehoe, Luce, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, and Shearer—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 316—An act to appropriate money to be used as a revolving fund by the Sixth District Agricultural Association for the purpose of creating, installing and maintaining special expositions at Exposition Park, Los Angeles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 316 passed by the following vote:

AYES—Senators Benson, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Gates, Johnson, Jones, Kehoe, Luce, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, and Thompson—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 397—An act appropriating money for the improvement of the grounds of the Los Angeles State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 397 passed by the following vote:

AYES—Senators Benson, Brown, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Johnson, Jones, Luce, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Shearer, Slater, Thompson, and Tyrrell—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 418—An act appropriating money for repairs and improvements to buildings and equipment of the California School for the Deaf and the Blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators [illegible]—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An act appropriating money to provide for residence for blind students at the University of California and to assist deaf students attending the National College for the Deaf at Washington, D. C.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators [illegible]—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An act appropriating money for stone preservation at the Sonoma State Home.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators [illegible]—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An act appropriating money for paving at the Sonoma State Home.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators [illegible]—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An act appropriating money for the reconstruction and enlarging of Mariposa Hall for consumptives at the Sonoma State Home.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 445 passed by the following vote:

AYES—Senators Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Stockenbruck, and Thompson—27.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

LEAVE OF ABSENCE.

At eight o'clock and thirty minutes a.m., Senator Ballard asked for and was granted leave of absence for the balance of this legislative day.

Assembly Bill No. 490—An act making an appropriation for general repairs and improvements at the Whittier State School.

Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 490 passed by the following vote:

AYES—Senators Burnett, Canepa, Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Hans, Inman, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Stockenbruck, Thompson, and Tyrrell—28.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

Assembly Bill No. 1146—An act to amend section 4247 of the Political Code, relative to salaries and fees of officers in counties of the eighteenth class.

Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1146 passed by the following vote:

AYES—Senators Burnett, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Nealon, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, Thompson, and Tyrrell—27.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEMPORE IN CHAIR.

At eight o'clock and thirty-five minutes a.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

THIRD READING ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1246—An act to amend section 1096 of the Political Code and to add to the Political Code a new section to be known as section 1096*a*, all relating to affidavits of registration and to the registering or to the change in registration of political affiliation.

Bill read third time, previously.
The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1248 passed by the following vote:

AYES—Senators Burnett, Carter, W. J., Chandler, Crowley, Evans, Fisherty, Gates, Ingram, Johnson, Jones, Kelsey, Lee, Lipe, McKay, Nason, Parker, Rigdon, Roseberry, Rush, Scott, Shanley, Shoemaker, Thomson, and Wyman—28.

NOES—None.

RULE SUSPENDED.

Senator Lee moved to suspend the rule of Assembly Bill No. 1248, as follows:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the title, strike out the words "to Section 1 and" and insert in lieu thereof the word "Chapter".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 6, of the title, strike out the words "Section to Section 1 and" and insert in lieu thereof the word "Chapter".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the title, strike out the words "Section 1" and insert in lieu thereof the word "Chapter".

Amendment adopted.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1241—An act to amend section 2076 of the Penal Code of the State of California, relating to the employment and compensation of employees of the State Board of Health, as approved May 1, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 741 passed by the following vote:

AYES—Senators Brown, Burnett, Carter, Chas. F. M., Carter, W. J., Chandler, Crowley, Evans, Fisherty, Gates, Ingram, Jones, Johnson, Jones, Kelsey, Lee, Lipe, McKay, Nason, Parker, Rigdon, Rush, Scott, Shoemaker, Thomson, and Wyman—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 768—An act to amend an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, as amended by amending sections 8, 9, 10 and 20 thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 768 passed by the following vote:

AYES—Senators Brown, Burnett, Carter, Chas. F. M., Carter, W. J., Chandler, Chandler, Crowley, Evans, Fisherty, Gates, Ingram, Jones, Johnson, Jones, Kelsey

Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Roninger, Rush, Scott, Sharkey, Slater, Thompson, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 784—An act appropriating money for the purpose of improving certain streets and roadways adjacent to Santa Barbara State Normal School at Santa Barbara, California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 784 passed by the following vote:

AYES—Senators Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, Luce, Lyon, McDonald, Nealon, Rigdon, Roninger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 920—An act appropriating money for the purchase and installation of new boilers at the Mendocino State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 920 passed by the following vote:

AYES—Senators Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, Luce, Lyon, McDonald, Nealon, Purkitt, Rigdon, Roninger, Rush, Scott, Slater, Stuckenbruck, Thompson, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 921—An act appropriating money for the repairing of structural defects in the administration building at the Mendocino State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 921 passed by the following vote:

AYES—Senators Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, Luce, McDonald, Modkins, Nealon, Rigdon, Roninger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 943—An act to appropriate money to pay the claim of Theodore M. Benson against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 943 passed by the following vote:

AYES—Senators Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe,

[illegible]

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 945—An act to appropriate money to pay the claim of Earl P. Bonner against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 945 passed by the following vote:

Ayes—Senators [illegible]

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY—(SEE AT CLOSE).

On motion of Senator Rolfe, the following messages from the Assembly were taken up and read, and at the regular order.

[illegible]

Mr. President: [illegible]

[illegible]

E. G. SCHEFFER, Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The President pro tempore announced the appointment of Senators Crowley, Inman and Thompson as a committee on conference to meet with a like committee from the Assembly to consider Assembly Amendments to Senate Bill No. 1194.

THIRD READING OF VETOED BILLS (SEE JOURNAL).

Assembly Bill No. 1020—An act to amend section 441 of the Political Code of the State of California, authorizing the Controller of State to maintain an inheritance tax department and to employ therein, thereafter to appoint an inheritance tax attorney and assistants thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1020 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Canepa, Carr, F. M., Chamberlin, Chandler, Evans, Flaherty, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, Luce, Lyon, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Stuckenbruck, and Tyrrell—28.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1081—An act appropriating money to pay the claim of Willis Hayes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1081 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Evans, Flaherty, Ingram, Inman, Johnson, Jones, Kehoe, Luce, Lyon, Maddux, Nealon, Rominger, Rush, Scott, Sharkey, Thompson, and Tyrrell—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1082—An act appropriating money to pay the claim of Grover C. Julian.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1082 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Evans, Flaherty, Ingram, Inman, Johnson, Jones, Kehoe, Luce, Lyon, Maddux, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1083—An act appropriating money to pay the claim of the Union League Holding Company.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1083 passed by the following vote:

AYES—Senators Benson, Breed, Canepa, Carr, F. M., Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, Luce, Lyon, McDonald, Maddux, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1086—An act to appropriate money to pay the claim of the Palm Iron and Bridge Works.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

AYES—Senators [illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An act to amend section [illegible] of the Political Code of the State of California, relating to clerks, [illegible] of the Attorney General's office.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

AYES—Senators [illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF COMMITTEE ON CONFERENCE.

SENATE CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: Your Committee on Conference, to which was referred Senate Bill No. [illegible]—An act to amend [illegible]

[illegible], Chairman.

THIRD READING OF ASSEMBLY BILLS—[illegible].

Assembly Bill No. [illegible]—An act appropriating money to pay the claim of C. S. Baldwin.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

AYES—Senators [illegible] and Tyrrell—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1088—An act appropriating money to pay the claim of H. C. Muddox.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1088 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Canepa, Carr, F. M., Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, Luce, Lyon, McDonald, Nealon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1138—An act appropriating money to pay the claim of Mark Woermer against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1138 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Canepa, Carr, F. M., Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, Lyon, McDonald, Maddux, Nealon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1276—An act providing for investigation and reports by the State Hygiene Laboratory, regarding specimens having medical-legal bearing in criminal cases, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1276 passed by the following vote:

AYES—Senators Breed, Burnett, Canepa, Carr, F. M., Chandler, Crowley, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, King, Lyon, McDonald, Maddux, Nealon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1344—An act to establish a nautical school at the port of San Francisco, to provide for the conduct and maintenance thereof, to make an appropriation therefor, and to authorize the Governor to request and to receive aid from the United States in compliance with the provisions of an act of Congress approved March 4, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1344 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Canepa, Carr, F. M., Chandler, Crowley, Flaherty, Gates, Ingram, Inman, Johnson, Jones, King, Lyon, McDonald, Maddux,

Nielsen, Rattigan, Richardson, Shell, Short, Stiles, Stone, Wakefield, and Carrington—40.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1861—An act to amend sections 120 and 121 of the Political Code, relating to employees of the Controller's office and their salaries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1861 passed by the following vote:

Ayes—Senators Beeson, Brown, Cargo, Carr, F. M. Chandler, Cornelius, Dunnigan, Gaffey, Grunsky, Hansen, Johnson, Kapiloff, Keene, Kennick, Knox, Lagomarsino, Lanterman, Lewis, Mills, Moscone, Nejedly, Nielsen, Rattigan, Richardson, Shell, Short, Stiles, Stone, Wakefield, and Carrington—40.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1440—An act appropriating money for repairs and improvements to buildings, structures and equipment of the Preston School of Industry.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1440 passed by the following vote:

Ayes—Senators Beeson, Brown, Cargo, Carr, F. M. Chandler, Cornelius, Dunnigan, Gaffey, Grunsky, Hansen, Johnson, Kapiloff, Keene, Kennick, Knox, Lagomarsino, Lanterman, Lewis, Mills, Moscone, Nejedly, Nielsen, Rattigan, Richardson, Shell, Short, Stiles, Stone, Wakefield, and Carrington—40.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1461—An act appropriating money to meet additional support expenses of the California Polytechnic School for the balance of the sixty-eighth fiscal year.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1461 passed by the following vote:

Ayes—Senators Beeson, Brown, Cargo, Carr, F. M. Chandler, Cornelius, Dunnigan, Gaffey, Grunsky, Hansen, Johnson, Kapiloff, Keene, Kennick, Knox, Lagomarsino, Lanterman, Lewis, Mills, Moscone, Nejedly, Nielsen, Rattigan, Richardson, Shell, Short, Stiles, Stone, Wakefield, and Carrington—40.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1462—An act creating a state bureau of criminal identification and investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 143 passed by the following vote:

AYES—Senators Benson, Breed, Canepa, Chandler, Crowley, Flaherty, Gates, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, and Tyrrell—22.
NOES—Senators McDonald and Nealon—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 602—An act to establish an institution for the care, training, confinement, discipline and instruction of feeble-minded and epileptic persons and for the study of mental deficiency and related problems, to provide for commitment thereto, for the maintenance thereof, for the manufacture of certain articles for sale and to make an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 602 passed by the following vote:

AYES—Senators Benson, Breed, Canepa, Chandler, Crowley, Flaherty, Gates, Hans, Ingram, Inman, Jones, Kehoe, King, Lyon, Maddux, Nealon, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Tyrrell—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 949—An act to create a reclamation district to be called "Reclamation District No. 2020," and providing for the control and management thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 949 passed by the following vote:

AYES—Senators Benson, Breed, Canepa, Chandler, Crowley, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, Lyon, Maddux, Rigdon, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1028—An act to amend an act entitled "An act creating a reclamation district to be called and known as 'Reclamation District No. 1500'; providing for the management and control thereof and dissolving all levee districts, swamp land districts, and reclamation districts, lying wholly within the boundaries of said Reclamation District No. 1500; providing for the liquidation and winding up of said dissolved districts, and excluding from any levee district, swamp land district and reclamation district any land lying within the boundaries of said Reclamation District No. 1500," approved April 30, 1913, in effect August 10, 1913, and amended by act approved June 1, 1915, in effect August 8, 1915, conferring powers and duties upon the trustees of said district and relating to the management and control thereof, and substituting the board of supervisors and other officials of Yolo County for the board of supervisors and other officials of Sutter County.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators Brown, Boyd, Cooper, Cox, Dr. A. Chandler, Crawford, Dickey, Gates, Hare, Ingram, Jones, Johnson, Jones, Kelly, Kelly, Lane, Lyon, Mead, Rogers, Rigdon, Rowland, Rose, Scott, Shelton, Shearer, Stetler, Thompson and Underwood—[illegible].

Noes—Senator Dennis—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 113—An act to provide for work on and upon highways, streets, avenues, lanes, alleys, courts, places, where half sidewalks or curbing, and upon property and right of way owned by counties and for establishing and changing the grade of the same, and providing for the damage and payment of improvement bonds to separate certain assessments for the same purpose.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 113 passed by the following vote:

Ayes—Senators Brown, Boyd, Cooper, Cox, Dr. A. Chandler, Crawford, Dickey, Gates, Hare, Ingram, Jones, Johnson, Jones, Kelly, Kelly, Lane, Lyon, Mead, Rogers, Rigdon, Rowland, Rose, Scott, Shelton, Shearer, Stetler, Thompson and Underwood—[illegible].

Noes—Senator Dennis—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An act to amend section 4[illegible] of the Penal Code, relating to the transportation of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators Boyd, Cox, Dr. A. Chandler, Crawford, Dickey, Gates, Hare, Ingram, Jones, Johnson, Jones, Kelly, Kelly, Lane, Lyon, Mead, Rogers, Rigdon, Rowland, Rose, Scott, Shelton, Shearer, Stetler, Thompson and Underwood—[illegible].

Noes—Senator Cooper—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An act to amend section [illegible] of the Penal Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators Brown, Boyd, Cooper, Cox, Dr. A. Chandler, Crawford, Dickey, Gates, Hare, Ingram, Jones, Johnson, Jones, Kelly, Kelly, Lane, Lyon, Mead, Rogers, Rigdon, Rowland, Rose, Scott, Shelton, Shearer, Stetler, Thompson, Dennis and Underwood—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An act to provide for the protection of fish and to prevent the introduction into the waters of parasitized infected or diseased fish, shellfish, mollusks, crustaceans, amphibians, aquatic plants or aquatic-animal life and declaring the same to be a

public nuisance and authorizing the summary destruction of same; providing for a quarantine for the enforcement of this act, and making a violation of the terms of this act a misdemeanor and providing for a penalty therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 336 passed by the following vote:

AYES—Senators Benson, Breed, Canepa, Carr, W. J., Chamberlin, Chandler, Crowley, Flaherty, Gates, Hans, Ingram, Kehoe, King, Lyon, Nealon, Purkitt, Rush, Scott, Sharkey, Shearer, and Slater—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1464—An act to amend section 628*b* of the Penal Code, relating to the protection of fish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1464 passed by the following vote:

AYES—Senators Benson, Breed, Canepa, Chamberlin, Chandler, Crowley, Flaherty, Gates, Hans, Ingram, Johnson, Jones, Kehoe, King, Luce, Lyon, Maddux, Nealon, Rigdon, Rush, Scott, Sharkey, Slater, and Stuckenbruck—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY—OUT OF ORDER.

On motion of Senator Benson, the following messages from the Assembly were taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT—I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 810—An act providing for the enlargement of the California Redwood Park, making an appropriation for the purchase of additional land therefor, and granting power to the California Redwood Park Commission to purchase the same.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 810 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT—I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 730—An act to amend section 3480 of the Political Code, relating to swamp and overflowed, salt marsh and tidelands;

Also—Senate Bill No. 731—An act to amend sections 3446, 3447, 3449, 3452, 3453, 3454, 3455, 3456, 3457, 3459, 3460, 3462, 3463, 3465, 3466, and 3491, and to repeal sections 3467 and 3468, of the Political Code, relating to swamp and overflowed, salt marsh and tidelands;

And respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 730—An act to amend section 3480 of the Political Code, relating to swamp and overflowed, salt marsh and tidelands.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER [illegible]

AMENDMENT NUMBER ONE.

On page [illegible] of the printed bill, line [illegible], [illegible].

AMENDMENT NUMBER TWO.

On page [illegible] of the printed bill, [illegible].

AMENDMENT NUMBER THREE.

On page [illegible] of the printed bill, in line [illegible], [illegible].

AMENDMENT NUMBER FOUR.

On page [illegible] of the printed bill, in line [illegible], strike out the word [illegible] and insert in lieu thereof the word [illegible].

AMENDMENT NUMBER FIVE.

On page [illegible] of the printed bill, strike out [illegible] of lines [illegible], inclusive, and insert in lieu thereof the following:

[illegible]

AMENDMENT NUMBER SIX.

On page [illegible] of the printed bill, in line [illegible], strike out the word [illegible] and insert in lieu thereof the word [illegible].

AMENDMENT NUMBER SEVEN.

On page [illegible] of the printed bill, in line [illegible], strike out the word [illegible] and insert in lieu thereof [illegible].

AMENDMENT NUMBER EIGHT.

On page [illegible] of the printed bill, in line [illegible], strike out the word [illegible].

AMENDMENT NUMBER NINE.

On page [illegible] of the printed bill, in line [illegible], strike out the words [illegible] four hundred eighty" and insert in lieu thereof [illegible].

AMENDMENT NUMBER TEN.

On page [illegible] of the printed bill, in line [illegible], after the word [illegible] insert the words [illegible].

AMENDMENT NUMBER ELEVEN.

On page [illegible] of the printed bill, in line [illegible], after the word [illegible] insert the word [illegible].

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 730?

The roll was called, and Assembly amendments to Senate Bill No. 730 concurred in by the following vote:

Ayes—Senators [illegible]—[illegible].

Noes—None.

Senate Bill No. 730 ordered to enrollment.

The Senate took up for consideration Assembly amendments to Senate Bill No. 731—An act to amend sections [illegible]

3453, 3454, 3455, 3456, 3457, 3459, 3460, 3462, 3463, 3465, 3466, and to repeal sections 3467 and 3468, of the Political Code, relating to swamp and overflowed, salt marsh and tidelands.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SEVEN HUNDRED THIRTY-ONE.

AMENDMENT NUMBER ONE.

On page 10, line 12, after the word "district" insert the following "three copies of such plan or plans and estimates shall be filed with the county clerk as aforesaid and".

AMENDMENT NUMBER TWO.

On page 10, line 13, change the word "two" to "three".

AMENDMENT NUMBER THREE.

On page 10, line 14, after the word "plans" insert the words "and estimates".

AMENDMENT NUMBER FOUR.

On page 10, line 14, change the word "one" to "two".

AMENDMENT NUMBER FIVE.

On page 10, line 16, change the word "copy" to "copies".

AMENDMENT NUMBER SIX.

On page 10, lines 20, 21 and 22, strike out the words "in the courthouse of the county seat of the county within which the district, or the greater part thereof is situate".

AMENDMENT NUMBER SEVEN.

On page 10, line 22, change the word "fifteen" to "twenty".

AMENDMENT NUMBER EIGHT.

On page 11, in line 2, strike out the words "in the courthouse" and insert "at its office". Also, in same line, insert "Sacramento" in blank. Also, in line 3 of the same page, insert "Sacramento" in the first blank.

AMENDMENT NUMBER NINE.

On page 11, line 14, after the word "width" change the period to a semicolon, and thereafter insert "but no claim for compensation shall thereafter be made against the reclamation board or the Sacramento and San Joaquin drainage district for any part of such levees which said board may consider to be in excess of what is required to comply with its plans for flood control".

AMENDMENT NUMBER TEN.

On page 18 of the printed bill, strike out all of lines 30 to 37, inclusive.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 731?

The roll was called, and Assembly amendments to Senate Bill No. 731 concurred in by the following vote:

AYES—Senators Breed, Canepa, Chandler, Crowley, Duncan, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Lane, Lyon, Maddux, Nealon, Rigdon, Rush, Scott, Sharkey, Stewart, Slater, and Tyrrell—25.

NOES—None.

Senate Bill No. 731 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT—I am directed to inform your honorable body that the Assembly on this day respectfully refused to recede from its amendments to Senate Bill No. 818—An act to promote the comfort, health, safety and general welfare of the people of this State as affected by injury causing the disability or death of employees in the course of their employment, providing for a complete plan of workmen's compensation by creating a liability on the part of immediate employers, principal employers, contracting employers and their insurance carriers to compensate

[illegible]

E. G. Rowthey, Chief Clerk of Assembly.
By M. Sings, Assistant Clerk.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The President pro tempore announced the appointment of Senators Brown, Tyrrell and Stockbridge, as a Committee on Conference, to meet with a like committee from the Assembly to consider Assembly amendments to Senate Bill No. 474.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

Mr. President: I have appointed as members of the Committee on Conference on the amendments of the Assembly to Senate Bill No. 1174, the Senators of the Assembly, Messrs. Stevens, Hewitt and Hinkle, as a Committee on Conference on the part of the Assembly, to meet with a like committee on the part of the Senate, to consider Senate Bill No. 1174, by which it appears that the Senate and Assembly have failed to agree upon the bill, and I request that a like committee be appointed on the part of the Senate.

Yours respectfully,
E. G. Rowthey, Chief Clerk of Assembly.
By M. Sings, Assistant Clerk.

COMMITTEE ON FINE CONFERENCE.

The President pro tempore announced the appointment of Senators Kehoe, Mathews and Lewis, as a Committee on Fine Conference, to meet with a like committee from the Assembly for the consideration of Assembly amendments to Senate Bill No. 1164.

The Secretary was directed to notify the Assembly of the Senate's appointment of Committee on Fine Conference.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

Mr. President: I am directed to inform your honorable body that the Assembly amended and on this day passed the Assembly Senate Bill No. 1164, An act providing for the regulation and supervision of employment agencies, agents and solicitors, as the same was returned and refused passage by the Senate of the State of California, and to request a conference on the part of the Assembly thereon, and asking a joint committee be appointed on the part of the Senate of the State of California, to confer with a like committee on the part of the Assembly, and request that the amendments be concurred in.

Yours respectfully,
E. G. Rowthey, Chief Clerk of Assembly.
By M. Sings, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 670—An act to amend an act entitled "An act to define investment companies, investment brokers, and agents; to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation thereof; to create the office of commissioner of corporations, and making an appropriation therefor," approved May 28, 1913.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SIX HUNDRED SEVENTY.

AMENDMENT NUMBER ONE.

Amend section 3 by inserting, after the comma following the word "sell" in line 36, page 4, of the printed bill, the following: "except upon a sale for a delinquent assessment made in accordance with the provisions of Article II of Chapter 2 of Title I of Part IV of division first of the Civil Code; or".

AMENDMENT NUMBER TWO.

Amend section 7 by inserting, after the word "corporation" in line 11, page 8, of the printed bill, the following: ", other than a broker holding a broker's certificate, then in effect,".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 670?

The roll was called, and Assembly amendments to Senate Bill No. 670 concurred in by the following vote:

AYES—Senators Benson, Breed, Burnett, Canepa, Carr, W. J., Chandler, Crowley, Duncan, Flaherty, Gates, Hans, Ingram, Johnson, Jones, King, Lyon, Nealon, Rigdon, Scott, Sharkey, Shearer, Slater, and Tyrrell—23.

NOES—None.

Senate Bill No. 670 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 1200—An act creating a state defense guard, providing for its control and compensation, prescribing its duties and making an appropriation therefor;

Also, Senate Bill No. 1201—An act defining a private irrigation plant and mutual water company and providing the conditions under which the owner of a private irrigation plant or a mutual water company may deliver water to others or others than its stockholders or members without becoming a public utility, and limiting such authority to the time the United States is a party to war or to a state of war—and declaring this act to be an urgency measure.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 1200 and 1201 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917

MR PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 109—An act making an appropriation to pay any assessment that may be imposed against the State of California under the provisions of an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, to pay the share of the State of California under any agreement or agreements with the United States Government for cooperative work in the construction, improvement or maintenance of highways useful for military purposes and authorizing the State Department of Engineering to enter into any such agreements, and to pay the cost of making surveys and preparing plans and estimates for the following highways: An extension of the Trinity-Humboldt state road, from its westerly end, in a westerly direction, and to the town of Bridgeville, in

[illegible]

[illegible]

[illegible]

Also: To Assembly Bill No. 738—An act to amend sections 3746, 3756, and 3817 of the Political Code, relating to the time when taxes are due and delinquent, penalties thereon, the tax collector's published notice thereof, and to the redemption of property sold to the State and penalties thereon;

Also: To Assembly Bill No. 988—An act to amend section 67*a* of the Code of Civil Procedure, relating to the number of superior court judges and providing for the appointment of two additional superior court judges in counties of the first class and providing for their compensation;

Also: To Assembly Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to section 14 of Article I of the Constitution, relating to the taking of private property for public use;

Also: To Assembly Bill No. 792—An act to amend the title and sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 17 of and to add thereto new sections to be numbered 6*a*, 6*b*, 18 and 19, to an act entitled "An act to be known as 'The California Irrigation Act' providing for cooperation between the State of California and the United States and independent proceedings in the storage and diversion of water, the distribution thereof for irrigation, the development of power and for domestic purposes, creating an irrigation board to form water districts, make contracts, construct reservoirs, ditches and distribute water, generate, lease and sell electric current, lease water power, levy assessments, issue bonds of water districts, providing for the management, control and supervision of such water districts and of the works constructed pursuant to this act, directing the State Department of Engineering relative to such works, authorizing irrigation districts to reorganize under this act and generally providing a policy relating to storage, diversion and use of water, and adopting a plan for providing resources therefor," approved June 4, 1915.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1394—An act to regulate the moving, transporting and conveying of certain buildings, houses, structures, derricks, cranes, towers and vehicles and requiring a permit for the same and providing a penalty for the violation thereof.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

RECESS.

At eight o'clock and thirty-seven minutes a.m., on motion of Senator Benson, the President pro tempore declared the Senate at recess until the hour of eight o'clock and forty minutes a.m.

RECONVENED.

At eight o'clock and forty minutes a.m., the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

REPORT OF COMMITTEE ON CONFERENCE.

SENATE CHAMBER, SACRAMENTO, April 26, 1917.

MR. PRESIDENT: Your Committee on Conference concerning Assembly Bill No. 73—An act to regulate the taking and harvesting of kelp and other aquatic plants of the State of California by recognizing and declaring their ownership in the State of California and providing for the control thereof by the Fish and Game Commissioners, and providing for a license tax upon all persons, firms or corporations engaged in the industry of taking or harvesting kelp or other aquatic plants, and providing for the collection and disbursement of the revenues derived therefrom, and providing for a privilege tax upon all kelp taken in the waters of this State, and providing for the protection of kelp beds, and for the manner of taking kelp and other aquatic plants, and providing for hearings by the Fish and Game Commissioners, and providing penalties for the violation of this act—reports that we

[illegible]

[illegible]
[illegible]
[illegible]
Senate Committee on Conference.

WRIGHT,
[illegible]
[illegible]
Assembly Committee on Conference.

Report read.

The question being on the adoption of the report,

The roll was called, and the report adopted by the following vote:

Ayes—Senators [illegible]

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, [illegible]

Mr. President: I am directed to inform your honorable body that the Assembly [illegible] State Hospital.

[illegible], Clerk of the Assembly.
By [illegible], Assistant Clerk.

Assembly Bill No. [illegible] ordered referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, [illegible]

Mr. President: I am directed to inform your honorable body that the [illegible]

[illegible], Clerk of the Assembly.
By [illegible], Assistant Clerk.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The President pro tempore announced the appointment of Senators Evans, Jones and [illegible] as a Committee on Conference to meet with a like committee from the Assembly [illegible] Senate amendments to Assembly Bill No. [illegible].

Also:

ASSEMBLY CHAMBER, [illegible]

Mr. President: I am directed to inform your honorable body that the Assembly [illegible]

thereof,' approved April 16, 1909, Statutes of California of 1909, page 918," and approved June 13, 1913, Statutes of California, page 737, approved May 29, 1917.

Also Assembly Bill No. 433—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved June 16, 1913, Statutes of California of 1913, page 1429.

Also Senate Bill No. 457—An act to regulate the construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings, and the maintenance, use and occupancy of the premises and land on which dwellings are erected or located, in incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof;

And respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 457—An act to regulate the construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings, and the maintenance, use and occupancy of the premises and land on which dwellings are erected or located, in incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED FIFTY-SEVEN.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 5 and 6 of the title and insert in lieu thereof the following: "dwellings are erected or located, in incorporated towns, incorporated".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 2 to 4, inclusive, and insert in lieu thereof the following: "ing house act, and its provisions shall apply to incorporated towns, incorporated cities, and incorporated cities and counties of this state."

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out all of lines 15 to 22, inclusive.

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, in line 35, strike out the words "and counties".

AMENDMENT NUMBER FIVE.

On page 4 of the printed bill, strike out line 24 and insert in lieu thereof the following: "incorporated city or incorporated city and county.".

AMENDMENT NUMBER SIX.

On page 4 of the printed bill, strike out lines 25 and 26 and insert in lieu thereof the following: "the corporate limits of such towns, cities, or cities and counties, for the purpose of inspecting such buildings, in".

AMENDMENT NUMBER SEVEN.

On page 5 of the printed bill, strike out all of lines 24 and 25 and insert in lieu thereof the following: "porated town, incorporated city, or incorporated city and county, as the case may be, in which the dwelling is".

AMENDMENT NUMBER EIGHT.

On page 16 of the printed bill, strike out all of line 1 and insert in lieu thereof the following: "city, or incorporated city and county, from enacting".

AMENDMENT NUMBER [illegible]

On page 17 of the printed bill, strike out [illegible] of line 8 and in lieu thereof insert the following: [illegible] incorporated cities and incorporated [illegible] [illegible] with the provisions of this [illegible]

AMENDMENT NUMBER [illegible]

On page 18 of the printed bill, strike out [illegible] of line 24 and insert in lieu thereof the following: [illegible]

AMENDMENT NUMBER [illegible]

On page 19 of the printed bill, strike out [illegible] of lines 27 and 28 and insert in lieu thereof the following: [illegible]

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 427?

The roll was called, and Assembly amendments to Senate Bill No. 427 concurred in by the following vote:

Ayes—Senators [illegible]—28.

Noes—None.

Senate Bill No. 427 ordered to enrollment.

The Senate took up for consideration Assembly amendments to Senate Bill No. 800—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing of an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled 'An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 735," approved April 10, 1911, Statutes of California of 1911, page [illegible], and approved June 11, 1913, Statutes of California, 1913, page [illegible], and approved May 29, 1915, Statutes of California, page [illegible], and all acts amendatory thereof.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED

AMENDMENT NUMBER ONE

On page 1, line 13 of the bill, insert a comma after the first word "cities."

AMENDMENT NUMBER TWO

On page 1, line 17 of the bill, after the [illegible] insert after the comma after the figures "1909" and the following: "approved April 10, 1911, Statutes of California one thousand nine hundred eleven, page [illegible] hundred [illegible]."

AMENDMENT NUMBER THREE

On page 1, line 18 of the bill, strike out [illegible] after the word "California" insert [illegible] thousand nine hundred thirteen, [illegible] after the comma [illegible] the figures [illegible] the word [illegible] after the figures [illegible] and insert in lieu thereof [illegible] add the following: "Statutes of California, page nine hundred [illegible], and all acts amendatory thereof."

AMENDMENT NUMBER FOUR.

On page 1, strike out lines 1 to 3, inclusive; also, on page 2, strike out lines 1 to 15, inclusive.

AMENDMENT NUMBER FIVE.

On page 2, line 16, before the word "This" insert "Section 1."

AMENDMENT NUMBER SIX.

On page 51, line 34, strike out the word "no" and insert in lieu thereof the word "every"; also, in same line strike out the following: "shall there be constructed", and in line 35, same page, strike out the following: "any garbage chute, garbage shaft or bin, but".

AMENDMENT NUMBER SEVEN.

On page 52, line 2, strike out the period after the word "act" and insert in lieu thereof a comma, then add the following: "or in lieu of such metal receptacles there may be constructed a garbage chute or shaft approved by the housing department."

AMENDMENT NUMBER EIGHT.

On page 52, line 4, strike out the period after the word "tenants" and insert in lieu thereof a comma, then add the following: "and in the case of a chute or shaft by the person in charge or in control of the building."

AMENDMENT NUMBER NINE.

On page 58, after line 10 add the following:

SEC. 90. The act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof and repealing an act entitled 'An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof' approved April 16, 1909, Statutes of California of one thousand nine hundred nine, page nine hundred forty-eight," approved April 19, 1911, Statutes of California, one thousand nine hundred eleven, page eight hundred sixty, and approved June 13, 1913, Statutes of California, one thousand nine hundred thirteen, page seven hundred thirty-seven, and approved May 29, 1915, Statutes of California, page nine hundred fifty-two, and all acts amendatory thereof are hereby repealed.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 800?

The roll was called, and Assembly amendments to Senate Bill No. 800 concurred in by the following vote:

AYES—Senators Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, Kelly, Lyon, Maddux, Nelson, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Thompson, and Tyrrell—28.

NOES—None.

Senate Bill No. 800 ordered to enrollment.

The Senate took up for consideration Assembly amendments to Senate Bill No. 433—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved June 16, 1913, Statutes of California of 1913, page 1429.

ASSEMBLY AMENDMENTS TO SENATE BILL [illegible]
THIRTY-THREE

AMENDMENT NUMBER ONE

On page [illegible] of the [illegible] bill [illegible] line [illegible] to [illegible], [illegible] on page [illegible] [illegible] and lines [illegible] [illegible].

AMENDMENT NUMBER TWO

On page [illegible], line [illegible], before the [illegible] "[illegible]" insert "[illegible]."

AMENDMENT NUMBER THREE

On page [illegible], line [illegible], strike out the word "[illegible]" and insert in lieu thereof the word "[illegible]"; also [illegible] [illegible] the following: "[illegible]"

AMENDMENT NUMBER FOUR

On page [illegible], line [illegible], strike out the period after the word "[illegible]" and insert in lieu thereof a comma and add the following: "[illegible]"

AMENDMENT NUMBER FIVE

On page 50, line 35, after the word "[illegible]" insert a comma and add the following: "[illegible]"

AMENDMENT NUMBER SIX

On page [illegible], line [illegible], after the word "[illegible]" strike out the period and add the following: "[illegible]"

AMENDMENT NUMBER SEVEN

On page [illegible], line [illegible], strike out the [illegible] "[illegible]" and insert in lieu thereof the [illegible] "[illegible]"; [illegible]

AMENDMENT NUMBER EIGHT

On page [illegible], line [illegible], add a new section to be numbered [illegible] and to read as follows:

SEC. 88. [illegible] California of 1915, page [illegible]

The question being, Shall the Senate concur in Assembly amendments to Senate Bill No. 4[illegible]?

The roll was called and Assembly amendments to Senate Bill No. 4[illegible] concurred in by the following vote:

AYES—Senators [illegible], Thompson, and Tyrrell—2[illegible].

NOES—None.

Senate Bill No. 4[illegible] ordered to enrollment.

MESSAGES FROM THE ASSEMBLY (TAKEN UP EARLY).

On motion of Senator [illegible], the following messages from the Assembly were taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Conference Committee, [illegible] to Senate amendments to Assembly Bill No. 7[illegible]: An act to regulate the [illegible]

of kelp and other aquatic plants of the State of California by recognizing and declaring their ownership in the State of California and providing for the control thereof by the Fish and Game Commissioners, and providing for a license tax upon all persons, firms or corporations engaged in the industry of taking or harvesting kelp or other aquatic plants and providing for the collection and disbursement of the revenues derived therefrom, and providing for a royalty tax upon all kelp taken in the waters of this State, and providing for the protection of kelp beds, and for the manner of taking kelp and other aquatic plants, and providing for hearings by the Fish and Game Commissioners, and providing penalties for the violation of this act.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

SENATOR GATES IN THE CHAIR.

At eight o'clock and forty-two minutes a.m., Senator Gates of the Thirty-fifth District was called to the chair.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 455—An act making appropriations for the support of the government of the State of California for the sixty-ninth and seventieth fiscal years.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

THIRD READING OF ASSEMBLY BILLS—RESUMED.

Assembly Bill No. 671—An act to amend section 1565 of the Political Code, relating to fees for teachers' certificates and disposition of moneys heretofore received for same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 671 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Carr, W. J., Chamberlin, Chandler, Cronley, Dobson, Lewis, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, King, Lyon, Maddux, Nealon, Rominger, Rush, Scott, Shearer, Slater, and Tyrrell—26.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF COMMITTEE ON FREE CONFERENCE.

SENATE CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: Your Committee on Free Conference concerning Senate Bill No. 1194—An act to amend sections 3, 6 and 7 of an act entitled "An act to authorize and empower the board of trustees of the San Francisco State Normal School to sell or exchange and convey the lands and buildings of said school, to acquire by purchase, gift, condemnation or otherwise a new site for said school and to erect thereon buildings suitable and appropriate thereon, or to remove or reconstruct any buildings theretofore erected on the site so purchased or acquired and to purchase therefor necessary and desirable furniture and equipment, to create a fund into which shall be paid the proceeds of the sale of the present school property and making an appropriation to carry out the purposes of this act," approved January 11, 1916, and to add a new section thereto to be numbered section 8—report that we have met a like committee of the Assembly, consisting of Assemblymen Ryan, Marks, and Hilton, and we report that the Free Conference Committee agreed upon and recommend that Senate Bill No. 1194 be amended as follows:

On line 17, page 2, of the amended bill, strike out the period and insert in lieu thereof a semicolon, followed by the words "*provided* that no part of the money appropriated herein from the general fund of the state treasury shall be used for the erection of buildings or the making of improvements until any existing structures on

[illegible]

[illegible]
[illegible]
[illegible]
Senate Committee on Free Conference.
[illegible]
[illegible]
[illegible]
Assembly Committee on Free Conference.

The question being on the adoption of the report of the Committee on Free Conference and the amendments.

The roll was called, and the report of the Committee on Free Conference and the amendments adopted by the following vote:

Ayes—Senators [illegible]

Noes—Senators [illegible]

MESSAGE FROM THE ASSEMBLY

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference [illegible] Senate Bill No. 1294 [illegible]

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

Senate Bill No. 1294 ordered to print and [illegible].

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly [illegible]

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS

The Senate took up for consideration Assembly Amendments to Senate Bill No. 761—An act to repeal sections [illegible] and [illegible] of the Political Code, and to amend sections [illegible] 2928b, 2928d, [illegible] 1955, 1956, 1957, [illegible]

2022, 2023, 2024, 2026, 2079, 2086, 2107, 2111, and 2112, of the Political Code, all relating to the National Guard of the State of California.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SEVEN HUNDRED SIXTY-ONE.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 25 of the line, strike out the parentheses and insert in lieu thereof the words "two thousand eighty-six,".

AMENDMENT NUMBER TWO.

On page 4 of the printed bill, in line 10, strike out the word "chief" immediately preceding the word "clerk", and insert in lieu thereof the word "auditing".

AMENDMENT NUMBER THREE.

On page 15 of the printed bill, in line 3, strike out the parentheses and insert in lieu thereof the following:

SEC. 38. Section two thousand eighty-six of the Political Code is hereby amended to read as follows:

2086. There shall be allowed and paid out of the general fund in the state treasury to officers, clerks and other employees in the adjutant general's department, the following annual salaries, payable monthly: To the adjutant general of the military records department, one thousand dollars per annum; to the quartermaster general, one thousand five hundred dollars per annum; to the inspector general, one thousand five hundred dollars per annum; to the auditing clerk, one thousand five hundred dollars per annum; three clerks, one thousand seven hundred dollars per annum each; one stenographer and clerk, one thousand five hundred dollars per annum; one military storekeeper, one thousand one hundred dollars per annum; one assistant military storekeeper and porter, nine hundred dollars per annum.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 761?

The roll was called, and Assembly amendments to Senate Bill No. 761 refused concurrence by the following vote:

AYES—Senator Stone—1.

NOES—Senators Benson, Breed, Brown, Burnett, Carr, E. M., Carr, W. J., Chambers, Chandler, Cosgrove, Dennett, Evans, Finkelnburg, Hans, Ingram, Inman, Irwin, Johnson, King, Lane, McDonald, Madden, Nejedly, Pulliam, Rigdon, Rominger, Rush, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—31.

Senate Bill No. 761 ordered transmitted to the Assembly.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following report of standing committee was received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 1269—An act to appropriate money for the development and furnishing of an adequate water supply to Napa State Hospital—has had the same under consideration and respectfully reports the same back and recommends that it do pass.

CHANDLER, Chairman.

Assembly Bill No. 1269 ordered on file for second reading.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 820—An act to add a new section to the Political Code to be numbered 1618a, providing for transportation and separate classrooms for crippled school children.

Bill read third time.

The question being on the passage of the bill.

The roll was called and [illegible] 1[illegible] passed by the following vote:

[illegible]

Title read and approved.

Bill entered Documentary by the Assembly.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. [illegible]

[illegible]

[illegible]

Resolution read.

The question being on the adoption of the resolution

The roll was called, and Assembly Concurrent Resolution No. [illegible] adopted by the following vote:

AYES—Senators [illegible]

NOES—None.

This resolution was adopted.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. [illegible] to add to section [illegible] of the Code of Civil Procedure, relating to fees of hearing motions for new trial.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

AYES—Senators [illegible]

NOES—None.

This bill was duly approved.

Bill ordered transmitted to the Assembly.

[illegible]

[illegible]

42, 43, 44, 45, 46, 47, 48, 49, 50, 58 and 59 of said Chapter 176, Statutes of 1913 [illegible]

[illegible]

Senate Committee on Conference.

MANNING,
SMITH,
[illegible],
Assembly Committee on Conference.

Report read.

The question being on the adoption of the report and the concurrence in the Assembly amendments to Senate Bill No. 818.

The roll was called, and the report adopted and the Assembly amendment to Senate Bill No. 818 concurred in by the following vote:

AYES—Senators [illegible]

NOES—None.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Conference appointed to consider Senate Bill No. 818, An act to [illegible] 14, 15, 16, 17, 18, [illegible] 34, 35, [illegible] 70, 71, 72, 73, 74, 75, [illegible] Chapter 176, Statutes of 1913, [illegible] 42, 43, 44, 45, 46, 47, 48, 49, [illegible] and [illegible] of said Chapter 176, Statutes of 1913.

E. G. [illegible], Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

Senate Bill No. 818 ordered to enrollment.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 570—An act to amend section 17[illegible] of the Political Code, relating to the organization of intermediate school courses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 576 passed by the following vote:

AYES—Senators Benson, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Johnson, Jones, Kehoe, King, Luce, McDonald, Nealon, Rush, Scott, and Tyrrell—24.

NOES—Senators Irwin, Maddux, Purkitt, Sharkey, Shearer, Slater, and Stuckenbruck—7.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 672—An act to provide for the recall of grammar school trustees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 672 refused passage by the following vote:

AYES—Senators Carr, W. J., Crowley, Gates, Inman, Johnson, Jones, Kehoe, Luce, and Maddux—9.

NOES—Senators Benson, Burnett, Canepa, Carr, F. M., Chandler, Evans, Flaherty, Hans, Ingram, Irwin, McDonald, Purkitt, Rush, Scott, Sharkey, Shearer, Slater, and Stuckenbruck—18.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 999—An act to add a new section to the Political Code, to be numbered 1617c, relating to the sale or leasing of school property by boards of trustees of common school districts and by boards of education in city school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 999 passed by the following vote:

AYES—Senators Canepa, Chamberlin, Crowley, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Rush, Sharkey, Slater, Stuckenbruck, and Tyrrell—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 625—An act to amend sections 1817 and 1818 of the Political Code, relating to the county school tax.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 625 passed by the following vote:

AYES—Senators Benson, Burnett, Canepa, Carr, F. M., Chamberlin, Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Rush, Sharkey, and Stuckenbruck—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 622—An act to add a new section to the Political Code, to be numbered 1673*a*, relating to the maximum number of pupils which may constitute a class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 622 passed by the following vote:

Ayes—Senators Beban, Brown, Chrisman, Cluff, Cory, E. M. Cottrell, Crump, Dennis, Evans, Flaherty, Gates, Ingram, Jones, Lewis, Johnson, Lane, Wolfe, Lipe, Lyon, McDonald, Stanley, Rush, Shearer, and Stephens—23.

Noes—Senators Chandler, Ellis, and Wyman—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1181—An act to add a new section to the Political Code of the State of California, to be numbered section 1002c, relating to the course of study in commonwealth schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1181 passed by the following vote:

Ayes—Senators Brown, Chrisman, Cluff, Cory, E. M. Cottrell, Crump, Dennis, Evans, Flaherty, Gates, Ingram, Johnson, Jones, Lewis, Lane, Lipe, Lyon, McDonald, Meikle, Nutter, Stanley, Rush, Shearer, Wolfe, and Wyman—24.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1411—An act to amend section 1506 of the Political Code, relating to the compensation of deputy school superintendents.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1411 passed by the following vote:

Ayes—Senators Beban, Brown, Chrisman, Crump, Dennis, Evans, Wolfe, Ellis, Lewis, Johnson, Jones, Lane, Lipe, Lyon, McDonald, Meikle, Nutter, Stanley, Rush, Shearer, Stephens, Wyman, and Cluff—23.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1401—An act to amend section 192 of the Code of Civil Procedure, relating to the trial of issues of fact and the disposal of issues of law.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1401 refused passage by the following vote:

Ayes—Senators Beban, Crump, Cluff, and Flaherty—4.

Noes—Senators Brown, Cory, W. E. Chandler, Chrisman, Dennis, Evans, Gates, Ingram, Jones, Lewis, Johnson, Lane, Lipe, Nutter, Wolfe, Lyon, McDonald, Meikle, Nutter, Parkin, Rominger, Rush, Stanley, Shearer, and Stephens—21.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1282—An act to amend section 270 of the Code of Civil Procedure of the State of California, relating to testimonials and examination before District Court of Appeals.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1282 passed by the following vote:

AYES—Senators Benson, Barnett, Canepa, Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Fisherty, Ingram, Irwin, Jeppson, Luce, Lyon, Maddux, Nealon, Purkitt, Rominger, Rush, Slater, Stuckenbruck, and Thompson—22.
NOES—Senator Sharkey—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1460—An act to amend sections 4 and 5 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries and providing for the government, management and control thereof," approved May 1, 1911, as amended.

Bill read third time.

The question being on the passage of the bill,

The roll was called, and Assembly Bill No. 1460 passed by the following vote:

AYES—Senators Breed, Canepa, Carr, F. M., Carr, W. J., Chamberlin, Crowley, Duncan, Evans, Gates, Ingram, Irwin, Johnson, Jones, Luce, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Thompson, and Tyrrell—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1378—An act to amend section 1617c, of the Political Code, relating to kindergartens.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1378 passed by the following vote:

AYES—Senators Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Gates, Ingram, Irwin, Johnson, Jones, Luce, Maddux, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, and Tyrrell—24.
NOES—Senator Nealon—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY—OUT OF ORDER.

On motion of Senator Benson, the following messages from the Assembly were taken up and read out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT—I am directed to inform your honorable body that the Assembly on this day respectfully refused to recede from its amendments to Senate Bill No. 761—An act to repeal sections 1959 and 2027 of the Political Code, and to amend sections 1918, 1919, 1924, 1925, 1926, 1927, 1928a, 1928b, 1928d, 1929, 1930, 1931, 1932, 1932a, 1933, 1934, 1951, 1953, 1954, 1955, 1956, 1957, 1958, 1960, 1980, 1982, 2006, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2026, 2079, 2086, 2107, 2111, and 2112, of the Political Code, all relating to the national guard of the State of California—and appointed Assemblymen Ambrose, Marks and Mouser as a Committee of Conference to meet a like committee from the Senate.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONFERENCE ON DISAGREEING ON [illegible]

The Acting President announced the appointment of Senators Remington, Crowley, and Slater on a Committee on Conference to meet with a like committee from the Assembly to consider Assembly amendments to Senate Bill No. 761.

[illegible] BILLS—[illegible]

Assembly Bill No. 992—An act to amend section 1496 of the Political Code, relating to the duties of Boards of [illegible]

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 992 passed by the following vote:

AYES—Senators Brown, Cronin, Esty, W. J. Chandler, Crawford, Dunn, Flaherty, Fogarty, Gibson, Jones, Kelsey, Lee, McDonald, Mathews, Parkes, Remington, Roth, Seely, Slater, Stephenson, Thomson, and Wyllie—20.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1174—An act to amend section 1447 of the Political Code, relating to the duties of the Superintendent of Public Instruction.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1174 passed by the following vote:

AYES—Senators Brown, Cronin, Esty, W. J. Chandler, Crawford, Dunn, Flaherty, Gibson, Fogarty, Kelsey, Jones, Lee, Kelly, Lewis, McDonald, Mathews, Mitchell, Parkes, Remington, Roth, Seely, Slater, Stephenson, Thomson, and Wyllie—20.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ADJOURNMENT.

At eight o'clock and forty-five minutes a.m., in memory of Senator Benson, the Acting President declared the Senate to adjourn until the hour of eight o'clock and forty-five minutes a.m.

[illegible]

At eight o'clock and forty-six minutes a.m., the Senate convened.

Senator Gates, Acting President, in the chair.

Assistant Secretary J. W. Kleasagé at the desk.

REPORT OF CONFERENCE ON DISAGREEMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: Your Committee of Conference concerning Senate Bill No. 761—An act to repeal sections 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 2666, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 2680, 2681,

2111, and 2112 of the Political Code, all relating to the national guard of the State of California—reports that we have met a like committee of the Assembly, consisting of Assemblymen Anderson, Marks and Monson, and we report that the Committee of Conference can not agree and recommends that a Committee of Free Conference be appointed.

SLATER,
Chairman of Committee of Conference of the Senate.

COMMITTEE ON FREE CONFERENCE: APPOINTED.

The President pro tempore announced the appointment of Senators Scott, Inman and Burnett as a Committee on Free Conference to meet with a like committee from the Assembly for the consideration of Senate Bill No. 761.

The Secretary was directed to notify the Assembly of the Senate's appointment of Committee on Free Conference.

MESSAGES FROM THE ASSEMBLY—OUT OF ORDER.

On motion of Senator Beban, the following messages from the Assembly were taken up and read out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that pursuant to the provisions of the Concurrent on Conference on Senate Bill No. 768 the Speaker of the Assembly has on this day appointed Assemblymen Woolard, Wright and Edwards as a Committee on Free Conference to meet a like committee of your honorable body to further consider Senate Bill No. 761—An act to repeal sections 1959 and 2027 of the Political Code, and to amend sections 1918, 1919, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1951, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1962, 2008, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2026, 2079, 2080, 2107, 2111 and 2112 of the Political Code, all relating to the National Guard of the State of California.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1124—An act to amend an act entitled "An act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production of sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter and oleomargarine; to regulate the business of producing and selling dairy products, manufactured or renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the payment of expenses thereof and appropriating money therefor and to repeal section 17 of an act approved March 4, 1897, entitled 'An act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor,' and to repeal all acts and parts of acts inconsistent with this act, approved April 21, 1911," and the act amendatory thereof, approved May 4, 1915, by amending sections 29 and 35 thereof, and by adding three new sections thereto, to be numbered sections 30a and 30b, relating to containers of milk and cream and the transportation thereof, and 30c, relating to the manufacture and sale of associated dairy products; and to repeal all acts and parts of acts inconsistent with this act:

Also, To Assembly Bill No. 292—An act to repeal section 2 of an act entitled "An act granting to the city of Berkeley the tide lands, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Berkeley, and regulating the management, use and control thereof," approved June 11, 1913, also approved May 27, 1915.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1012—An act to

[illegible]

Also:

[illegible]

Also:

[illegible]

Also:

[illegible]

CONSIDERATION OF ASSEMBLY AMENDMENTS

The Senate took up for consideration Assembly amendments to Senate Bill No. 584—An act creating a state land authority board and defining its powers and duties and making an appropriation in aid of its operations.

ASSEMBLY AMENDMENT TO SENATE BILL NO. 584 [illegible] BOARD

[illegible]

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 584?

The roll was called, and Assembly amendments to Senate Bill No. 584 concurred in by the following vote:

Ayes—Senators [illegible]—29.
Noes—None.

Senate Bill No. 584 ordered to enrollment.

Also:

Assembly Chamber, Sacramento, April 27, 1917.

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 716: [illegible]

Also, Senate Bill No. 827: [illegible]

Also, Senate Bill No. 844: [illegible]

[illegible], Chief Clerk of Assembly.
By [illegible], Assistant Clerk.

Senate Bills Nos. 716, 827 and 844 ordered to enrollment.

REPORTS OF COMMITTEES OF FREE CONFERENCE.

Senate Chamber, Sacramento, April 27, 1917.

Mr. President: Your Committee on Free Conference concerning Senate Bill No. [illegible]

[illegible]

SCOTT
INMAN
BENNETT
Senate Committee on Free Conference.

WISHARD
EDWARDS
WRIGHT
Assembly Committee on Free Conference.

The question being on the adoption of the report of the Committee on Free Conference and the adoption of the amendment.

The roll was called, and the report and amendment adopted by the following vote:

Ayes—Senators [illegible]—27.
Noes—None.

[illegible]

The following message from the Assembly was taken up and read:

[illegible]

Mr. President: I am directed to inform your Honorable body that the Assembly at this day concurred in the report of the Committee on Free Conference on Assembly Bill No. [illegible] and to request concurrence in the action of the Assembly thereon. [illegible]

[illegible]

Senate Bill No. [illegible] ordered to final enrollment.

[illegible]

At eight o'clock and forty-nine minutes a.m., on motion of Senator Benson, the acting President declared the Senate to recess until the hour of eight o'clock and fifty-one minutes a.m.

[illegible]

At eight o'clock and fifty-one minutes a.m., the Senate reassembled. Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Assistant Secretary J. W. Kennedy at the desk.

[illegible]

On motion of Senator Benson, the following messages from the Assembly were taken up and read, out of the regular order:

[illegible]

Mr. President: I am directed to inform your Honorable body that the Assembly at this day concurred in the report of the Committee on Enrollment on Senate Bill No. [illegible] and to request concurrence in the action of the Assembly thereon. [illegible]

[illegible]

Senate Bill No. 1019 ordered to enrollment.

Also:

[illegible]

Mr. President: I am directed to inform your Honorable body that the Assembly at this day concurred in the report of Senate Amendments to Assembly Bill No. [illegible] and to request concurrence in the action of the Assembly thereon. [illegible]

[illegible]

The question being: Shall the Senate concur in Senate amendments to Assembly Bill No. [illegible]

The roll was called, and the Senate refused to recede from its amendments to Assembly Bill No. 287 by the following vote:

AYES—None.
NOES—Senators Ballard, Benson, Breed, Carr, F. M., Carr, W. J., Chamberlin, Chandler, Evans, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, Luce, Lyon, McDonald, Maddux, Nealon, Rominger, Rush, Scott, Shearer, Slater, Stuckenbruck, and Tyrrell—27.

Assembly Bill No. 287 ordered transmitted to the Assembly.

REPORT OF COMMITTEE ON CONFERENCE.

SENATE CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: Your Committee on Conference concerning Assembly Bill No. 546—An act prohibiting the marriage of all persons afflicted with certain diseases and requiring health certificates for marriage, requiring the posting of notice of application for a marriage license, and prescribing penalties for violations hereof—reports that we have met a like committee of the Assembly, consisting of Assemblymen Baldwin, Ream and Finley, and we recommend that the Assembly do concur in the Senate amendments.

JONES,
SHEARER,
EVANS,
Senate Committee on Conference.

BALDWIN,
REAM,
FINLEY,
Assembly Committee on Conference.

Report read.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, F. M., Carr, W. J., Chandler, Ingram, Inman, Irwin, Johnson, Kehoe, Luce, Lyon, McDonald, Maddux, Nealon, Rominger, Rush, Scott, Slater, Stuckenbruck, Thompson, and Tyrrell—23.
NOES—None.

MESSAGE FROM THE ASSEMBLY—OUT OF ORDER.

On motion of Senator Benson, the following message from the Assembly was taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused to adopt the report of the Committee of Conference on Assembly Bill No. 546—An act prohibiting the marriage of all persons afflicted with certain diseases and requiring health certificates for marriage, and prescribing penalties for violations hereof—and appointed Assemblymen Wishard, Lyon, C. W., and Gebhart as a Committee of Free Conference to meet a like committee from the Senate.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

APPOINTMENT OF COMMITTEE OF FREE CONFERENCE.

The President pro tempore announced the appointment of Senators Carr, W. J., Purkitt, and Luce as a Committee on Free Conference to meet with a like committee from the Assembly for the consideration of Assembly Bill No. 546.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Constitutional Amendment No. 16—A resolution proposing to the people of the State of California, an amendment to the Constitution of the State of California, by adding a new section to Article XI thereof, to be designated as section 20, of said Article XI, of the Constitution of the State of California,

[illegible]

[illegible]

[illegible]

Senate Concurrent Resolution No. [illegible] and Senate Concurrent Amendment No. [illegible] ordered to engrossed.

Also:

[illegible]

Mr. Chairman: I am [illegible] [illegible]

[illegible]

Senate Bill No. [illegible] ordered to engrossed.

Also:

[illegible]

Mr. Pomeroy: I am [illegible]

[illegible]

Senate Bill No. [illegible] ordered to engrossed.

Also:

[illegible]

Mr. Pomeroy: I am [illegible]

[illegible]

Also:

[illegible]

Mr. Pomeroy: I am [illegible]

[illegible]

The question being: Shall the Senate recede from Senate amendments to Assembly Constitutional Amendment No. [illegible]

The roll was called, and the Senate refused to recede from Senate amendments to Assembly Constitutional Amendment No. [illegible] the following vote:

Ayes—Nays

Noes—Senators Ballard, Brown, Powell, Cory, E. M. Clark, W. J. Chapman, Peters, Flaherty, Gates, Hare, [illegible]

[illegible]

Lyon, McDonald, Maddux, Nealon, Rigdon, Rominger, Scott, Sharkey, Shearer, Slater, and Tyrrell—28.

Assembly Constitutional Amendment No. 1 ordered transmitted to the Assembly.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The President pro tempore announced the appointment of Senators Gates, Evans, and Carr, F. M., as a committee to consider Senate amendments to Assembly Constitutional Amendment No. 1.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The President pro tempore announced the appointment of Senators Scott, Slater, and Inman as a committee to consider Senate amendments to Assembly Bill No. 287.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Bill No. 1282—An act to amend section 276 of the Code of Civil Procedure, relating to testimonials and examination before district courts of appeal—and requests that your honorable body recede therefrom.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

The question being: Shall the Senate recede from Senate amendments to Assembly Bill No. 1282?

The roll was called, and the Senate refused to recede from Senate amendments to Assembly Bill No. 1282 by the following vote:

AYES—None.

NOES—Senators Ballard, Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nealon, Purkitt, Rominger, Rush, Scott, Sharkey, Shearer, Slater, Stuckenbruck, and Tyrrell—31.

Assembly Bill No. 1282 ordered transmitted to the Assembly.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Speaker of the Assembly on this day appointed Assemblymen Perkins, J. A., and Lyon, C. W., and Doran as a Committee on Conference to meet a like committee of the Senate to consider amendments to Assembly Bill No. 287—An act to amend section 3 of an act entitled "An act to regulate and license the hunting of game birds and animals, and to provide revenue therefrom for game and fish propagation and restoration," approved March 22, 1909.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The President pro tempore announced the appointment of Senators Ballard, Maddux and Benson as a Committee on Conference, to meet with a like committee from the Assembly to consider Senate amendments to Assembly Bill No. 1282.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused to concur in Senate amendments Nos. 1, 2 and 4 to Assembly Bill No. 126—An act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered five hundred thirty-four, relating to actions concerning water rights—and respectfully requests that your honorable body recede therefrom.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

[illegible]

The question being: Shall the House concur [illegible] amendments 1, 2 and 4 to Assembly Bill No. [illegible]?

The roll was called, and the House [illegible] amendments 1, 2 and 4 to Assembly Bill No. [illegible] by the following vote:

Ayes—Senators Bishop, [illegible] (Total—[illegible]).

Noes—None.

[illegible]

At eight o'clock and fifty-three minutes a.m. Senator Trowell of the Sixteenth District was called to the chair.

[illegible]

Assembly Bill No. [illegible]—An act to amend section [illegible] of the Code of Civil Procedure, relating to the [illegible] of a [illegible].

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators Bishop, [illegible] (Total—[illegible]).

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An act to amend section [illegible] of the Code of Civil Procedure, relating to the holding of inquiries [illegible] judges or other [illegible] and providing for their [illegible] expenses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators [illegible] (Total—[illegible]).

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

[illegible]

On motion of Senator [illegible], the following message from the Assembly was taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am [illegible] to inform your honorable body that the Assembly [illegible] and on this day adjourn to assemble [illegible] Assembly.

No. 30—A resolution to propose to the people of the State of California to amend section 21 of Article XX of the Constitution, relative to workmen's compensation—and respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Constitutional Amendment No. 30—An act to amend sections 1 and 9 of an act entitled "An act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records," approved June 16, 1906, and acts amendatory thereof or supplemental thereto, by extending the application of said act to real property, when the records covering the period when said real property was in another county have been destroyed among the records of such other county, and to provide for notice of the pendency of actions brought under the provisions hereof.

ASSEMBLY AMENDMENTS TO SENATE CONSTITUTIONAL AMENDMENT NUMBER THIRTY.

AMENDMENT NUMBER ONE.

On page 2, lines 27 and 28, of the printed bill, strike out the words "unlimited by any other provision of this constitution".

AMENDMENT NUMBER TWO.

On page 2, line 35, strike out the period after the word "it" and insert a semicolon and the following words: "*provided*, that all decisions of any such tribunal shall be subject to review by the appellate courts of this state."

The question being: Shall the Senate concur in Assembly amendments to Senate Constitutional Amendment No. 30?

The roll was called, and Assembly amendments to Senate Constitutional Amendment No. 30 concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Chandler, Duncan, Evans, Gates, Hans, Ingram, Johnson, Kehoe, Lane, Lyon, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—27.
NOES—None.

Senate Constitutional Amendment No. 30 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT—I am directed to inform your honorable body that the Speaker of the Assembly on this day appointed Assemblymen Wright, Ameriich and Anderson as a Committee on Conference to meet a like committee of the Senate to consider amendments to Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section one of article two thereof, relating to the right of suffrage.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT—I am directed to inform your honorable body that the Speaker of the Assembly on this day appointed Assemblymen Dennett, Golder, and Rose as a Committee on Conference to meet a like committee of the Senate to consider amendments to Assembly Bill No. 1282—An act to amend section 276 of the Code of Civil Procedure, relating to testimonials and examination before district courts of appeal.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

THIRD READING OF ASSEMBLY BILLS—(Continued).

Assembly Bill No. [illegible]—An act authorizing the board of trustees of the Whittier State School to maintain a department for the clinical diagnosis of inmates of the school and other state institutions, and to inquire into the causes and consequences of delinquency and mental deficiency, and related problems.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators [illegible], Carr, E. M., Carr, W. J., [illegible] and Tyrrell—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An act to amend sections [illegible] of the Political Code, relating to the holding of school elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators [illegible], Carr, W. J., [illegible] and Tyrrell—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF COMMITTEE ON CONFERENCE.

Senate Chamber, Sacramento, April 27, 1917.

Mr. President: Your Committee on Conference concerning Assembly Bill No. [illegible]—An act to amend section [illegible] of an act entitled "An act to [illegible] the hunting of wild game [illegible]" [illegible] recommends that a Committee on Free Conference be appointed.

PETTIS, J. C.,
[illegible],
[illegible], C. W.,
Assembly Committee on Conference.

INMAN,
SLATER,
SCOTT,
Senate Committee on Conference.

Report read.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

Ayes—Senators [illegible], Carr, E. M., Carr, W. J., [illegible] and Tyrrell—27.

Noes—Senator Parker—1.

REPORT OF COMMITTEE OF FREE CONFERENCE.

SENATE CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: Your Committee on Free Conference concerning Assembly Bill No. 546, "An act prohibiting the marriage of any persons afflicted with certain diseases and requiring health certificates for marriage and prescribing penalties for violations hereof," reports that we have met as the committee of the Assembly consisting of Assemblymen Wishard, Lyon, C. W., and Gebhart, and we report that the Free Conference Committee agreed upon and recommends that the following amendments be adopted:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended April 2, in line 3 of the title, strike out the words "and requiring health certificates for marriage,".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 10, inclusive, and all of page 2 and insert in lieu thereof the following:

SECTION 1. Any person who enters into a contract of marriage while he is afflicted with syphilis, gonorrhoea, leprosy, or tuberculosis in the contagious or transmissible stages and has knowledge that he is so afflicted is guilty of a felony and shall be punished by imprisonment in the state prison for not less than one year nor more than five years.

SEC. 2. In any action brought for a violation of any provision hereof, the husband or wife shall be a competent witness for or against the other without the consent of the latter.

LUCE,
CARR, W. J.
PURKITT,
Senate Committee on Free Conference.

LYON, C. W.
GEBHART,
WISHARD,
Assembly Committee on Free Conference.

The question being on the adoption of the report of the Committee on Free Conference and the amendments.

The roll was called, and the report of the Committee on Free Conference and the amendments adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Carr, F. M., Carr, W. J., Chandler, Evans, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, Lyon, McDonald, Maddux, Nordin, Rominger, Rush, Scott, Sharkey, Slater, and Thompson—26.

NOES—Senators Burnett, Purkitt, and Tyrrell—3.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 709—An act to amend sections 1 and 2 of an act entitled "An act to secure the payment of the claims of materialmen, mechanics, or laborers, employed by contractors upon state, municipal or other public work," approved March 27, 1897, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 709 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Chandler, Crowley, Evans, Gates, Hans, Ingram, Inman, Irwin, Johnson, Kehoe, Luce, Lyon, Maddux, Nordin, Purkitt, Rigdon, Rominger, Rush, Scott, Sharkey, Slater, Stephenbeck, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 286—An act to amend section 329 of the Civil Code relating to dividends of corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 286 passed by the following vote:

[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

[illegible]

Senate Chamber, Sacramento, April 27, 1915.

Mr. President: Your Committee on Conference concerning Assembly Constitutional Amendment No. 1 [illegible] on the passage of the Senate of Assembly Constitutional Amendment No. 1 [illegible] of Article II thereof, relating to the right of intelligent women that we have met the committee of the Assembly concerning said Senate Constitutional Amendment and Assembly and we report that the Conference Committee is unable to agree, and recommend that a Committee on Free Conference be appointed.

[illegible]

[illegible]

[illegible]

Senate Committee on Conference.

Report read.

The question being on the adoption of the report.

The roll was called and the report adopted by the following vote:

[illegible]

Noes—None.

[illegible]

The acting President announced the appointment of Senators Carter, W. J. Kemp and Ballard, as a Committee on Free Conference to meet with a like committee from the Assembly for the consideration of Assembly Constitutional Amendment No. 1.

[illegible]

The acting President announced the appointment of Senators Carter, McDonald and Stephenson, as a Committee on Free Conference to meet with a like committee from the Assembly for the consideration of Assembly Bill No. 287.

[illegible]

Assembly Bill No. 184—An act to amend section 11 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and to

that behalf, to create a state civil service commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913.

Bill read third time.

The question being on the passage of the bill,

The roll was called, and Assembly Bill No. 184 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, E. M., Crowley, Duncan, Evans, Gates, Ingram, Johnson, King, Lee, Lyon, McDonald, Parkes, Rigdon, Scott, Sharkey, Thompson, and Tyrrell—21.

NOES—Senators Carr, W. J., Chandler, Inman, Irwin, Kehoe, and Shearer—6.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that, pursuant to the recommendation of the Committee on Conference on Assembly Bill No. 287, the Speaker of the Assembly has on this day appointed Assemblymen Burke, Morris and Martin as a Committee on Free Conference to meet a like committee of your honorable body to further consider Assembly Bill No. 287—An act to amend section 3 of an act entitled "An act to regulate and license the hunting of wild birds and animals, and to provide revenue therefrom, for game and fish preservation and restoration," approved March 22, 1909.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that, pursuant to the recommendation of the Committee on Conference on Assembly Constitutional Amendment No. 1, the Speaker of the Assembly has on this day appointed Assemblymen Barnett, Elkwood and Musser as a Committee on Free Conference to meet a like committee of your honorable body to further consider Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 1 of Article II thereof, relating to the right of suffrage.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

LEAVE OF ABSENCE.

At nine o'clock a.m. Senator Lyon was, on motion of Senator Burnett, granted leave of absence for the balance of this legislative day.

REPORT OF COMMITTEE ON CONFERENCE.

SENATE CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: Your Committee on Conference concerning Assembly Bill No. 1282—An act to amend section 276 of the Code of Civil Procedure, relating to testimonials and examination before district courts of appeal—reports that we have met a like committee of the Assembly, consisting of Assemblymen Gelder, Rose and Dennett, and we report that the Conference Committee agrees to the following report: That the Assembly concurs in the Senate amendments.

BALLARD,
BENSON,
MADDUX,
Senate Committee on Conference.

[illegible]

Assembly Bill No. [illegible]—An act to amend section [illegible] of the Political Code, relating to salaries of superior judges.

Bill read third time.

[illegible]

During third reading of Bill, Senator Kelley moved to refer Assembly Bill No. [illegible] to Senator Wood, as a Special Committee of One, by amend as follows:

[illegible]

On page 1, line [illegible] of the printed bill after the word [illegible] the word "Judge."

Motion carried.

[illegible]

Mr. President: Your Special Committee of One to [illegible] Assembly Bill No. [illegible] [illegible] recommend [illegible] passing as per indorsement.

[illegible] Special Committee.

Report read, and on motion of Senator Kelley, adopted.

Bill ordered to print.

Assembly Bill No. 1000.—An act to amend section [illegible] of the Political Code of the State of California, relating to the powers and duties of the Attorney General.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1000 passed by the following vote:

Ayes: [illegible]

Noes: None.

Title read and approved.

Bill ordered transmitted to the Assembly.

[illegible]

Assembly Bill No. 1209.—An act to amend section [illegible] of an act entitled "An act to be known as the Juvenile Court Law and concerning persons under the age of twenty-one years, and in certain cases providing for their care, conduct and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment for adjudicated wards, crimes have been committed by such persons; providing for the punishment of those

guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1259 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Carr, W. J., Duncan, Gates, Ingram, Irwin, Johnson, Jones, Kehoe, Luce, McDonald, Maddux, Nealon, Purkitt, Rigdon, Rominger, Rush, Scott, Shearer, Slater, Thompson, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1455—An act to amend section 718 of the Civil Code, relating to limits of certain leases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1455 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Chandler, Crowley, Duncan, Evans, Gates, Ingram, Inman, Johnson, Jones, Kehoe, Luce, McDonald, Maddux, Nealon, Purkitt, Rominger, Rush, Scott, Shearer, Slater, Stockenbruck, Thompson, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1352—An act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1352 passed by the following vote:

AYES—Senators Ballard, Breed, Burnett, Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Maddux, Rigdon, Rominger, Rush, Scott, Shearer, Slater, Thompson, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1467—An act to add a new section to the Civil Code, to be numbered 1861*a*, relating to liens of keeper of furnished apartment houses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1467 passed by the following vote:

AYES—Senators Ballard, Benson, Breed, Burnett, Carr, W. J., Chandler, Crowley, Evans, Hans, Ingram, Inman, Irwin, Jones, Kehoe, McDonald, Maddux, Nealon, Rigdon, Rominger, Scott, Shearer, Slater, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 944.—An act to provide for a bounty for [illegible] lion scalps.

On motion of Senator Stetler, Assembly Bill No. 944 ordered to unfinished business.

Assembly Bill No. 1319.—An act to amend section [illegible] of the Penal Code, relating to bounty officers in possession of the south class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1319 passed by the following vote:

Ayes—Senators Bulkley, Flaherty, Hewitt, Rominger, Lewis, [illegible] Crowley, Dwinelle, Fisher, Kingsley, Hyde, Johnson, Thomas, Irwin, Johnson, Sanborn, Rigdon, McCoppin, Stetler, Wolfe, Hewitt, Rominger, Sanborn, Stetler, Wolfe, Thomas, and Irwin—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

[illegible]

Resolved, That the Senate Journal be and the [illegible] hereby [illegible] the [illegible] of Senate Bill No. [illegible] and the Senate Journal and Assembly Journal [illegible] of Senate Bill No. [illegible] and the Senate Journal and Assembly Journal [illegible] in addition to the [illegible] provided for this [illegible] [illegible] and a short [illegible] [illegible] for the [illegible] of the bills.

One thousand copies of each bill when so [illegible] to Senator Rominger for distribution, and two thousand copies of each bill when so [illegible] to the Commission of Immigration and Housing of California for distribution.

Resolution referred to Committee on Unfinished Business.

[illegible]

Assembly Bill No. 873.—An act to amend section [illegible] of the Penal Code, relating to the salaries, fees and expenses of officers in counties of the thirty-eighth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 873 passed by the following vote:

Ayes—Senators Bulkley, Francis, Hewitt, Rominger, Lewis, [illegible] Crowley, Dwinelle, Fisher, Hyde, Johnson, Thomas, Irwin, Johnson, Sanborn, Rigdon, McCoppin, Stetler, Wolfe, Kingsley, Rominger, Sanborn, Stetler, Wolfe, Thomas, and Irwin—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF COMMITTEE ON FINE ARTS.

SENATE CHAMBER, SACRAMENTO, April [illegible], 1917.

MR. PRESIDENT.—Your Committee on Fine Arts to which Assembly Concurrent Resolution No. [illegible] A resolution to propose to the people of the State of California an amendment to the Constitution of said State by repealing section [illegible] of Article [illegible] relating to the sales of California [illegible] and [illegible] the [illegible] of the Assembly, consisting of Assemblymen Bentley, Elliott and Moore, and the Fine Arts Committee of the Senate, [illegible] upon and recommends the adoption of the following amendment:

AMENDMENT NUMBER ONE.

On page 2, line 14, strike out the words "now has" and insert in lieu thereof the word "had".

AMENDMENT NUMBER TWO.

On page 2, line 15, insert between the word "Vote" and the comma following it the following: "on October 10, 1911".

AMENDMENT NUMBER THREE.

On page 2, line 15, strike out the words "shall be" and insert in lieu thereof the word "was".

AMENDMENT NUMBER FOUR.

On page 2, line 16, strike out the words "at the time this amendment shall take effect" and insert in lieu thereof the following: "on October 10, 1911".

AMENDMENT NUMBER FIVE.

On page 2 of the printed amendment, strike out all of line 16 after the semicolon, and all of lines 17 to 20, inclusive, and insert in lieu thereof the following: "*provided, further*, that the legislature may, by general law, provide for the casting of votes by duly registered voters who, by reason of their occupation, are regularly required to travel about the state and who, by such affidavit as the legislature may prescribe, show that they will be absent from their respective precincts on the day on which any primary or general election is held, or who, by reason of their being engaged in the military or naval service of the United States or of the state other than in the regular army or navy of the United States, may be absent from their respective precincts on the day on which any primary or general election is held; which votes (a) may be cast in the city, city and county or town in which such voters respectively reside and on a day subsequent to one day on which the official ballots for such election have been printed and prior to the date of such election; or (b) may be cast in the city, city and county or town within this state in which such voters may be on the day on which such election is held, under such provisions as the legislature may see fit to make, and shall be forwarded in such manner as the legislature may prescribe to the officers respectively of the city, city and county or town having charge of the counting of the ballots cast at such election; or (c) in cases where said voters are engaged in such military or naval service, may be cast at any place within the United States where not less than fifty such soldiers or sailors are stationed, on the day on which such election is held, under such provisions as the legislature may see fit to make, and shall be forwarded in such manner as the legislature may prescribe to the officers respectively of the city, city and county or town having charge of the counting of the ballots at such election, all of which votes shall be kept in such manner and counted by such method as the legislature may prescribe."

CARR, W. J.
KING,
BALLARD,
Senate Committee on Free Conference.

BARTLETT
EKSWARD
MOUSER
Assembly Committee on Free Conference.

The question being on the adoption of the report of the Committee on Free Conference and the amendments.

The roll was called, and the report of the Committee on Free Conference and the amendments adopted by the following vote:

AYES—Senators Benson, Breed, Burnett, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, McDonald, Maddux, Rigdon, Rominger, Rush, Scott, Shearer, Slater, and Tyrrell—27.

NOES—None.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1253—An act to amend section 4261 of the Political Code, relating to the salaries and fees of officers in counties of the thirty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. [illegible] was passed by the following vote:

Ayes—Senators Burns, Dunn, Gee, [illegible] W., [illegible] J., Chaffee, Chandler, Dennis, Evans, Gibson, Gillis, Hansen, Jacobs, Jones, Dwyer, Johnson, Jones, Kelly, King, McDonald, Morton, Rattigan, Richards, Rose, Rowell, Shelley, Shorb, Swanson, Tyler, Wyatt—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An act to amend section [illegible] of the Political Code, relating to the compensation of county and township officers of counties of the eleventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators Burns, Blood, Dunn, Gee, [illegible] W., Gee, W. J., Chaffee, Chandler, Dennis, Evans, Gibson, Gillis, Hansen, Jacobs, Jones, Dwyer, Johnson, Jones, Kelly, King, McDonald, Morton, Rattigan, Richards, Rose, Rowell, Shelley, Shorb, Swanson, Tyler, Wyatt—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO REPEAT ROLL CALL ON PASSAGE OF TAX BILL

Assembly Bill No. [illegible]—An act to amend section [illegible] of the Political Code, relating to salaries and fees of officers, and fees and mileage of jurors in counties of the thirty-seventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators Burns, Blood, Dunn, Gee, [illegible] W., Gee, W. J., Chaffee, Chandler, Dennis, Evans, Gibson, Gillis, Hansen, Jacobs, Jones, Dwyer, Johnson, Jones, Kelly, King, McDonald, Morton, Rattigan, Richards, Rose, Rowell, Shelley, Shorb, Swanson, Tyler, Wyatt—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

TRANSFER THE SENATE TO THE CLOSE

At nine o'clock and five minutes a.m., Hon. [illegible] H. Jones, President pro tempore of the Senate, in the chair.

Assembly Bill No. [illegible]—An act making an appropriation to pay the claims of various persons and counties against the State of California.

Bill read third time.

ROLL ON THE PASSAGE

The roll was called on the passage of Assembly Bill No. [illegible].

Pending the announcement of the vote, Senator Tyrrell leaved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called and the following answered to their names:

[illegible]

The Secretary announced the absentees.

Time was a clerk and six minutes a.m.

The President, you transport Division the Senatorial Area to view the House.

[illegible]

At hour o'clock and ten minutes a.m., Thirteen proceedings under the call of the Senate were dispensed with, on motion of Senator [illegible].

The Secretary was directed to call the roll on passage of bill of the Senatorial Area, that not answered to their names.

The roll was called and Assembly Bill No. [illegible] finally passed by the following vote:

[illegible]

[illegible]

"[illegible] read and approved.

[illegible] approved to the Assembly.

Assembly Bill No. [illegible] an act to forbid solicitation of contributions or payments from candidates for office for political purposes, to forbid the payment or promise of payment to candidates for such purposes, to forbid receipt of money from candidates for political purposes and fixing a penalty for a violation of the terms of the act.

Bill read third time.

[illegible]

During third reading of bill, Senator Clark, W. J., moved to refer Assembly Bill No. [illegible] to Senator Rock, as a Special Committee of One, to amend as follows:

[illegible]

[illegible]

[illegible]

Motion carried.

[illegible]

Mr. [illegible]: [illegible]

[illegible]

Report read, and the portion of Senate Rule "N-1" adopted.

Bill ordered to be engrossed.

Assembly Bill No. 222—An act making an appropriation for the survey, location and construction of a highway between Somerville in Lassen County and a point on the line between California and Nevada approximately two miles east of Gardnerville in said county.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 222 passed by the following vote:

Ayes—Senators Barlow, Jones, Hansen, Gray, E. M. Cook, M. J. Chappell, Crowley, Dangberg, Dodge, Dunlap, Fennell, Gray, Johnson, Lamb, Lee, McDonald, Neely, Parks, Rhodes, Sawyer, Stone, Swait, Wilson, Wood, Woodbridge, and Young—22.

Nays—None.

Absent—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 241—An act concerning money for the construction of Agricultural Facilities at the State Institution of Youth.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 241 passed by the following vote:

Ayes—Senators Barlow, Hansen, Jones, Gray, Swait, E. M. Cook, M. J. Chappell, Crowley, Dangberg, Dodge, Dunlap, Fennell, Gray, Johnson, Lamb, Lee, McDonald, Neely, Parks, Rhodes, Sawyer, Stone, Swait, Wilson, Wood, Woodbridge, and Young—22.

Nays—Senators Chappell and Jones—2.

Absent—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1941—An act to amend sections 1, 2 and 3 of an act entitled "An act to regulate the conduct of election campaigns and primaries, so act entitled "An act to prevent the purity of elections by regulating the conduct thereof, and to secure the privilege of the suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved February 22, 1893," approved March 19, 1907, as amended by an act approved June 6, 1913.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of bill, Senator Carr, W. J., moved to refer Assembly Bill No. 1341 to Senator Ballard as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, between lines 48 and 49, insert the following:

11. For contribution to state or county central committee or to campaign committee.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 1341, with instructions to amend, respectfully reports the same back, amended as per instructions.

BALLARD, Special Committee.

Report read, and, on motion of Senator Carr, W. J., adopted.

Bill ordered to print.

RECESS.

At nine o'clock and fifteen minutes a.m., on motion of Senator Benson, the President pro tempore declared the Senate at recess until the hour of nine o'clock and twenty minutes a.m.

RECONVENED.

At nine o'clock and twenty minutes a.m., the Senate reconvened. Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Clifton E. Brooks at the desk.

MESSAGES FROM THE ASSEMBLY — OUT OF ORDER.

On motion of Senator Benson, the following messages from the Assembly were taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference appointed to consider Assembly Bill No. 596, An act prohibiting the marriage of all persons afflicted with certain diseases, and requiring health certificates for marriage, and prescribing penalties for violations hereof.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference to consider Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 1 of Article II thereof, relating to the right of suffrage.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Conference to consider Assembly Bill No. 1282, An act to amend section 276 of the Code of Civil Procedure, relating to testimonials and examination before district courts of appeal.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

[illegible]

Mr. [illegible]: [illegible]

Also: The Assembly Bill No. [illegible] [illegible] Clerk.

Also: The Assembly Bill No. [illegible] [illegible] Clerk.

Also: The Assembly Bill No. [illegible] [illegible]

By [illegible], Chief Clerk of Assembly.
By [illegible], Assistant Clerk.

Also:

[illegible]

Mr. [illegible]: [illegible]

By [illegible], Chief Clerk of Assembly.
By [illegible], Assistant Clerk.

Also:

[illegible]

Mr. [illegible]: [illegible]

Also: The Assembly Bill No. [illegible] [illegible]

Also: The Assembly Bill No. [illegible] [illegible]

Also: The Assembly Bill No. [illegible] [illegible]

By [illegible], Chief Clerk of Assembly.
By [illegible], Assistant Clerk.

[illegible]

Assembly Bill No. [illegible]—An act for general purposes [illegible] of all act 5 entitled "An act to [illegible] [illegible] making an appropriation therefor" [illegible] approved May 26, [illegible], as amended.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 971 passed by the following vote:

AYES—Senators Beeson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Johnson, Jones, Kehoe, Luce, Rigdon, Rush, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR SHEARER IN THE CHAIR.

At nine o'clock and twenty-five minutes a.m., Senator Shearer of the Second District was called to the chair.

Assembly Bill No. 1431—An act to amend section 472 of the Political Code, relating to the duties of the Attorney General and the appointment of assistants and deputies in such office.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1431 passed by the following vote:

AYES—Senators Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, Jones, Kehoe, Luce, Rigdon, Rush, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 572—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 572 passed by the following vote:

AYES—Senators Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Irwin, Johnson, Jones, Kehoe, Luce, McDonald, Rigdon, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 861—An act to amend an act known as the "Juvenile Court Law," approved June 5, 1915, by adding a new section thereto to be numbered 23*a*, relating to records of juvenile offenders.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 861 passed by the following vote:

AYES—Senators Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Ingram, Irwin, Johnson, Jones, Kehoe, Luce, McDonald, Rigdon, Rush, Sharkey, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION FOR RECESS UNTIL 8:00 P.M. OF THIS DAY.

LEAVE OF ABSENCE.

At nine o'clock and twenty-seven minutes a.m., Senator Stubblebine was on motion of Senator Slater, granted leave of absence for the balance of this legislative day.

SENATOR TYNDALL IN THE CHAIR.

At nine o'clock and thirty minutes a.m., Senator Tyndall of the Sixteenth District was called to the chair.

Assembly Bill No. 1470—An act to amend sections 304, 377 and 378 of the Civil Code, all relating to certain rights and remedies of stockholders in California corporations.

Bill read third time.

CALL OF THE SENATE.

The roll was called on the passage of Assembly Bill No. 1470.

Pending the announcement of the vote, Senator Kehrlein moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following Senators answered to their names:

Senators Brown, Dwyer, Flaherty, Gerlach, Gillis, Hans, Hewitt, Hornblower, Jones, Kehrlein, Lewis, Lipe, McDonald, Nelson, Nutter, Rigdon, Rose, Rush, Sanborn, Savage, Scott, Stubblebine, Tyndall, Wallace, Wolfe, Young—28.

The Secretary announced the absentees.

Time, nine o'clock and thirty-five minutes a.m.

The Acting President directed the Sergeant-at-Arms to close the doors.

FURTHER PROCEEDINGS UPON CALL OF THE SENATE DURING THE VOTE.

At nine o'clock and forty minutes a.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Kehrlein.

The Secretary was directed to call the roll, on passage of Bill, of the Senators who had not answered to their names.

The roll was called and Assembly Bill No. 1470 finally passed by the following vote:

AYES—Senators Brown, Dwyer, Flaherty, Gerlach, Gillis, Hans, Hewitt, Hornblower, Jones, Kehrlein, Lewis, Lipe, McDonald, Nelson, Nutter, Rigdon, Rose, Rush, Sanborn, Savage, Scott, Stubblebine, Tyndall, Wallace, Wolfe, Young—28.

NOES—Senators Bond, Boggs, Cronin, Dan, F. W., Chandler, Hornet, Hue, Rigdon, Stern and Thompson—10.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

IN COMMITTEE ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: Your Committee on Corporations and Franchises has considered the following:

SENATE BILL No. 15—An act to amend section 4.70 of the Political Code, relating to salaries of county officers in relation to the local boards thereof.

Also: Senate Bill No. 1084—An act to amend sections 1745 and 1746 and to repeal section 1749 of the Political Code, all relating to the issuance of bonds by high school districts;

Also: Senate Joint Resolution No. 9—Relating to needy Indians within the State of California;

Also: Senate Bill No. 479—An act to amend section 29 of an act entitled "An act to divide the State of California into fish and game districts and repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 19, 1915;

Also: Senate Bill No. 350—An act to amend section 628c of the Penal Code, relating to the protection of fish and game;

Also: Senate Bill No. 103—An act to accept from the United States government the cession of jurisdiction over a portion of the Presidio of the San Francisco Military Reservation;

Also: Senate Bill No. 1152—An act authorizing any county now or hereafter organized to incur indebtedness, issue negotiable bonds, levy taxes to pay the principal and interest thereof, acquire by condemnation or otherwise land within the county, and, in consideration of the benefits to be derived therefrom by such county, to convey the same to the United States, for a permanent mobilization, training and supply station for any or all such military purposes, including supply stations, the mobilization, disciplining and training of the United States army, state militia and other military organizations, as are now or may at any time be authorized or provided for under any law or laws of the United States; conferring on such counties the power of eminent domain for the purposes of such act and providing the procedure therefor; granting the consent of the State to such conveyance and ceding exclusive jurisdiction to the United States over the lands so conveyed;

Also: Senate Bill No. 709—An act to amend section 5 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913;

Also: Senate Bill No. 764—An act to add a new section to the Penal Code, to be numbered 630a, relating to the protection of fish and game and providing additional penalties for the violation of the laws relating thereto;

Also: Senate Bill No. 931—An act to add a new section to the Political Code, to be numbered section 1734b, relating to the exclusion of an elementary school district from a high school district and the annexation of said elementary school district to another contiguous high school district;

Also: Senate Bill No. 763—An act to amend section 626g of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 381—An act to amend section 632 of the Penal Code, relating to the protection of fish;

Also: Senate Bill No. 234—An act to amend section 3692 of the Political Code, relating to the powers and duties of the State Board of Equalization;

Also: Senate Bill No. 405—An act providing for the inspection of all institutions treating syphilis and gonorrhœa infections, and defining the powers and duties of the State Board of Health in relation thereto;

Also: Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XX thereof a new section, to be numbered section 22, relative to health insurance;

Also: Senate Bill No. 175—An act to amend section 1263 of the Political Code, relating to the compensation of officers in counties of the thirty-fourth class;

Also: Senate Bill No. 1020—An act appropriating money to pay the claim of various counties and institutions, orphan aid;

Also: Senate Bill No. 516—An act to amend section 1521 of the Political Code, relating to the compensation and expenses of members of the State Board of Education and assistant superintendents of public instruction;

Also: Senate Bill No. 464—An act to regulate the sale of eggs which have been in transit more than thirty-one days and prescribing penalties for violations thereof;

Also: Senate Bill No. 657—An act to amend section 4254 of the Political Code, relating to compensation of officers in counties of the twenty-fifth class, and creating the office of county librarian and providing for the appointment and salary thereof;

Also: Senate Bill No. 1075—An act appropriating money to pay the claim of Ben Oswald against the State of California;

Also: Senate Bill No. 1080—An act to make an appropriation for repairing the buildings of the California Polytechnic School, situated at San Luis Obispo, California;

Also: Senate Bill No. 1118—An act to appropriate money for electrification and rewiring at San Quentin State Prison;

Also: Senate Bill No. 1166—An act appropriating money for the construction and equipment of two cottages at the Napa State Hospital;

[illegible] ing for a cash revolving [illegible]

[illegible]

Also: Senate Bill No. 87—An act to empower the state market director of California to regulate and control the business of buying and selling fresh fish; to regulate the destruction of food fish; to create a state fish exchange; to license those engaged in marketing fish; to create a state fish exchange fund and a revolving fund; to provide penalties for violations of this act; to investigate and report on the fish industry; and to promote the sale of fish;

Also: Senate Bill No. 164—An act to amend section 3440 of the Civil Code, relating to certain transfers which are presumed to be fraudulent;

Also: Senate Bill No. 222—An act to amend section 1248 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the nineteenth class;

Also: Senate Bill No. 1133—An act to amend section 4290 of the Political Code, relating to fees and salaries of county officers.

Also: Senate Bill No. 630—An act to add a new section to the Civil Code, to be numbered section 2767, relating to the disposition by the beneficiary of his interest under a policy of life insurance;

Also: Senate Bill No. 815—An act to provide for the protection of beneficiaries of workmen's compensation insurance policies against the default or insolvency of insurance carriers issuing such policies by requiring such carriers to provide security for the payment of such compensation;

Also: Senate Bill No. 536—An act to amend section 4277 of the Political Code, relating to salaries, fees and compensation of officers of counties of the forty-eighth class;

Also: Senate Bill No. 367—An act to amend sections 3607, 3608, 3627, 3628, 3629, 3643, 3663, 3678, 3701, 3728, 3734 and 3753 of the Political Code, and to repeal sections 3609, 3610, 3641, 3679, 3719, 3757, 3759a, 3839, 3840, 3841, 3842, 3843, 3844, 3845, 3846, 3847, 3848, 3849, 3850, 3851, 3852, 3853, 3854, 3855, 3856, 3857, 3858, 3859, 3860, 3861 and 3862 of said code, and to add to said code a new section to be numbered 3714a, all relating to revenue and taxation;

Also: Senate Bill No. 1022—An act to amend section 226 of the Civil Code, relating to proceedings on adoption;

Also: Senate Bill No. 114—An act to amend section 674 of the Penal Code relating to civil death of person sentenced to state prison for life;

Also: Senate Bill No. 1116—An act granting certain lands and validating certain state patents;

Also: Senate Bill No. 667—An act to amend section 261 of the Civil Code, relating to changing the number of directors of corporations;

Also: Senate Bill No. 453—An act to amend the Penal Code by adding a new section thereto, to be numbered 780c, relating to embezzlement by agent or broker;

Also: Senate Bill No. 112—An act to amend the Penal Code by adding thereto a new section, to be numbered 1168, relating to indeterminate sentences of persons convicted of criminal offenses and to provide for the determination of such sentences and the release of such persons from custody;

Also: Senate Bill No. 1151—An act to repeal an act entitled "An act providing for the investigation by the State Veterinarian, the secretary of the State Board of Health and the State Commissioner of Horticulture of injury to animal life and vegetation in California, caused by smelter wastes, and making an appropriation therefor," approved June 16, 1913;

Also: Senate Bill No. 197—An act to amend section 270 of the Penal Code, providing punishment for failing to support a minor child, and conferring jurisdiction upon the juvenile court;

Also: Senate Bill No. 1177—An act to authorize the Board of State Harbor Commissioners to acquire by purchase, condemnation, gift, grant or cession, certain property in the city and county of San Francisco, including Mission rock, and extending the jurisdiction of said board over the same, and providing for the payment for the same;

Also: Senate Bill No. 1173—An act providing for the taking over by the State of California of a certain road in Boulder Creek township, county of Santa Cruz, and for the maintenance and improvement of the same as a state road under the supervision of the State Department of Engineering;

Also: Senate Bill No. 829—An act to amend section 597 of the Political Code, relating to the jurisdiction of the Insurance Commissioner of insurance carriers;

Also: Senate Bill No. 220—An act to amend section 1858 of the Political Code, relating to the apportionment of the elementary school funds and the counting of attendance in the elementary and secondary schools of the State;

Also: Senate Bill No. 458—An act to amend sections 2322, 2322a, 2322c and 2322d of the Political Code and to add new sections 2322b, 2322e, 2322f, 2322g, and 2322h to the Political Code, and sections relating to orchards, trees, vines or plants of any variety, infected or infested with diseases, scale or other insects of any kind injurious to fruit, fruit trees, vines or other plants or vegetables, or noxious weeds and to the extermination or the control of insects, ground squirrels, rabbits or other animal pests and other diseases or noxious weeds, and to the appointment and removal of a county horticultural commissioner in the several

attorneys for services performed herein, and prescribing penalties for the violation hereof;

Also: Senate Bill No. 1004—An act to amend section 410 of the Political Code, relating to the distribution of the laws, resolutions and journals of legislature; of reports of supreme court;

Also: Senate Bill No. 346—An act to amend sections 7, 8, 9, 10, 12c, 13, 20, 28, 31a, 35, 41, 43, 45, 65, 68, 80, 85, 86, 88, 128, 129, 132, and 145 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, designated the "bank act," all relating to the definition and regulation of the business of banking;

Also: Senate Bill No. 345—An act to amend sections 61, 63a and 67 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," relating to the definition and regulation of the business of banking;

Also: Senate Bill No. 249—An act to validate and declare valid all the proceedings in Princeton-Codora-Glenn irrigation district;

Also: Senate Bill No. 928—An act to amend an act entitled "An act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain juvenile persons; providing for the enforcement thereof by the Commissioner of the Bureau of Labor Statistics and providing penalties for the violation hereof," approved February 20, 1905, as amended by an act approved April 14, 1911, as further amended by an act approved June 2, 1913, as further amended by an act approved June 5, 1915;

Also: Senate Bill No. 1021—An act to amend section 4 of an act entitled "An act to create a commission for the purpose of making a survey of local historical material in the State of California; defining the power and duties of said commission; and making an appropriation therefor," approved June 12, 1915, extending the purpose, power and duties of said commission;

Also: Senate Bill No. 412—An act to amend section 1613 of the Penal Code, relating to the labor of prisoners confined in the county jail;

Also: Senate Bill No. 782—An act to amend section 4275 of the Political Code, relating to the salaries of county clerks in counties of the forty-sixth class, and fixing the mileage and per diem of jurors in counties of the forty-sixth class;

Also: Senate Bill No. 130—An act to amend sections 337 and 339 of the Code of Civil Procedure, relating to limitation for the commencement of actions;

Also: Senate Bill No. 555—An act to provide for the formation, government, operation and dissolution of Districts within the district, to prevent and extinguish forest, brush and grass fires therein, and protect persons and property from injury, loss or damage resulting from such fires, and to provide for the assessment, levy, collection and disbursement of taxes and revenues therein, and the contribution or payment of public funds therefor;

Also: Senate Bill No. 541—An act to amend section 1878 of the Political Code, relating to the apportionment of the elementary school funds and the counting of attendance in the elementary and secondary schools of the State;

Also: Senate Bill No. 531—An act providing for the establishment of franchise rights of and the granting of a franchise or franchises to any person, firm or corporation actually engaged in operating a street railway or railways, rail or rails in cities or cities and counties having on the effective date of the act a freeholders' charter adopted under the provisions of section 8 of Article XI of the Constitution of the State of California, which charter provides for the establishment of franchise rights of and the granting of franchises to any person, firm or corporation engaged in operating a public utility in such a municipality, and providing conditions for the granting of such franchises by legislative or other governing bodies of such city or city and county;

Also: Senate Bill No. 152—An act to provide for the establishment of passenger transportation facilities upon The Embarcadero, in the city and county of San Francisco;

Also: Senate Bill No. 1145—An act authorizing and empowering irrigation and reclamation districts in states into contracts with the United States Reclamation Service for the construction of lands within such districts under the provisions of the so-called "Twenty Year Extension Act";

Also: Senate Bill No. 180—An act validating the formation and organization of Los Angeles County Drainage District Improvement No. 1 under the provisions of an act of the Legislature of the State of California, approved March 21, 1908, as amended May 7, 1915, and entitled as amended "An act to promote the drainage of wet, swamp and overflowed lands, and to promote the public health in the communities in which they lie, providing for the issuance of bonds and levying of assessments on lands benefited to pay the costs and expenses thereof";

Also: Senate Bill No. 430—An act to provide for the establishment within municipalities of districts or zones within which the use of property, height of improvements and required open spaces for light and ventilation of such buildings, may be regulated by ordinance;

Also: Senate Bill No. 431—An act authorizing and empowering municipalities to provide a procedure for the fixing and establishing of setback lines on private property bordering on the whole or part of any street, avenue or highway, to

[illegible]

[illegible]

[illegible]

Also: To Assembly Bill No. 820—An act to add a new section to the Political Code, to be numbered 1613½, providing for transportation, separate and suitable desks and chairs for crippled school children.

Also: To Assembly Bill No. 1246—An act to amend section 1096 of the Political Code and to add thereto a new section to be numbered 1096a, relating to affidavits of registration and to the registering or to the change in registration of political affiliation.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage to Senate Bill No. 884—An act to repeal section 847 of the Civil Code, relating to uses and trusts, to amend section 857 of the Civil Code, relating to express trusts, and to amend section 2220 of the Civil Code, relating to purposes for which a trust may be created;

Also: Senate Bill No. 971—An act to provide for work in and upon streets, avenues, lakes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds;

Also: Senate Bill No. 1142—An act to amend section 4149 of the Political Code, relating to county live stock inspector;

Also: Senate Bill No. 685—An act to add a new section to the Political Code, to be numbered 1718, relating to elementary school district libraries.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 676—An act to amend section 1738a of the Civil Code, relating to mortgage insurance;

Also: Senate Bill No. 314—An act to amend sections 1578 and 1579 of the Political Code relating to the organization of elementary school districts;

Also: Senate Bill No. 138—An act to amend section 1713 of the Political Code, relating to library funds in rural school districts;

Also: Senate Bill No. 989—An act to amend section 1380 of the Code of Civil Procedure, relating to giving of special notices to heirs, devisees, and legatees during the administration of estates of decedents;

Also: Senate Bill No. 991—An act to amend section 963 of the Code of Civil Procedure, relating to cases in which an appeal may be taken;

Also: Senate Bill No. 1175—An act permitting daily payment into the county treasury of duplicate or excess payments of taxes made to the tax collector and providing for the refund of such payments.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 676, 314, 138, 989, 991 and 1175 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended, Senate Bill No. 309—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as heretofore amended;

Also: Senate Bill No. 42—An act to amend an act known as "the Building and Loan Commission Act," approved April 5, 1911, and amended by an act approved December 18, 1911, by amending sections 2 and 3 thereof, and by adding thereto a new section to be known and numbered 15a, relating to the powers and duties of the Building and Loan Commissioner and the licensing of traveling agents;

Also: Senate Bill No. 374—An act to amend section 628f of the Penal Code of the State of California, relating to the protection of fish and game;

Also: Senate Bill No. 448—An act to amend section 626a of the Penal Code, relating to the protection of game;

And respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

[illegible]

The Senate took up for consideration Assembly amendments to Senate Bill No. 42—An act to amend an act known as "The Building and Loan Commission Act," approved April 3, 1911, and amended by an act approved December 18, 1911, by amending sections 3 and 7 thereof, and by adding thereto a new section to be known and numbered 7a, relating to the powers and duties of the Building and Loan Commissioner and the licensing of investing agents.

[illegible]

[illegible]

On page 2, line 6, of the printed bill, after the word "Commissioner" and before the word "Building" [illegible]

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 42?

The roll was called, and Assembly amendments to Senate Bill No. 42 concurred in by the following vote:

Ayes—Senators [illegible]

Noes—None.

Senate Bill No. 42 ordered to enrollment.

Also:

The Senate took up for consideration Assembly amendments to Senate Bill No. 374—An act to amend section [illegible] of the Penal Code of the State of California, relating to the protection of the food supply.

[illegible]

On page 2 of the printed bill, in numbered paragraph [illegible] [illegible]

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 374?

The roll was called, and Assembly amendments to Senate Bill No. 374 concurred in by the following vote:

Ayes—Senators Breed, Burnett, Cannon, Carr, E. M., Carr, W. A., Chandler, Crawley, Evans, Ingram, Jones, Lewis, Johnson, Kent, Kerr, Lee, McDonald, Nelles, Rigdon, Rush, Scott, Shortridge, Stone, Stephens, Thompson and Tyson—26.

Noes—None.

Senate Bill No. 374 ordered to enrollment.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

RESOLUTIONS.

The following resolution was offered:

By Committee on Contingent Expenses:

Resolved, That the State Controller be, and he is hereby directed to draw his warrant upon the contingent fund of the Senate for the sum of sixteen dollars and fifty-six cents, and the State Treasurer is hereby directed to pay the same, said amount being for the payment of the bill herewith attached.

To the Western Union Telegraph Company.

March 1, 1917—To Baker, Washington	$15 91
March 26, 1917—To Johnson, San Francisco	65
	$16 56

NEALON, Chairman.

Resolution read.

Senator Nealon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Benson, Burnett, Canepa, Carr, W. J., Chandler, Crowley, Evans, Flaherty, Hans, Ingram, Inman, Johnson, Jones, Kehoe, Luce, McDonald, Nealon, Rigdon, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—25.

NOES—None.

Also:

The following resolution was offered:

By Committee on Contingent Expenses:

Resolved, That the State Controller be, and he is hereby directed to draw his warrant upon the contingent fund of the Senate for the sum of twelve dollars, and the State Treasurer is hereby directed to pay the same, said amount being for the payment of the bill herewith attached.

To Wahl Stationery Co.—

April 27, 1917—For rental of 1 typewriter 4 months	$12 00

NEALON, Chairman.

Resolution read.

Senator Nealon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Benson, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Evans, Flaherty, Hans, Ingram, Inman, Johnson, Jones, Kehoe, Luce, Lyon, McDonald, Nealon, Rigdon, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—None.

Also:

The following resolution was offered:

By Committee on Contingent Expenses:

Resolved, That the State Controller be, and he is hereby directed to draw his warrant upon the contingent fund of the Senate for the sum of twelve dollars and seventy-five cents, and the State Treasurer is hereby directed to pay the same, said amount being for the payment of the bill herewith attached.

To Wahl Stationery Co.—

March 5, 1917—1 No. 4E Bates numbering machine	$12 00
March 5, 1917—1 dozen No. 377 rubber tip penholders	75
	$12 75

NEALON, Chairman.

Resolution read.

Senator Nealon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

Ayes—Senators [illegible]

Noes—None.

Also—

The following resolution was offered:

By Committee on Contingent Expenses:

Resolved, That the State Controller be, and he is hereby directed to draw his warrant upon the contingent fund of the Senate [illegible]

[illegible], Chairman.

The Pacific Telephone and Telegraph Company—

January [illegible] 1917	[illegible]	[illegible]
January [illegible] 1917	[illegible]	[illegible]
January [illegible] 1917	[illegible]	[illegible]
January [illegible] 1917	[illegible]	[illegible]
February [illegible]	[illegible]	[illegible]
March [illegible]	[illegible]	[illegible]
April [illegible]	[illegible]	[illegible]
	[illegible]	[illegible]
	[illegible]	[illegible]
		[illegible]

Resolution read.

It was moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

Ayes—Senators [illegible]

Noes—None.

Also—

The following resolution was offered:

By Committee on Contingent Expenses:

Resolved, That the State Controller be, and he is hereby directed to draw his warrant upon the contingent fund of the Senate [illegible]

Wahl Stationery Co.: [illegible], Chairman.

April [illegible], 1917 [illegible] [illegible]

Resolution read.

Senator Nealon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

Ayes—Senators [illegible]

Noes—None.

Also:

The following resolution was offered:

By Committee on Contingent Expenses:

SACRAMENTO, April 27, 1917.

Resolved, That the State Controller be and is hereby directed to draw his warrant upon the contingent fund for the sum of sixty-three dollars and ten cents, and the State Treasurer is hereby directed to pay the same to Hon. W. F. Chandler or order, said amount being in payment of attached memoranda.

NEALON, Chairman.

Expense account for visiting state institutions

January 31, 1917—	
Railroad fare Fresno to Los Angeles	$8 25
Sleeping car fare Fresno to Los Angeles	2 00
February 1, 1917—	
Breakfast	60
Dinner	60
Lodging, Alexandria Hotel	3 00
February 2, 1917—	
Breakfast	50
Dinner	50
February 3, 1917—	
Breakfast	60
Dinner	30
Railroad fare, Los Angeles to San Bernardino	1 70
Railroad fare, Riverside to Los Angeles	1 70
February 4, 1917—	
Breakfast	60
February 5, 1917	
Breakfast	60
Three days lodging, Van Nuys Hotel	9 00
Railroad fare, Los Angeles to Ventura	2 30
Dinner, Hotel Porter	1 50
Railroad fare, Santa Barbara to San Luis Obispo	3 60
February 6, 1917	
Breakfast and lodging	1 75
Railroad fare, Paso Robles to San Jose	1 95
February 7, 1917	
Railroad fare, San Jose to Palo Alto	50
Railroad fare, Palo Alto to San Francisco	95
February 8, 1917—	
Breakfast	60
Dinner	30
February 9, 1917—	
Breakfast	40
Luncheon	35
Two days lodging, Palace Hotel	6 00
Dinner, on dining car	50
Railroad fare, San Francisco to Fresno	5 70
March 3, 1917	
Railroad fare, Sacramento to Stockton	1 00
Railroad fare, Stockton to Sacramento	1 00
March 4, 1917	
Jitney fare, Folsom and return	1 75
Total	$63 10

Resolution read.

Senator Nealon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Benson, Burnett, Canepa, Carr, F. M., Carr, W. J., Crowley, Evans, Flaherty, Hans, Ingram, Johnson, Jones, Kehoe, Luce, McDonald, Nealon, Purkitt, Rigdon, Rush, Sharkey, Slater, Thompson, and Tyrrell—23.

NOES—None.

Also:

The following resolution was offered:

By Committee on Contingent Expenses.

Resolved, That the State Controller be and is hereby directed to draw his warrant upon the contingent fund of the Senate for the sum of two dollars and forty cents,

[illegible]

Resolution read.

Senator [illegible] moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators [illegible]

NOES—None.

Also:

The following resolution was offered:

By Committee on Contingent Expenses:

[illegible]

Resolution read, and on motion of Senator [illegible] adopted.

[illegible]

Assembly Bill No. 264—An act to provide for [illegible] of bloodhounds in the employ of the State, or of any county or city.

Bill read third time, previously.

The question was the passage of the bill.

The roll was called, and Assembly Bill No. 264 passed by the following vote:

AYES—Senators [illegible]

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Also:

The following resolution was offered:

By Senator Crowley:

[illegible]

legislature, and further, a detailed statement of the expenses of both houses of the legislature during the forty-second session. When said final calendar is prepared, the Secretary is directed to forward one copy to each public library in the State, which may apply for the same, and one copy to each member of the Senate; be it further

Resolved, That the several persons hereinafter named receive from said appropriation the amount set opposite their respective names, and that the State Controller draw his warrant in favor of Clifton E. Brooks, Secretary of the Senate, upon the unexpended balance of the fund for the payment of officers, clerks and all other employees of the Senate, to wit:

Clifton E. Brooks, Secretary	$500 00
J. W. Kavanagh, Assistant Secretary	27 00
J. A. Miller, Assistant Secretary	21 00
W. B. Coombs, Assistant Secretary	21 00
Frank Rosser, Assistant Secretary	21 00
D. T. Crowley, Assistant at the Desk	15 00
Jos. A. Beck, Minute Clerk	27 00
H. P. Angus, Assistant Minute Clerk	21 00
W. E. Wright, Assistant Minute Clerk	21 00
M. M. Graham, Assistant Minute Clerk	21 00
J. T. Macdonald, Journal Clerk	42 00
G. M. Warren, History Clerk	21 00
M. H. Robbins, Engrossing and Enrolling Clerk	21 00
Mrs. Zoe Dobson, Assistant Engrossing and Enrolling Clerk	15 00
Maude Cottier, Assistant Engrossing and Enrolling Clerk	15 00
A. O. Stuckenbruck, Assistant Engrossing and Enrolling Clerk	15 00
J. A. Williams, Assistant Engrossing and Enrolling Clerk	15 00
W. N. Van Pelt, Assistant Engrossing and Enrolling Clerk	15 00
Wellington Bowser, Assistant Journal Clerk	15 00
G. A. Burnett, Committee Clerk	12 00
Mrs. F. Hoxie, Chief Stenographer	100 00
Thomas A. Brown, Sergeant-at-Arms	24 00
J. B. Newsome, Bookkeeper to Sergeant-at-Arms	15 00
Everett Dearwater, Mail Carrier	9 00
S. A. Byrne, Assistant Sergeant-at-Arms	15 00
T. F. Whalen, Assistant Sergeant-at-Arms	15 00
E. M. Gilleran, Assistant Sergeant-at-Arms	15 00
J. T. Young, Assistant Sergeant-at-Arms	15 00
J. Diamond, Assistant Sergeant-at-Arms	15 00
Erasmus Spurgeon, Page	7 50
Albert Coyle, Page	7 50
Maurice King, Page	7 50
Fred Kant, Secretary to President pro tem., 3 days	15 00

in the sum of one thousand one hundred fifty-four dollars fifty cents, and the Treasurer is directed to pay the same.

Resolution referred to Committee on Contingent Expenses.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 68—An act to amend section 737 of the Political Code, relating to salaries of superior judges.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 68 passed by the following vote:

AYES—Senators Benson, Breed, Caminetti, Crowley, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kelly, Luce, McDonald, Nealon, Rigdon, Rush, Scott, Sharkey, Shearer, Slater, and Tyrrell—22.

NOES—Senator Chandler—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

[illegible] SECRETARY [illegible] MCDONALD, [illegible] pass.

Assembly Bill No. 737—An act to amend section 2000 of the Code of Civil Procedure, relating to admission to practice of graduates of certain law schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 737 passed by the following vote:

Ayes—Senators Benson, Boggs, Caminetti, Chandler, Cronin, Ingram, Jones, Lewis, Lipman, Lyon, Mott, Nelson, Nutting, Rush, Sanborn, Shearer, Stevens, Stewart, Tyler, Wolfe, Wyman, and Young—21.

Noes—Senators Lane—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An act to amend section [illegible] of the Civil Code, relative to the liability of workbodies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators Benson, Boggs, Caminetti, Chandler, Cronin, Ingram, Jones, Lewis, Lipman, Lyon, Mott, Nelson, Nutting, Rush, Sanborn, Shearer, Stevens, Stewart, Tyler, Wolfe, Wyman, Young, and President—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1413—An act granting certain lands to the city of San Diego to Star Depot Lodge No. [illegible], of the Independent Order of Odd Fellows of California, and providing and declaring valid a conveyance of said lands heretofore made by said city to said lodge.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1413 passed by the following vote:

Ayes—Senators Benson, Boggs, Caminetti, Cronin, Chandler, Chrisler, Ingram, Jones, Lewis, Lipman, Lyon, Mott, Nelson, Nutting, Rush, Sanborn, Shearer, Stevens, Stewart, Tyler, Wolfe, Wyman, Young, and President—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 748—An act to amend section 1164 of the Code of Civil Procedure, relating to the discount of the interest of homestead on owner's death, in certain cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 748 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Canepa, Chandler, Crowley, Evans, Flaherty, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, Luce, Nordon, Purkitt, Rigdon, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR BENSON IN THE CHAIR.

At nine o'clock and fifty minutes a.m., Senator Benson of the Twenty-seventh District was called to the chair.

Assembly Bill No. 1354—An act to amend section 6 of an act entitled "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps, unless the same are recorded," approved March 15, 1907, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1354 refused passage by the following vote:

AYES—Senators Benson, Carr, J. M., Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Jones, Kehoe, McDonald, Nordon, Purkitt, Rush, Scott, Slater, and Stuckenbruck—19.

NOES—Senators Breed, Burnett, Canepa, Carr, W. J., Chandler, Duncan, Johnson, Luce, Rigdon, Sharkey, and Tyrrell—11.

Bill ordered transmitted to the Assembly.

RESOLUTIONS.

The following resolution was offered:

By Senators Canepa and Stuckenbruck:

WHEREAS, The labors of the forty-second session of the Legislature of the State of California are now drawing to a close; and

WHEREAS, The services rendered to the Senate by all of its attaches, at all times, have been highly meritorious, but particularly is this true of the attaches of the Committee on Engrossment and Enrollment; and

WHEREAS, It is appropriate, under the circumstances, for the Senate to record its appreciation of the faithful, efficient, painstaking and meritorious services rendered to it by the attaches of said committee; now, therefore, be it

Resolved, That the Senate hereby expresses to the attaches of said Committee on Engrossment and Enrollment, collectively and individually, its sincere gratitude for and high appreciation of the services they have rendered to it during the long sixty-three days of the forty-second session of the Legislature of the State of California.

Resolution read, and, on motion of Senator Canepa, adopted.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Kehoe, the following message from the Assembly was taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this date passed as amended, Senate Bill No. 640, "An act relating to hotels, defining the same, providing regulations in connection therewith, providing for the sanitation of the rooms of such hotels, providing for the sanitary method and manner of keeping, handling and using bed clothes or bedcovering in such hotels,

[illegible]

[illegible]

[illegible]

AMENDMENT NUMBER THREE.

On page 1, printed bill, line 30, after the word "sum" insert the following: "of twenty million four hundred sixty thousand dollars".

AMENDMENT NUMBER FOUR.

On page 2, printed bill, line 22, after the word "sum" insert the following: "of twenty-one million one hundred forty thousand dollars".

AMENDMENT NUMBER FIVE.

On page 2, printed bill, line 27, after the word "sum" insert the following: "of twenty-one million one hundred forty thousand dollars".

AMENDMENT NUMBER SIX.

On page 2, printed bill, line 34, after the word "sum" insert the following: "of twenty-one million one hundred forty thousand dollars".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 847?

The roll was called, and Assembly amendments to Senate Bill No. 847 concurred in by the following vote:

AYES—Senators Benson, Breed, Burnett, Canepa, Carr, E. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Johnson, Jones, Kehoe, Lace, McDonald, Nealon, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—None.

Senate Bill No. 847 ordered to enrollment.

The Senate took up for consideration Assembly amendments to Senate Bill No. 640—An act relating to hotels, defining the same, providing regulations in connection therewith, providing for the sanitation of the rooms of such hotels, providing for the sanitary method and manner of keeping, handling and using bedclothes or bedcovering in such hotels, providing for its enforcement by the State Board of Health and local health officers, prescribing a penalty for the violation of the provisions hereof; and repealing an act entitled "An act relating to hotels, defining the same, providing regulations in connection therewith, providing for the sanitation of the rooms of such hotels, providing for the sanitary method and manner of keeping, handling and using bedclothes or bedcovering in such hotels, repealing all acts or parts of acts in conflict with this act, providing for its enforcement by the State Board of Health, and providing a penalty for the violation of any of its provisions," approved April 26, 1915.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SIX HUNDRED FORTY.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 2 to 11, inclusive, of the title, and insert in lieu thereof the following:

Relating to hotels, defining the same, providing regulations in connection therewith, providing for the sanitation of the rooms of such hotels, providing for the sanitary method and manner of keeping, handling and using bedclothes or bedcovering in such hotels, providing for its enforcement by the state board of health and local health officers, prescribing a penalty for the violation of the provisions hereof, and repealing an act entitled "An act relating to hotels, defining the same, providing regulations in connection therewith, providing for the sanitation of the rooms of such hotels, providing for the sanitary method and manner of keeping, handling and using bedclothes or bedcovering in such hotels, repealing all acts or parts of acts in conflict with this act, providing for its enforcement by the state board of health, and providing a penalty for the violation of any of its provisions," approved April 26, 1915.

[illegible]

The question being, Shall the Senate concur in Assembly amendments to Senate Bill No. 640?

The roll was called, and Assembly amendments to Senate Bill No. 640 concurred in by the following vote:

Ayes—Senators Burns, Dodd, Fenton, Grunsky, Hart, H. L. Richardson, W. J. Chandler, Cusanovich, Dolwig, Fisher, Gibson, Hinkle, Holmdahl, Lagomarsino, Lanterman, Lewis, Rodda, Carr, McCarthy, Sieroty, Stevens, Dunn, Nejedly, Serda, Shabanow, Thompson, and Young—20.

Noes—None.

Senate Bill No. 640 ordered to enrollment.

The Senate took up for reconsideration Assembly amendments to Senate Bill No. 1180—An act to amend section 2024 of the Code of Civil Procedure, relating to taking depositions out of the State.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER ONE THOUSAND EIGHT HUNDRED EIGHTY-NINE

AMENDMENT NUMBER ONE

On page 1 of the printed bill, in line 17, strike out the word "county" and insert in lieu thereof the word "country".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 1189?

The roll was called, and Assembly amendment to Senate Bill No. 1189 concurred in by the following vote:

AYES—Senators Benson, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Luce, Purkitt, Rush, Scott, Sharkey, Stuckenbruck, and Tyrrell—21.
NOES—None.

Senate Bill No. 1189 ordered to enrollment.

RESOLUTIONS.

The following resolution was offered:

By Senator Rush:

Resolved, That Assembly Bill No. 1269 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, Luce, McDonald, Nelson, Purkitt, Rigdon, Rush, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—31.
NOES—None.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1269—An act to appropriate money for the development and furnishing of an additional water supply to Napa State Hospital.

Bill read second time, ordered engrossed, and on file for third reading.

RECESS.

At nine o'clock and fifty-five minutes a.m., on motion of Senator Tyrrell, the acting President declared the Senate at recess until the hour of ten o'clock a.m.

RECONVENED.

At ten o'clock a.m., the Senate reconvened.

Senator Benson of the Twenty-seventh District in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

MESSAGES FROM THE ASSEMBLY—OUT OF ORDER.

On motion of Senator Kehoe, the following messages from the Assembly were taken up and read, out of the regular order:

[illegible]

[illegible]

[illegible]

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1191, An act appropriating money for the **purchase and installation of boilers for the Veterans' Home;**

Also: Senate Bill No. 1197—An act appropriating money for the purchase of boilers and additional installation to power plant at the Folsom State Prison;

Also: Senate Bill No. 1199—An act appropriating money for additional support **of the Stockton State Hospital for the sixty-eighth fiscal year;**

Also: Senate Bill No. 441—An act making an appropriation for the purchase of additional lands adjoining Agricultural Park in the city of Sacramento.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 1191, 1197, 1199 and 441 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 571, An act appropriating money for the construction and equipment of a cottage for females at the Agnews State Hospital;

Also: Senate Bill No. 646—An act to amend section 718 of the Political Code, relating to employees of the superintendent of the capitol building and grounds;

Also: Senate Bill No. 567—An act to appropriate money for the improvement, **support and maintenance of the California Redwood Park;**

Also: Senate Bill No. 700—An act appropriating one thousand five hundred dollars for the restoration and rebuilding of the two old bastions and the old entrance gate and portions of the stockade, and for repairs to existing buildings on the property **of the State at Fort Ross, Sonoma County, California;**

Also: Senate Bill No. 762—An act appropriating the sum of thirty thousand dollars to defray the expenses, during the sixty-fifth and sixty-sixth fiscal years, of organizing, controlling, equipping, instructing and maintaining high school cadet companies in the State of California, and for promoting rifle practice in said companies and to further carry out the purposes of an act entitled "An act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars **therefor," approved April 5, 1911;**

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 571, 646, 567, 700 and 762 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 765—An act to appropriate money to reimburse the fish and game preservation fund for compensation benefits paid out of said fund to the officers and employees of the Fish and Game Commission, while performing **services accruing out of and incidental to their employment;**

Also: Senate Bill No. 772—An act appropriating money for the purpose of acquiring an additional watershed for the use of the California Polytechnic School at San **Luis Obispo;**

Also: Senate Bill No. 116—An act appropriating money for the construction and equipment of gymnasium building on the property of the Santa Barbara State Normal **School at Santa Barbara, California;**

Also: Senate Bill No. 208—An act to appropriate money to construct an assem**bly hall at the San Jose Normal School;**

Also: Senate Bill No. 251—An act appropriating money for the reconstruction of **ward seven, Mendocino State Hospital;**

Also: Senate Bill No. 349—An act to make an appropriation for the encouragement of county fairs and providing for the distribution of the moneys hereby appro**priated.**

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 765, 772, 116, 208, 251 and 349 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1090—An act to amend sections 1, 2, 3, 6, 7, 12, 15 and 16 of an act entitled "An act to provide for the organization, control and

[illegible] April [illegible], 1917, as amended.

Also, Senate Bill No. [illegible]—An act [illegible] State of California.

Also, Senate Bill No. [illegible]—An act [illegible]

Also, Senate Bill No. [illegible]—An act [illegible]

Also, Senate Bill No. [illegible]—An act [illegible]

Also, Senate Bill No. [illegible]—An act [illegible]

[illegible], Chief Clerk of Assembly.
By [illegible], Assistant Clerk.

Senate Bills Nos. [illegible] and [illegible] ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April [illegible], 1917.

Mr. President: I am directed to inform your honorable body that the Assembly on this day [illegible] Senate Bill No. [illegible]—An act to [illegible]

[illegible], Chief Clerk of Assembly.
By [illegible], Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April [illegible], 1917.

Mr. President: I am directed to inform your honorable body that the Assembly [illegible] Senate Bill No. [illegible]—An act [illegible]

Also, Senate Bill No. 6—An act to regulate the preparation of plans and specifications and awarding of contracts for the erection, construction and alteration of public buildings in the State of California.

Also, Senate Bill No. [illegible]—An act [illegible]

And respectfully ask your concurrence in amendments [illegible].

[illegible], Chief Clerk of Assembly.
By [illegible], Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 6—An act to regulate the preparation of plans and specifications and awarding of contracts for the erection, construction and alteration of public buildings in the State of California.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER 6.

AMENDMENT NUMBER ONE.

On page 1, line [illegible], of the printed bill, after the word [illegible] insert [illegible]

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 6?

The roll was called, and Assembly amendments to Senate Bill No. 6 concurred in by the following vote:

AYES—Senators [illegible]—[illegible].

NOES—None.

Senate Bill No. 6 ordered to enrollment.

The Senate took up for consideration Assembly amendments to Senate Bill No. 1106—An act appropriating money to pay the claim of Irwin J. Muma covering the funeral expenses of John M. Eshleman.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE THOUSAND ONE HUNDRED SIX.

AMENDMENT NUMBER ONE.

Amend the title by striking out the word "Numa", and inserting in lieu thereof the word "Muma".

AMENDMENT NUMBER TWO.

On page 1, line 9, of the printed bill, strike out the word "Numa" and insert in lieu thereof the word "Muma".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 1106?

The roll was called, and Assembly amendments to Senate Bill No. 1106 concurred in by the following vote:

AYES—Senators Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Luce, Nealon, Purkitt, Rush, Scott, Sharkey, Slater, and Stuckenbruck—24.

NOES—None.

Senate Bill No. 1106 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT—I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 808—An act to amend section 2924 of the Civil Code, relating to mortgages and deeds of trust.

Also—Senate Bill No. 677—An act to add a new section to the Civil Code, to be numbered 242, providing in certain cases for the appointment by will or deed of guardians for the person and estate, or person or estate, of insane or incompetent persons;

Also—Senate Bill No. 675—An act to add a new section to the Code of Civil Procedure, to be numbered 1764a, providing a rule for the selection and designation of guardians of the person and estate, or person or estate, of insane or incompetent persons;

Also: Senate Bill No. 809—An act to add a new section to the Political Code, to be numbered 3709a, relating to salary of the secretary of the State Board of Equalization;

Also—Senate Bill No. 880—An act to add a new section to the Penal Code, to be numbered 461, relating to burglary with explosives.

Also—Senate Bill No. 1085—An act to amend the Penal Code by adding thereto a new section, to be numbered 506a, relating to and defining who is guilty of embezzlement.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 808, 677, 675, 809, 880 and 1085 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT—I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Constitutional Amendment No. 61—A resolution to propose to the people of the State of California an amendment to Article VI, section 1, of the Constitution of the State of California relating to judicial powers;

Also—To Assembly Bill No. 1130—An act to amend section 5 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911, as amended.

Also—To Assembly Bill No. 815—An act making an appropriation to pay the claims of various persons and counties against the State of California.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

[illegible]

Also:

[illegible]

Senate Bills Nos. [illegible] and [illegible] [illegible]

Also:

[illegible]

Senate Bills Nos. [illegible] and [illegible] [illegible]

Also:

[illegible]

Also: Senate Bill No. 359. An act to amend section 172 of the Civil Code, and to add to said Civil Code a new section to be known as section 172a, relating to the management, control, and disposition of community property.

Also: Senate Bill No. 491. An act designating and establishing a state highway from the city of San Bernardino, by way of Arrowhead meeting, Waterman Canyon, the "Crest Drive" and Mill Creek to the city of Redlands.

Also: Senate Bill No. 881. An act to amend section 2185b of the Political Code, relating to temporary and voluntary patients in the state hospitals.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 43, 885, 359, 491 and 881 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 981—An act to add a new section to the Political Code to be numbered 1617b, relating to the power of trustees of elementary school districts—and respectfully requests your honorable body to concur in said amendments.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 455—An act to amend section 4244 of the Political Code, relating to salaries and fees of officers in counties of the fifteenth class.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED FIFTY-FIVE.

AMENDMENT NUMBER ONE.

In line 24, page 2, strike out the last two words, to wit, the words "three hundred".

AMENDMENT NUMBER TWO.

In line 9, page 5, strike out the words "three thousand four hundred" and insert in lieu thereof "two thousand eight hundred".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 455?

The roll was called and Assembly amendments to Senate Bill No. 455 concurred in by the following vote:

AYES—Senators Benson, Burnett, Caneva, Carr, F. M., Carr, W. J., Crowley, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Jeansen, Kerr, King, Lee, McDonald, Nelson, Parkett, Rigdon, Rush, Scott, Strekey, Slater, and Stubenbruck—25.

NOES—None.

Senate Bill No. 455 ordered to enrollment.

The Senate took up for consideration Assembly amendment to Senate Bill No. 981—An act to add a new section to the Political Code to be numbered 1617b, relating to the power of trustees of elementary school districts.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER NINE HUNDRED EIGHTY-ONE.

AMENDMENT NUMBER ONE.

On page 2, line 5, strike out the word "unanimous" and insert in lieu thereof the word "majority".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 981?

The bill was called, and Assembly's amendment to Senate Bill No. [illegible] concurred in by the following vote:

Ayes—Senators Brown, Flood, Gerlach, Lee, F. M., Owen, W. J., Chapman, Dennett, Evans, Fairchild, Gaige, Gaston, Grant, Grieb, Johnson, Kent, Kelsey, King, Lane, McDonald, Nelson, Parkes, Rush, Sanders, Stern, Stephens, Stevens, and Tyrrell—22.

Noes—None.

Senate Bill No. [illegible] ordered transmitted.

FIRST READING OF ASSEMBLY BILLS—[illegible]

Assembly Bill No. 1444—An act to add a new section to the Penal Code, to be numbered 2466, relating to [illegible] with deadly weapons, committed by inmates of county jails.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators Brown, Flood, Gerlach, Lee, F. M., Chapman, Dennett, Evans, Fairchild, Gaige, Gaston, Grant, Johnson, Kent, Kelsey, King, Lane, McDonald, Nelson, Parkes, Rush, Sanders, Stern, Stephens, Stevens, and Tyrrell—[illegible].

Noes—Senators McDonald—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1445—An act to amend section 1014 of the Code of Civil Procedure, relating to [illegible] notice.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators Brown, Flood, Gerlach, Lee, F. M., Owen, W. J., Chapman, Dennett, Evans, Fairchild, Gaige, Gaston, Grant, Grieb, Johnson, Kent, Kelsey, King, Lane, McDonald, Nelson, Parkes, Rush, Sanders, Stern, Stephens, Stevens, and Tyrrell—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 400—An act to amend section [illegible] of the Political Code, relating to deeds to property sold for delinquent taxes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 400 passed by the following vote:

Ayes—Senators Brown, Flood, Gerlach, Lee, F. M., Owen, W. J., Chapman, Dennett, Evans, Fairchild, Gaige, Gaston, Grant, Johnson, Kent, Kelsey, King, McDonald, Nelson, Parkes, Rush, Sanders, Stern, Stephens, Stevens, and Tyrrell—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 582—An act to amend sections 676 and 686 of the Political

Code, relating to the State Board of Control and the department of public accounting thereof and to the duties of city, county and district authorities in the matter of the sale of bonds.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED EIGHTY-TWO

AMENDMENT NUMBER ONE

On page 1 of the printed bill strike out all of the title and insert in lieu thereof the following: "An act to amend sections six hundred seventy-eight and six hundred eighty-six of the Political Code relating to the state board of control and the department of public accounting thereof and to the duties of city, county and district authorities in the matter of the sale of bonds."

AMENDMENT NUMBER TWO

On page 2 of the printed bill after line 5 insert the following:

SEC. 2. Section six hundred eighty-six of the Political Code is hereby amended to read as follows:

686. **Department of public accounting. Superintendent, etc. There is hereby established in connection with and under the supervision of the state board of** control a department of public accounting. The board shall appoint a superintendent of accounts at an annual salary of three thousand six hundred dollars, and two assistants at an annual salary of two thousand seven hundred dollars each. Such appointees shall be skilled accountants and well versed in public accounting. They shall each execute a bond to the state in the sum of ten thousand dollars. They shall be civil executive officers and their salaries shall be paid in the same manner **and at the same time as the salaries of state officers are paid. The board may also** appoint such additional accountants as may be necessary to carry on the work of the department at salaries not to exceed for any one of such appointees the sum of two thousand four hundred dollars per annum. Said salaries, upon authority **of the board, shall be paid out of money appropriated for the use of the department** at the same time and in the same manner as the salaries of state officers are paid. Such accountants shall be chosen from persons who have successfully taken an open competitive examination given along practical lines showing their fitness for the work required. They shall each execute to the state a bond in the sum of five thousand dollars. All of the appointees in this section are empowered to administer **oaths in the furtherance of their official duties.**

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 582?

The roll was called, and Assembly amendments to Senate Bill No. 582 concurred in by the following vote:

AYES—Senators Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Evans, Flaherty, Gates, Ingram, Inman, Johnson, Jones, Kehoe, King, Luce, McDonald, Ross, Shockey, Slater, Stockwelder, Thompson, and Tyrrell—23.

NOES—Senator Parkin—1.

Senate Bill No. 582 ordered to enrollment.

The Senate took up for consideration Assembly amendment to Senate Bill No. 448—An act to amend section 626s of the Penal Code, relating to the protection of game.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FOUR HUNDRED FORTY-EIGHT

AMENDMENT NUMBER ONE.

On page 2, line 2, of the printed bill, strike out the words "Game District Twenty-eight" and insert in lieu thereof the words "Fish and Game District Four A".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 448?

The roll was called, and Assembly amendment to Senate Bill No. 448 concurred in by the following vote:

Ayes—Senators Benson, Bond, Cronin, Cutler, W. A. Chandler, Conroy, Dennis, Flaherty, Gates, Gerlach, Jones, Johnson, John Kehoe, King, Lewis, Nelson, Parkes, Rush, Shearer, Stevens, Stewart, Thomas and Wright—20.

Noes—None.

Senate Bill No. 448 ordered to be enrolled.

[illegible]

Assembly Bill No. 431—An act to amend section 6 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the location and payment of street improvement bonds to represent certain assessments, for the issuance thereof and providing a method for the payment of such bonds," approved April 2, 1913, as amended May 20, 1915, as amended June 11, 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 431 passed by the following vote:

Ayes—Senators Benson, Bond, Cronin, Cutler, W. A. Chandler, Conroy, Dennis, Flaherty, Gates, Gerlach, Jones, John Kehoe, King, Lewis, Nelson, Parkes, Rush, Shearer, Stevens, Stewart, Thomas, and Wright—20.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 314—An act appropriating money for the construction and equipment of fire proof or elementary buildings at the California School for Girls.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 314 passed by the following vote:

Ayes—Senators Benson, Bond, Cronin, Cutler, W. A. Chandler, Conroy, Dennis, Flaherty, Gates, Gerlach, Jones, John Kehoe, King, Lewis, Nelson, Parkes, Rush, Shearer, Stevens, Stewart, Thomas, and Wright—20.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 479—An act appropriating money for the improvement of grounds at the California School for Girls.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 519 passed by the following vote:

AYES—Senators Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Nealon, Purkitt, Rush, Scott, Sharkey, Slater, Stockenbruck, Thompson, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1350—An act to increase the number of judges of the Superior Court of the county of Imperial, State of California, and for the appointment of such additional judge.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1350 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Evans, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Nealon, Purkitt, Rush, Scott, Sharkey, Slater, Stockenbruck, and Thompson—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1469—An act to add a new section to the Penal Code, to be numbered 629*a*, relating to fish screens.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1469 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Flaherty, Gates, Hans, Ingram, Irwin, Jones, Kehoe, King, Luce, McDonald, Nealon, Purkitt, Rush, Slater, Stockenbruck, Thompson, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1167—An act to amend section 626*z* of the Penal Code, relating to the limit of deer that may be killed.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1167 passed by the following vote:

AYES—Senators Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Flaherty, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, Nealon, Rush, Scott, Sharkey, Slater, Stockenbruck, Thompson, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 712—An act to amend section 4269 of the Political Code, relating to salaries and fees of officers in counties of the fortieth class.

On motion of Senator Ingram, Assembly Bill No. 712 was ordered to unfinished business.

Assembly Bill No. 115—An act to amend section 4270 of the Political Code, relating to assaults and lists of offenses to constitute of the forty-fifth class.

On motion of Senator Lanterman, Assembly Bill No. 115 was ordered to unfinished business.

Assembly Bill No. 714—An act to amend section 4270 of the Political Code, relating to assaults and lists of offenses to constitute of the forty-fifth class.

On motion of Senator Lanterman, Assembly Bill No. 714 was ordered to unfinished business.

Assembly Bill No. 134—An act to amend section 4270 of the Political Code, relating to assaults of offenses of members of the forty-third class.

Bill read third time.

The question being on the passage of the bill.

The bill was called, and Assembly Bill No. 134 passed by the following vote:

Ayes—Senators Boggs, Bond, Cannon, Chew, F. M., Chew, W. J., Crowley, Cutten, Dennis, Flaherty, Gerlach, Hans, Hatch, Hayes, Holohan, Jones, Kehoe, Lanterman, Leeper, Lewis, Lyon, McDonald, Nelson, Owsley, Parkes, Rigdon, Roberts, Rolph, Sanderson, Stevenson, Stewart, Tyler—40.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1000—An act to add a new section to the Political Code, to be numbered 4270.5, relating to the loss of power to constitute of the thirty-second class.

Bill read third time.

The question being on the passage of the bill.

The bill was called, and Assembly Bill No. 1000 passed by the following vote:

Ayes—Senators Boggs, Bond, Cannon, Chew, F. M., Chew, W. J., Crowley, Cutten, Dennis, Flaherty, Gerlach, Hans, Hatch, Hayes, Holohan, Jones, Kehoe, Lanterman, Leeper, Lewis, Lyon, McDonald, Nelson, Owsley, Parkes, Rigdon, Roberts, Rolph, Sanderson, Stevenson, Stewart, Tyler—40.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1300—An act to amend section 4270 of the Political Code, relating to specific crimes of treasons.

Bill read third time.

The question being on the passage of the bill.

The bill was called, and Assembly Bill No. 1300 passed by the following vote:

Ayes—Senators Boggs, Bond, Cannon, Chew, F. M., Chew, W. J., Crowley, Cutten, Dennis, Flaherty, Gerlach, Hans, Hatch, Hayes, Holohan, Jones, Kehoe, Lanterman, Leeper, Lewis, Lyon, McDonald, Nelson, Owsley, Parkes, Rigdon, Roberts, Rolph, Sanderson, Stevenson, Stewart, Tyler—40.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1408—An act to amend sections 4292, 4293, 4295 and 4294 of the Political Code, relating to lists of county officers and statements thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1304 passed by the following vote:

AYES—Senators Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, McDonald, Nourse, Parkin, Rose, Scott, Sharkey, Shaw, Stockenstrom, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 696.—An act to amend sections 9, 16 and 21 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, misbranded or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 696 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, McDonald, Nourse, Rose, Scott, Shaw, Stockenstrom, and Tyrrell—24.

NOES—Senators Parkin, ;

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 99.—An act to add a new section to the Political Code, to be numbered 4284a, relating to fees of trial and grand jurors in counties of the fifty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 99 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Duncan, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, McDonald, Nourse, Parkin, Rose, Scott, Sharkey, Shaw, Stockenstrom, Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 345.—An act to amend section 304 of the Civil Code, relating to entries to be made in the book of by-laws kept by corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 345 passed by the following vote:

AYES—Senators Benson, Breed, Canepa, Carr, F. M., Chandler, Duncan, Flaherty, Gates, Hans, Ingram, Inman, Jones, Kehoe, King, McDonald, Nourse, Parkin, Scott, Sharkey, Shaw, Stockenstrom, and Tyrrell—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An act to amend certain [illegible] of the Penal Code, relating to salaries and fees of officers of counties of the twenty-seventh class.

Bill read third time.

The question being on the passage of the bill,

The roll was called and Assembly Bill No. [illegible] was passed by the following vote:

Ayes—Senators [illegible]

Noes—[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An act to include certain territory from the boundaries of the Sacramento and San Joaquin Drainage District.

Bill read third time.

ROLL OF THE SENATE.

The roll was called on the passage of Assembly Bill No. [illegible].

Pending the announcement of the vote, Senator [illegible] entered a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators [illegible]

The Secretary announced the absentees.

Time, ten o'clock and [illegible].

The Acting President directed the Sergeant-at-Arms to close the doors.

PUNITIVE DAMAGES—[illegible]

At ten o'clock and twenty minutes a.m., further proceedings under the call of the Senate were suspended, on motion of Senator [illegible].

The Secretary was directed to call the roll on passage of bill of the Senators who had not answered to their names.

The roll was called, and Assembly Bill No. [illegible] was finally passed by the following vote:

Ayes—Senators [illegible]

Noes—Senators [illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY—[illegible] OF [illegible].

On motion of Senator Kehoe, the following messages from the Assembly were taken by unanimous consent and read, and at the request of the Senate:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT:—I am informed by [illegible] that the Assembly on this day passed Senate Bill No. [illegible]—An act to amend section [illegible] of the [illegible]

entitled "An act to provide for work on and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks" and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911.

Also: Senate Bill No. 370—An act to authorize the incurring of indebtedness by counties for the construction of roads and highways and for all necessary public improvements or for any purpose whatsoever.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 1159 and 370 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 717—An act to validate proceedings for the annexation of territory to municipal corporations under the provisions of an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the districting, government and municipal control of such annexed territory," approved March 19, 1889, and the acts amendatory thereof;

Also: Senate Bill No. 1160—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, and all amendments thereto, by amending sections 64, 102, 320, 329, 527 and 623 thereof, and authorizing the legislative body of municipal corporations of the first, second, third and fourth class to borrow money in anticipation of the collection of taxes, and to execute and deliver negotiable promissory notes or other evidences of indebtedness for such money, and limiting the amount of money which may be so borrowed, and prescribing the purposes to which the same may be applied;

Also: Senate Bill 142—An act to amend the Code of Civil Procedure by adding thereto five new sections, to be numbered 204a, 204b, 204c, 204d, and 204e, relating to jury commissioners, their duties, appointment and compensation;

Also: Senate Bill No. 181—An act to provide for the furnishing by public utility corporations, to employees thereof leaving their service, of service letters.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 717, 1160, 142 and 181 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Joint Resolution No. 7—Relative to the devoting revenues from national forests to the construction of works for flood control.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Joint Resolution No. 7 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 1101—An act to amend section 224 of the Civil Code, relating to persons whose consent is necessary to the adoption of a minor child;

Also: Senate Bill No. 966—An act to prevent floods, to protect cities, towns, lands, farms and highways from damage from flood waters, and to authorize the organization of drainage and conservation districts, therefor, and to levy assessments and issue bonds for the costs;

Also: Senate Bill No. 121—An act to amend "An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the landowners, providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed, providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance

[illegible]

[illegible]

[illegible]

administrators and special administrators, providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another, and providing for the dissolution of said districts for nonuser of corporated power," approved June 13, 1913, by adding thereto two new sections, to be numbered sections 35 and 36.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED TWENTY-ONE.

AMENDMENT NUMBER ONE.

Strike out all of the text of the printed bill after the words "An act" and insert in lieu thereof the following: "to amend 'An act providing for the organization of water districts by the board of supervisors of any county of the state upon petition therefor by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the organization and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing that said bonds may be investigated by an appointed board of three civil engineers; providing for the approval of said bonds by the state superintendent of banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another, and providing for the dissolution of said districts for nonuser of corporate power,' approved June 13, 1913, by adding thereto two new sections, to be numbered sections 35 and 36."

AMENDMENT NUMBER TWO.

Strike out all of the printed bill under the enacting clause and insert in lieu thereof the following:

SECTION 1. An act entitled "An act providing for the organization of water districts by the board of supervisors of any county of the state upon petition therefor by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of said county in which the lands contained in said district are located; providing for the organization and construction by said district of water works for the irrigation of the lands embraced therein and for the distribution of water for irrigation purposes and domestic use; providing for the payment of the debts thereof by a tax levied on the property embraced therein; providing for the issuance and sale of bonds thereby," approved June 13, 1913, is hereby amended by adding thereto two new sections, to be designated sections thirty-five and thirty-six to read as follows:

Sec. 35. The board of directors of any district hereafter organized hereunder may at their option adopt the assessment roll of the county or counties in which the land of the district is contained in so far as said assessment roll affects the lands in the district, and file with the clerk of the board of supervisors a certified copy of such assessment roll, in lieu of the assessment book mentioned in section eight of this act.

Sec. 36. The board of directors of any district hereafter organized hereunder shall have the power to sell water to owners of land in the districts and to fix rates for the sale of water, and such rates may vary in different months and in different localities of the district to correspond to the cost and value of the service, and to collect for all water sold and increase so much of the proceeds of the sale of water as may be necessary to defray the ordinary operating expenses of the district and any funds derived from the sale of water in excess of the amount necessary for operating expenses shall be paid to the treasurer of the county in which said district is located and applied upon the payment of interest on bonds or to create a sinking fund.

The question being, Shall the Senate concur in Assembly amendments to Senate Bill No. 121?

The roll was called, and Assembly amendment to Senate Bill No. 111 concurred in by the following vote:

AYES—Senators Brown, Flood, Finney, Gill, E. M., Gill, W. J., Gualco, Crowley, Evans, Fairchild, Fairley, Hans, Hansen, Jones, Irwin, Kehoe, Kent, Lewis, Lipman, Parkes, Rix, Shearer, Wiley, Wolfsohn, Wyman and Young—22.

NOES—None.

Senate Bill No. 111 ordered to enrollment.

The Senate took up the consideration of Assembly amendment to Senate Bill No. 386—An act to authorize the organization of conservation districts for the following purposes, namely: to construct improvements for the purpose of preventing floods and facilitating drainage of flooded areas, to protect cities, towns, towns, improvements and highways against damage from flood waters by more and by diking of flood waters, to provide for the assessment and apportionment of district funds to pay the costs and expenses incident to district affairs, and to provide for the assessment of such funds, to provide for the levying and collection of taxes to pay the annual assessment of principal and interest on said bonds, to provide for levying and collecting special assessments for special benefits and to make improvement expenses to represent such special assessments for special benefits, to provide for the effect and enforcement of such improvement districts and the creation of secondary district funds (the "secondary fund"), and to provide a method of dissolving such districts.

[illegible]

[illegible]

The question being, Shall the Senate concur in Assembly amendment to Senate Bill No. 386?

The roll was called, and Assembly amendment to Senate Bill No. 386 was concurred in by the following vote:

AYES—Senators Brown, Flood, Finney, Gill, E. M., Gill, W. J., Gualco, Crowley, Evans, Fairchild, Fairley, Hans, Hansen, Jones, Irwin, Kehoe, Kent, Lewis, Lipman, Parkes, Rix, Shearer, Wiley, Wolfsohn, Wyman and Young—22.

NOES—None.

Senate Bill No. 386 ordered to enrollment.

Also

Assembly Chamber, Sacramento, April 27, 1917.

MR. PRESIDENT: I am informed by Senator Gualco that that the Assembly on this day passed Senate Assembly amendments to Senate Bill No. 386. I am instructed by the Chief Clerk of the Senate of California by mailing a true certified copy of its assembly action and endorsing of the certificate of assembly amendments by your desired.

E. G. FINETONY, Chief Clerk of Assembly.
By M. Nelson, Assistant Clerk.

Senate Bill No. 386 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 861—An act to amend an act known as the "Juvenile Court Law" approved June 5, 1915, by adding a new section thereto to be numbered 25a, relating to records of juvenile offenders;

Also: To Assembly Bill No. 285—An act to provide for semi-monthly pay days of laborers in the employ of any county, city of the first or second class.

Also: To Assembly Bill No. 572—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 12, 1883, as amended.

Also: To Assembly Bill No. 68—An act to amend section 737 of the Political Code, relating to salaries of superior judges;

Also: To Assembly Bill No. 875—An act to amend section 4267 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirty-eighth class;

Also: To Assembly Bill No. 1470—An act to amend sections 377 and 378 of the Civil Code, relating to certain rights and remedies of stockholders in California corporations.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 173—An act to provide for work in and upon highways, streets, avenues, lanes, alleys, courts, places and sidewalks in counties and upon property and rights of way owned by counties, and for establishing and changing the grade of the same, and providing for the issuance and payment of improvement bonds to represent certain assessments for the cost thereof;

Also: To Assembly Bill No. 184—An act to amend sections 7 and 11 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and in that behalf to create a state civil service commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913;

Also: To Assembly Bill No. 1339—An act to amend section 1239 of the Political Code, relating to county officers in counties of the third class;

Also: To Assembly Bill No. 1753—An act to amend section 4261 of the Political Code, relating to the salaries and fees of officers in counties of the thirty-second class;

Also: To Assembly Bill No. 795—An act to amend section 1240 of the Political Code, relating to the compensation of county and township officers and to the fees and mileage of grand jurors and petit jurors and witnesses in the superior court, and to the fees of jurors in criminal cases in justices courts of counties of the eleventh class.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

RESOLUTIONS.

The following resolution was offered:

By Senator Luce:

Resolved, That the Industrial Accident Commission be and it is hereby instructed to compile for publication in one pamphlet Senate Bill No. 818 of the forty-second Session of the Legislature, being an act "Workmen's Compensation, Insurance and Safety Act of 1917" after it shall have been signed by the Governor, and such portions of the "Workmen's Compensation, Insurance and Safety Act of 1913" as are not repealed by said act of 1917; and be it further

Resolved, That the State Printer be and he hereby is instructed to print thirty thousand copies of said compilation and deliver the same to the Industrial Accident Commission for public distribution.

Resolution referred to Committee on Contingent Expenses.

Also:

The following resolution was offered:

By Committee on Contingent Expenses:

[illegible]

Resolution read.

Senator Nesbitt moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

Ayes—Senators Brown, Wright, Cook, Cox, Dillon, Fitzgerald, Fitzpatrick, Gaffney, Gibson, Gilbert, Gillett, Gray, Hall, Hamilton, Hewitt, Hill, Hitchcock, Hitchman, Hitt, Hoffman, Hogan, Hotaling, Jones, Kelly, Kilbourne, Lamb, Lewis, Lyon, McDonald, Nesbitt, Parsons, Rathbun, Reed, Sargent, Schoen, Stevenson, Thompson, and Tyrrell—37.

Noes—None.

Also:

The following resolution, was offered:

By Committee on Contingent Expenses:

[illegible]

The Western Union Telegraph Company:

April	20	11	Phone, Washington	[illegible]
April	20	11	Telegram, Washington	[illegible]
April	20	11	Telegram, Washington	[illegible]
April	20	11	Phone, Washington	[illegible]
April	20	11	Telegram, Washington	[illegible]
April	20	11	Telegram, Washington	[illegible]
April	20	11	Telegram, Washington	[illegible]
April	20	11	Telegram, Washington	[illegible]
April	20	11	Telegram, Washington	[illegible]
April	20	11	Telegram, Washington	[illegible]
April	20	11	Telegram, Washington	[illegible]
April	20	11	Telegram, Washington	[illegible]
April	20	11	Telegram, Washington	[illegible]
				$[illegible]

Resolution read.

Senator Nesbitt moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

Ayes—Senators Brown, Cook, Cox, Dillon, Fitzgerald, Fitzpatrick, Gaffney, Gibson, Gilbert, Gillett, Gray, Hall, Hamilton, Hewitt, Hill, Hitchcock, Hitchman, Hitt, Hoffman, Hogan, Hotaling, Jones, Kelly, Kilbourne, Lamb, Lewis, Lyon, McDonald, Nesbitt, Parsons, Rathbun, Reed, Sargent, Schoen, Stevenson, Thompson, and Tyrrell—37.

Noes—None.

THIRD READING OF ASSEMBLY BILLS—RESUMED.

Assembly Bill No. 1027—An act to appropriate money to be expended by and under the direction of the Department of Engineering for the purpose of rectifying and improving the channels of the Sacramento, San Joaquin and Feather rivers and such other waters of the State as the Department of Engineering, etc.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1027 passed by the following vote:

AYES—Senators Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Crowley, Duncan, Evans, Flaherty, Gates, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Nealon, Scott, Sharkey, Slater, Thompson, and Tyrrell—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1264—An act to amend section 18 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sexton and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same, to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1264 passed by the following vote:

AYES—Senators Benson, Breed, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Evans, Flaherty, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Nealon, Parkin, Rigdon, Scott, Sharkey, Slater, Strackenbruck, Thompson, and Tyrrell—28.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1348—An act to amend section 4260 of the Political Code, relating to the salaries and fees of officers of counties of the thirty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1348 passed by the following vote:

AYES—Senators Benson, Breed, Canepa, Carr, F. M., Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Nealon, Rigdon, Scott, Sharkey, Slater, Thompson, and Tyrrell—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1160—An act to add a new section to the Penal Code, to be numbered 2300a, relating to free and salvage of jurors on creation of the thirty-seventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1160 passed by the following vote:

AYES—Senators Brown, Brady, Finnigan, Cory, E. M., Crichton, Cronin, Dennis, Dunn, Dwinnell, Gerry, Hulse, Jones, Jones, Lewis, Lipman, Lukins, Kemp, Lane, McDonald, Martin, Perkins, Stephens, Stern, Stevens, Ford, Sutherland, Thomson and Tyson—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1161—An act to prohibit collection of contributions or payments from candidates for office for specified purposes, to forbid the payment or promise of payment to candidates for such purposes, to forbid receipt of money from candidates for specified purposes, and to fix a penalty for a violation of the terms of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1161 refused passage by the following vote:

AYES—Senators Cory, E. M., Crichton, Dennis, Finnigan, Hulse, Jones, Jones, McDonald, and Stevens—10.

NOES—Senators Brown, Brady, Brown, Cronin, Cory, W. A., Dwinnell, Gerry, Lewis, Lipman, Lukins, Kemp, Lane, Martin, Perkins, Stephens, Stern, Sutherland, Thomson and Tyson—21.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1200—An act providing for the removal of bodies from the cemetery in the Stockton State Hospital and repealing chapter 7 and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1200 passed by the following vote:

AYES—Senators Brown, Brady, Finnigan, Cory, E. M., Crichton, Cronin, Dennis, Dwinnell, Hulse, Jones, Jones, Lewis, Lipman, Lukins, Kemp, Lane, Martin, Perkins, Stephens, Stern, Stevens, Ford, Sutherland, Thomson and Tyson—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 171—An act amending section 4211 of the Political Code, relating to salaries and compensation of officers in counties of the twelfth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 171 passed by the following vote:

AYES—Senators Brown, Brady, Finnigan, Cronin, Cory, E. M., Cory, W. A., Crichton, Cronin, Dennis, Dwinnell, Gerry, Hulse, Jones, Jones,

Johnson, Jones, Kehoe, King, Luce, McDonald, Nealon, Purkitt, Rigdon, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1269—An act to appropriate money for the development and furnishing of an additional water supply to Napa State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1269 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Inman, Jones, Kehoe, King, Nealon, Rigdon, Scott, Sharkey, Slater, Stuckenbruck, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 950—An act to amend section 1115 of the Political Code, relating to the index of registration books.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 950 passed by the following vote:

AYES—Senators Benson, Breed, Burnett, Canepa, Carr, F. M., Carr, W. J., Chandler, Crowley, Evans, Flaherty, Gates, Hans, Ingram, Jones, Kehoe, Luce, Nealon, Purkitt, Rigdon, Scott, Sharkey, Stuckenbruck, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1441—An act to amend sections 1, 3 and 9 of an act entitled "An act to regulate the conduct of election campaigns, and repealing an act entitled 'An act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,' approved February 23, 1893," approved March 19, 1907, as amended by an act approved June 6, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1441 refused passage by the following vote:

AYES—Senators Burnett, Crowley, Duncan, and Flaherty—4.

NOES—Senators Benson, Breed, Canepa, Carr, W. J., Chandler, Evans, Gates, Hans, Ingram, Inman, Irwin, Jones, Kehoe, King, Nealon, Purkitt, Rigdon, Scott, Sharkey, Slater, Stuckenbruck, and Tyrrell—22.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 779—An act to amend section 1365, and to repeal section 1379 of the Code of Civil Procedure of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] refused passage by the following vote:

Ayes—Senators [illegible]

Noes—Senators [illegible]

Bill ordered transmitted to the Assembly.

Senate Concurrent Resolution No. [illegible]—Relative to the [illegible] Day.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. [illegible] adopted by the following vote:

Ayes—Senators [illegible]

Noes—None.

Resolution ordered to engrossment.

REPORTS OF STANDING COMMITTEES—CONTINUED.

The following report of standing committee was presented and read:

ON CONTINGENT EXPENSES.

Senate Chamber, Sacramento, April 27, 1917.

Mr. President: Your Committee on Contingent Expenses, to which was referred the following resolution: [illegible]

Resolved, [illegible]

Resolved, [illegible]

[illegible]

[illegible]
[illegible]
[illegible]
Committee on Contingent Expenses.

MESSAGES FROM THE ASSEMBLY—OUT OF ORDER.

On motion of Senator [illegible], the following messages from the Assembly were taken up and read, out of the regular order:

Assembly Chamber, Sacramento, April 27, 1917.

Mr. President: I am directed to inform your honorable body that the Assembly on this day [illegible] No. [illegible]—An act [illegible]

[illegible], Chief Clerk of Assembly.
By [illegible], Assistant Clerk.

Assembly Bill No. [illegible] ordered to unfinished business.

Also,

Assembly Chamber, Sacramento, April 27, 1917.

Mr. President: I am directed to inform your honorable body that the Assembly on this day [illegible] Senate amendments to Assembly Bill No. [illegible]—An act to amend section [illegible] of the Code of Civil Procedure, [illegible]

Also: To Assembly Bill No. 1469—An act to add a new section to the Penal Code, to be numbered 629a, relating to fish screens;

Also: To Assembly Bill No. 421—An act to amend section 6 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended May 30, 1913, as amended June 11, 1915.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 515—An act to amend section 1721 of the Political Code and to add a new section to the Political Code, to be numbered section 1739b, relating to the organization of high school districts and county junior college districts;

Also: Senate Bill No. 645—An act act to amend an act entitled "An act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the forty-eighth fiscal year and making certain acts a felony and repealing an act entitled 'An act creating a commissioner of public works, defining his duties and powers and fixing his compensation,' approved February 9, 1900, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897, also repealing an act entitled 'An act providing for the appointment of an assessing board to the Commissioner of Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes intended, making certain acts a felony, and making an appropriation of money for the purposes of this act,' approved March 17, 1897, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to provide for the appointment, duties and compensation of a debris commissioner, and to make an appropriation to be expended under his direction in the discharge of his duties as such commissioner,' approved March 24, 1893, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this act,' approved April 1, 1897, and all acts or parts of acts amendatory thereof,' approved March 11, 1907, and all acts or parts of acts amendatory thereof, by amending sections 1, 9, 10, 13, 16 and 17 thereof, relating to the officers and employees of the Department of Engineering, their powers, duties and salaries, and by repealing section 1½ thereof.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 515 and 645 ordered to enrollment.

SECRETARY CLIFTON E. BROOKS AT THE DESK.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage to Senate Bill No. 476—An act to add a new section to the Penal Code, to be numbered 817a, relating to the duties of peace officers;

Also: Senate Bill No. 576—An act to amend section 11 of an act entitled "An act to provide for a general system, based upon merit, education as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a state civil service commission, to prescribe its powers and duties, to make the willful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also,

[illegible]

Mr. PROCTOR. [illegible]

[illegible]

Also,

[illegible]

Mr. PROCTOR. [illegible]

[illegible]

Also,

[illegible]

Mr. PROCTOR. [illegible]

[illegible]

honorable body to further consider Assembly Bill No. 287—An act to amend section 3 of an act entitled "An act to regulate and license the hunting of wild birds and animals, and to provide revenue therefrom for game and fish preservation and restoration," approved March 22, 1909.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 780—An act to amend section 1313 of the Civil Code relating to restrictions on devises or bequests for charitable uses.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SEVEN HUNDRED EIGHTY.

AMENDMENT NUMBER ONE.

On line 9, of page 1, of the printed bill, following the word "valid" strike out the semicolon, and insert in lieu thereof a period.

AMENDMENT NUMBER TWO.

On line 9, of page 1, of the printed bill strike out the words "provided, that no such devise or bequest".

AMENDMENT NUMBER THREE.

On page 1, of the printed bill, strike out all of lines 10 to and including line 19.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 780?

The roll was called, and Assembly amendments to Senate Bill No. 780 refused concurrence by the following vote:

AYES—Senators Flaherty, Gates, Hans, Ingram, Irwin, and Johnson—6.
NOES—Senators Besse, Black, Burnett, Caminetti, Chandler, Chenoweth, Evans, Jones, Kehoe, Parkin, Rush, Scott, Shortridge, Stetler, Stockenbury, and Thompson—16.

Senate Bill No. 780 ordered transmitted to the Assembly.

The Senate took up for consideration Assembly amendments to Senate Bill No. 470—An act to provide for the formation and establishment of boulevard districts; the construction, acquisition, maintenance, control and use of boulevards, defining the term boulevard; providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such boulevards; providing for a boulevard commission to have charge of the affairs of boulevard districts, and the construction, maintenance and repair of boulevards, within such districts; providing for the election of such commission, their terms of office, and of elections to be held in such districts, and repealing conflicting acts.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED SEVENTY.

AMENDMENT NUMBER ONE.

On page 2 amend the title of the act by striking out the words "and the nomination and election of commissioners, their terms of office", and insert in lieu thereof the words "and the creation of boulevard commissions".

AMENDMENT NUMBER TWO.

On page 5, line 21, of the printed bill, strike out the entire line 21 and substitute in lieu thereof the following: "one member of the boulevard commission".

AMENDMENT NUMBER THREE.

On page 6, line 16, of the printed bill, strike out the words "three commissioners" and insert in lieu thereof the words "one member of the boulevard commission".

[illegible]

[illegible]

[illegible]

AMENDMENT NUMBER TWELVE.

On page 9, line 39, after the word "sales" insert a comma and add the following: "*provided, however*, that if any boulevard or boulevards are constructed with moneys raised by taxation and not from the sale of notes as herein provided, such boulevard or boulevards shall be constructed only after an election to be had in the manner herein provided for electors in said district, for the purpose of determining whether such boulevard or boulevards shall be constructed and at which election a majority of the votes cast are in favor of the construction of such boulevard or boulevards".

AMENDMENT NUMBER THIRTEEN.

On page 10, line 12, of the printed bill, strike out the words "of limited dedication and use".

AMENDMENT NUMBER FOURTEEN.

On page 10, line 28, of the printed bill, after the word "boulevard" strike out the period and insert in lieu thereof a comma and the following: "and for the purposes of this act the boulevard district is hereby expressly authorized and empowered to take over, control, operate, and use in whole or in part any such county road or public highway".

AMENDMENT NUMBER FIFTEEN.

On page 14, in line 7, after the word "boulevards", strike out the period and insert in lieu thereof a semicolon and add the following: "*provided*, that the said boulevard commission may, at its option, and it is hereby empowered to, direct the county surveyor, or county engineer, as the case may be, to do any or all of said work herein provided to be done by an engineer or engineers.".

AMENDMENT NUMBER SIXTEEN.

On page 12, line 20, of the printed bill, strike out the words "six months" and insert in lieu thereof "one year".

AMENDMENT NUMBER SEVENTEEN.

On page 14, line 14, of the printed bill, after the word "district" add the following: Anything in this act to the contrary notwithstanding the board of supervisors shall set apart and turn over to the boulevard commission out of the general fund of the county twenty-five per cent of the cost of acquisition of rights of way for, and of construction of, said boulevard or boulevards and also twenty-five per cent of the cost of maintenance and repair of said boulevard or boulevards, all such moneys to be used by the boulevard commission for such purposes respectively, and the board of supervisors shall set apart and use for road work in the boulevard district all moneys raised in such district by the county for road purposes; *provided, however*, that if for any reason the provisions, or any thereof, of this sentence are unconstitutional or affect the constitutionality of this act or any of the provisions thereof, then this sentence, or such provisions thereof, only, shall be void and the remainder of this act shall stand as if this sentence, or such provisions thereof, as the case may be, had not been included in this act, the same being hereby declared to be separable.

AMENDMENT NUMBER EIGHTEEN.

On page 14, line 30, of the printed bill, strike out the word "funds" and insert in lieu thereof the word "fund".

AMENDMENT NUMBER NINETEEN.

On page 16, line 19, of the printed bill, after the word "discretion" strike out the period and insert in lieu thereof a semicolon and add the following: "*provided, however*, that if the cost of any such work of maintenance or repair shall exceed the sum of one thousand dollars, then such work shall be done under contract pursuant to bids for such work after advertising in the same manner herein provided for advertising for bids and letting contracts for construction work."

AMENDMENT NUMBER TWENTY.

On page 17, line 2, of the printed bill, after the word "now" insert the word "is" and on line 8 strike out the word "each" and insert in lieu thereof the word "such" and on line 20 strike out "yards" and insert in lieu thereof "yard".

The question being "Shall the Senate concur in Assembly amendments to Senate Bill No. 470?"

The roll was called, and Assembly amendments to Senate Bill No. 470 concurred in by the following vote:

AYES—Senators Benson, Bond, Burnett, Canepa, Chandler, Crowley, Evans, Flaherty, Gates, Hare, Ingram, Irwin, Johnson, Jones, Kehoe, King, McDonald, Purkitt, Scott, Sharkey, Slater, Stockenbruck, Thompson, and Tyrrell—24.

NOES—None.

Senate Bill No. 470 ordered to enrollment.

The Senate took up for consideration Assembly amendments to Senate Bill No. 341, the act to amend section 1141 relating to the duties of the Superintendent of Schools, and to add a new section to the Political Code, to be numbered 1001, relating to the [illegible] the legislative and compensation of school officers.

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

The question before the House was: Shall the Senate recede from its Senate Bill No. 341?

The roll was called and Assembly Amendments to Senate Bill No. 341 concurred in by the following vote:

AYES—Senators [illegible]

NOES—None.

Senate Bill No. 341 ordered to enrollment.

[illegible]

Mr. President: [illegible]

[illegible]

On page 3, line 28, of the printed bill, strike out the words "in Sacramento Indians."

[illegible]

Senate Committee on Free Conference.

BURKE,
MORRIS,
MARTIN,

Assembly Committee on Free Conference.

The question being on the adoption of the report of the Committee on Free Conference and the amendment.

The roll was called, and the report of the Committee on Free Conference and the amendments adopted by the following vote:

AYES—Senators Benson, Boyd, Burnett, Cassidy, Carl, W. J. Chandler, Crowley, Evans, Flaherty, Gates, Hans, Inman, Irwin, Johnson, Jones, Kehoe, King, McDonald, Scott, Shearer, Sisk, Stewart, Thomson, and Tyler—24.

NOES—Senator Parkin—1.

Assembly Bill No. 287 and report of Committee on Free Conference ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Kehoe, the following messages from the Assembly were taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended, Senate Bill No. 1149—An act to amend section 628 of the Penal Code, relating to the protection of fish—and respectfully asks that the amendments be concurred in.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 1149—An act to amend section 628 of the Penal Code, relating to the protection of fish.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE THOUSAND ONE HUNDRED FORTY-NINE.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended March 23, 1917, in line 18 strike out the word "nine" and insert in lieu thereof the words "ten and one-half".

AMENDMENT NUMBER TWO.

On page 2 of the amended bill, in line 1, strike out the words "thirteen and one-half" and insert in lieu thereof the word "sixteen".

AMENDMENT NUMBER THREE.

On page 2 of the amended bill, strike out all of lines 34, 35, 36 and 37, and on page 3 strike out all of lines 1 to 32, inclusive, and insert in lieu thereof the following paragraph:

Every person who ships or offers for shipment or transportation any species of crab taken in fish and game districts five, six, seven, seven-a, eight or nine, is guilty of a misdemeanor.

AMENDMENT NUMBER FOUR.

On page 3 of the amended bill, in line 34, strike out the following: "or abalone (*Haliotis*)".

AMENDMENT NUMBER FIVE.

On page 4 of the amended bill, in line 5, strike out the words "or abalone (*Haliotis*)".

AMENDMENT NUMBER SIX.

On page 4 of the amended bill, in lines 6 and 7, strike out the words "or abalone (*Haliotis*)".

AMENDMENT NUMBER SEVEN.

On page 4 of the amended bill, strike out all of lines 9 to 19, inclusive.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 1149?

The roll was called and Assembly amendments to Senate Bill No. 1149 concurred in by the following vote:

[illegible]

Senate Bill No. 1147 ordered to enrollment.

Also:

[illegible]

Mr. Chairman: I am directed to report your committee has [illegible] Senate Bill No. 1148 [illegible] and recommend that said bill be [illegible] and [illegible] Dated at Sacramento, California, this 26th day of April, 1917.

W. H. [illegible], Chief Clerk of Assembly.
By W. [illegible], Assistant Clerk.

Senate Bill No. 1229 ordered to enrollment.

Also:

[illegible]

Mr. Chairman: I am directed to report your committee has [illegible] Senate Bill No. 1230 [illegible] and recommend that said bill be [illegible] Dated at Sacramento, California, this 26th day of April, 1917.

W. H. [illegible], Chief Clerk of Assembly.
By W. [illegible], Assistant Clerk.

Also:

[illegible]

Mr. Chairman: I am directed to report your committee has [illegible] Senate Bill No. 1231 [illegible] and recommend that said bill be [illegible] Dated at Sacramento, California, this 26th day of April, 1917.

W. H. [illegible], Chief Clerk of Assembly.
By W. [illegible], Assistant Clerk.

Also:

[illegible]

Mr. Chairman: I am directed to report your committee has [illegible] Senate Bill No. 1232 [illegible] and recommend that said bill be [illegible] Dated at Sacramento, California, this 26th day of April, 1917.

W. H. [illegible], Chief Clerk of Assembly.
By W. [illegible], Assistant Clerk.

Senate Bill No. 1240 indefinitely postponed.

[illegible]

Also:

[illegible]

Mr. Chairman: I am directed to report your committee has [illegible] Senate Bill No. 1241 [illegible] and recommend that said bill be [illegible] Dated at Sacramento, California, this 26th day of April, 1917.

W. H. [illegible], Chief Clerk of Assembly.
By W. [illegible], Assistant Clerk.

RESOLUTION.

The following resolution was offered:

By Senator Luce:

Resolved, That the State Printer be, and he hereby is, instructed to print 5,000 annotated and indexed copies of the district primary law as amended at the forty-second session of the Legislature together with the forms necessary to carry out the provisions of said law; and, be it further

Resolved, That the Secretary of State is hereby authorized to receive the same for public distribution; and that 10 copies of said act be sent to each member of the Legislature; and, be it further

Resolved, That the author of said act be requested to assist in the annotating and indexing thereof, such work to be performed without compensation.

Resolution read, and, on motion of Senator Luce, adopted.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 1138—An act to provide for the establishment of public medical centers for the care of the health of the children of the State of California; prescribing penalties for violations of the provisions hereof and repealing an act entitled "An act to provide for health and development supervision in the public schools for the State of California," approved April 15, 1909, and all acts and parts of acts inconsistent herewith.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE THOUSAND ONE HUNDRED THIRTY-EIGHT.

AMENDMENT NUMBER ONE.

On page 1, lines 5, 6 and 7, of the printed bill, strike out of the title the following: "An act entitled 'An act to provide for health and development supervision in the public schools of the State of California,' approved April 15, 1909,"

AMENDMENT NUMBER TWO.

On page 3, line 26, of the printed bill, strike out all of section 10.

AMENDMENT NUMBER THREE.

Change "Section 11" to "Section 10."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 1138?

The roll was called, and Assembly amendments to Senate Bill No. 1138 concurred in by the following vote:

AYES—Senators Benson, Breed, Burnett, Carter, Cox, W. J. Crowley, Duncan, Flaherty, Gates, Hans, Ingram, Irwin, Johnson, Jones, Kehoe, King, Luce, McDonald, Purkitt, Scott, Sharkey, Slater, Stuckenbruck, Thompson, and Tyrrell—25.

NOES—None.

Senate Bill No. 1138 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference appointed to consider Assembly Bill No. 287—An act to amend section 3 of an act entitled "An act to regulate and license the hunting of wild birds and animals, and to provide revenue therefrom for game and fish preservation and restoration," approved March 22, 1909.

B. O. BOOTHBY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Nays:

[illegible]

Senator Hare moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

Ayes: Senator Blount, Bond, Brown, Cox, W. E. Crawford, Daniel, Dixon, Gates, Hare, Hatch, Kincaid, Lehmann, Jones, Kelley, King, McDonald, Pitts, Taylor, Stone, Swanson, and Tyler—[illegible].

Nays: None.

[illegible]

At eleven o'clock and thirty-five minutes a.m., on motion of Senator Bond, the acting President declared the Senate in recess until the hour of eleven o'clock and thirty minutes a.m.

[illegible]

At eleven o'clock and thirty minutes a.m., the Senate reconvened.

Hon. Arthur H. Bond, President pro tempore of the Senate, in the chair.

Minute Clerk Joseph A. Bird at the desk.

REPORTS OF STANDING COMMITTEES—ORDER OF ORDER

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT

SENATE CHAMBER, SACRAMENTO, April 27, 1917

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 30, Relative to the observance of California Admission Day, and reports that the same has been carefully engrossed.

STUCKENBRUCK, Acting Chairman.

Senate Concurrent Resolution No. 30 ordered transmitted to the Assembly.

ON JUDICIARY

SENATE CHAMBER, SACRAMENTO, April 27, 1917

MR. PRESIDENT: Your Committee on Judiciary to which was referred Assembly Bill No. 76—An act [illegible] section 737 of the Penal Code, relating to the selection of special juries—

Also: Assembly Bill No. 101—An act to amend section 849 of the Penal Code, relating to the time when an arrest may be made;

Also: Assembly Bill No. 125—An act to amend section 927 of the Penal Code, relating to [illegible] before the grand jury, the witnesses may be [illegible] at the sessions of such jury and the records of testimony taken at such sessions;

Also: Assembly Bill No. 106—An act to amend section 869 of the Penal Code, relating to the taking and authentication of testimony on examinations in criminal cases, and to provide for the fees to be paid therefor;

Also: Assembly Bill No. 129—An act to add a new section to the Penal Code [illegible] relating to the trending and distribution of [illegible] [illegible] [illegible];

Also: Assembly Bill No. 160—An act to add a new section to the Code of Civil Procedure, to be numbered [illegible], relating to the time of commencing actions based upon a claim of riparian rights;

Also: Assembly Bill No. 181—An act to amend section 1025 of the Code of Civil Procedure, relating to [illegible] of justices and clerks of justices' courts;

Also: Assembly Bill No. 237—An act to amend section 200 of the Code of Civil Procedure, relating to exemptions from liability to act as a juror;

Also: Assembly Bill No. 245—An act to amend section 2483 of the Civil Code, relating to the publication of certificates of special partnership;

Also: Assembly Bill No. [illegible]—An act to [illegible] 1255 and 1255a, of the Code of Civil Procedure, all relating to proceedings in eminent domain;

Also: Assembly Bill No. [illegible]—An act to add to [illegible] sections to the Penal Code, to be numbered 598b, relating to cruelty to animals;

Also: Assembly Bill No. [illegible]—An act to amend section 270a of the Penal Code, relating to the nonsupport of wife;

Also: Assembly Bill No. 618—An act to amend section 162 of the Civil Code, [illegible] [illegible];

Also: Assembly Bill No. [illegible]—An act to amend section 270b of the Penal Code, relating to the providing for minor children;

Also: Assembly Bill No. [illegible]—An act [illegible] that the unpaid expenses of the convention which framed the Constitution of the State of California, including the unpaid per diem of the delegates to such convention for the full term thereof, are obligations against the State, providing that suits may be brought against the State [illegible] for such unpaid expenses and per diem;

Also: Assembly Bill No. 700—An act to amend section 690 of the Code of Civil Procedure;

Also: Assembly Bill No. 731—An act to amend section 362 of the Civil Code of the State of California, relating to the amendment of articles of incorporation;

Also: Assembly Bill No. 827—An act to amend section 199 of the Code of Civil Procedure, in relation to the competency of jurors;

Also: Assembly Bill No. 850—An act to amend section 542 of the Code of Civil Procedure, relating to how real and personal property shall be attached;

Also: Assembly Bill No. 1009—An act to provide for the preservation of surveys and maps thereof which have been heretofore made and not filed in the office of the county recorders and to be made of record hereafter in any county of this State;

Also: Assembly Bill No. 1117—An act to amend section 4135b of the Political Code, relating to indexing deeds and certain other documents once recorded;

Also: Assembly Bill No. 1190—An act to amend section 466 of the Penal Code, relating to having in possession any instrument with intention to commit a felony or misdemeanor;

Also: Assembly Bill No. 1238—An act to amend section 101 of the Code of Civil Procedure, relating to justices' clerks;

[illegible]

[illegible]

[illegible]

Also: Senate Bill No. 129—An act to amend section 1963 of the Code of Civil Procedure, relating to presumptions.

Also: Senate Bill No. 134—An act to amend section 1446 of the Penal Code relating to judgment, fine and imprisonment in justices and police courts.

Also: Senate Bill No. 137—An act to amend section 437 of the Code of Civil Procedure, relating to answer.

Also: Senate Bill No. 144—An act to amend section 172 of the Civil Code and to add to said Civil Code a new section to be known as section 172a, relating to the management, control, and conservation of community property.

Also: Senate Bill No. 146—An act to amend section 137 of the Civil Code, relating to temporary alimony and permanent support and maintenance of wife.

Also: Senate Bill No. 150—An act to amend section 758 of the Political Code.

Also: Senate Bill No. 151—An act to amend section 12 of an act entitled "An act to promote the general welfare of the people of this State as affected by accident causing the injury or death of employees in the course of their employment, by creating a liability on the part of employers to compensate such employees and their dependents for such accidental injury or death irrespective of the fault of either party, and providing the courts and methods of enforcing such liability, and creating a 'State Compensation Insurance Fund' to insure employers against such liability and providing for its administration and regulating such insurance by other insurance carriers, and requiring safety in all employments and places of employment in this State and providing the means and methods of enforcing such safety, and requiring reports of industrial accidents, and providing penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations, and creating an industrial accident commission, providing for its organization, defining its powers and duties and providing for a review of its orders, decisions and awards, and appropriating moneys to carry out the provisions of this act, and repealing all acts and parts of acts inconsistent with the provisions of this act," approved May 26, 1913.

Also: Senate Bill No. 158—An act to amend section 3088 of the Civil Code relating to negotiable instruments;

Also: Senate Bill No. 165—An act to amend sections 1107, 1214 and 1217 of the Civil Code, relating to the effect of transfers of real property and of the recording and postrecording thereof.

Also: Senate Bill No. 166—An act to amend section 1469 of the Code of Civil Procedure, relating to administration of estate not exceeding one thousand five hundred dollars in value;

Also: Senate Bill No. 167—An act to amend section 337 of the Code of Civil Procedure, relating to the time of commencing actions other than for recovery of real property;

Also: Senate Bill No. 168—An act to amend section 2268 of the Civil Code, relating to the powers of trustees;

Also: Senate Bill No. 169—An act to amend section 2289 of the Civil Code, relating to the appointment of trustees.

Also: Senate Bill No. 202—An act to amend sections 3088 and 3093 of the Civil Code, relating to negotiable instruments.

Also: Senate Bill No. 214—An act to amend section 4306j of the Political Code of the State of California, relating to fees to be collected by county clerk.

Also: Senate Bill No. 217—An act to amend section 1025 of the Code of Civil Procedure, relating to costs;

Also: Senate Bill No. 219—An act to amend section 1619 of the Code of Civil Procedure, relating to fees allowed for attorneys;

Also: Senate Bill No. 220—An act to amend section 1618 of the Code of Civil Procedure, relating to commissions allowed to executors and administrators;

Also: Senate Bill No. 225—An act to amend section 1070 of the Penal Code, relating to peremptory challenges;

Also: Senate Bill No. 227—An act to amend section 791 of the Political Code, relating to notary public;

Also: Senate Bill No. 229—An act to amend section 1024 of the Code of Civil Procedure, relating to costs.

Also: Senate Bill No. 231—An act to amend section 67a of the Code of Civil Procedure, relating to the number of superior court judges and providing for the appointment of the additional superior court judges in counties of the first class and providing for their compensation;

Also: Senate Bill No. 234—An act amending section 499a of the Penal Code relating to stealing of electric current and the meaning of electric wires or appliances, and providing a punishment therefor.

Also: Senate Bill No. 275—An act to amend section 453cc of Chapter 8 of Title II, Part IV, division first of the Civil Code, relating to mortgage insurance;

Also: Senate Bill No. 276—An act authorizing suits against the State concerning certain real property purchased under the provisions of an act entitled "An act to survey and dispose of certain marsh and tidelands belonging to the State of California," approved March 30, 1868, or any of the acts supplementary thereto and amendatory thereof, and regulating the procedure therein;

[illegible]

[illegible]

[illegible]

the court in certain cases to require a deposit of personal property to be made by such bail, and to add a new section to the Penal Code to be numbered section 1283, relating to the exoneration of [illegible] of the bail bond;

Also: Senate Bill No. 475—An act to amend sections 269a and 269b of the Penal Code, relating to the crime of cohabitation and adultery;

Also: Senate Bill No. 517—An act to amend section 601 of the Code of Civil Procedure, relating to challenges of jurors;

Also: Senate Bill No. 520—An act to add a new section to the Penal Code, to be numbered 602a, relating to trespassers;

Also: Senate Bill No. 530—An act to add a new section to the Penal Code, to be numbered 162a, prohibiting corporations and voluntary associations from practicing law and providing penalties for the violation thereof;

Also: Senate Bill No. 544—An act to provide for the indeterminate sentence of persons convicted of certain public offenses, for the termination of such sentence and the release of such persons [illegible];

Also: Senate Bill No. [illegible]—An act to amend section [illegible] of the Civil Code;

Also: Senate Bill No. [illegible]—An act to amend section [illegible] of the Civil Code;

Also: Senate Bill No. 600—An act to amend section 274 of the Code of Civil Procedure, relating to the compensation of official phonographic reporters of the Superior Court of the State of California;

Also: Senate Bill No. 611—An act to amend section 4300a of the Political Code, relating to fees to be charged by a county clerk;

Also: Senate Bill No. 614—An act to amend section 1861 of the Civil Code, relating to the lien of hotel, inn, boarding house, lodging house and apartment house keepers;

Also: Senate Bill No. 623—An act to amend section 95 of the Penal Code, relating to corrupt attempts to influence judges, jurors, [illegible], etc.;

Also: Senate Bill No. 624—An act to add a new section to the Code of Civil Procedure to be known as section [illegible], relating to the fees and mileage of jurors;

Also: Senate Bill No. 625—An act to amend section 274 of the Code of Civil Procedure of the State of California, relating to official reporters;

Also: Senate Bill No. 626—An act relating to combinations in restraint of trade, defining unlawful practices, providing penalties for violations thereof, providing for a trade commission, [illegible] and repealing conflicting acts;

Also: Senate Bill No. 644—An act to add a new section to the Code of Civil Procedure to be numbered section 1190a, relating to liens of mechanics and others;

Also: Senate Bill No. 653—An act to provide for semimonthly pay days of laborers in the employ of the State, or of any county or [illegible];

Also: Senate Bill No. [illegible]—An act to amend section 570 of the Code of Civil Procedure, relating to the disposition of unclaimed funds in the hands of a receiver;

Also: Senate Bill No. [illegible]—An act to amend section 688 of the Penal Code, relating to [illegible];

Also: Senate Bill No. [illegible]—An act making unlawful certain conspiracies, combinations and agreements for the purpose of preventing the carrying on of any lawful business within the State of California, or for the purpose of interfering with or [illegible] the same and making criminal any act done pursuant to or in furtherance of any such conspiracy, combination or agreement, and [illegible] and repealing all acts or parts of acts in conflict with this act;

Also: Senate Bill No. 698—An act to amend section 280b of the Code of Civil Procedure, relating to [illegible];

Also: Senate Bill No. 720—An act to amend section 1365 of the Code of Civil Procedure, relating to persons entitled to administration of estates;

Also: Senate Bill No. 738—An act to amend sections 1917, 1918 of the Civil Code, and to add a new section to the Civil Code to be numbered 1918a, relating to rate of interest;

Also: Senate Bill No. 742—An act to amend section 264 of the Penal Code, relating to punishment for rape;

Also: Senate Bill No. 752—An act to amend section 1502 of the Code of Civil Procedure, relating to actions pending against a decedent at the time of his death;

Also: Senate Bill No. 753—An act to amend section 1 of an act entitled "An act to amend the title and an act entitled 'An act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston School of Industry and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children and [illegible]; providing for detention homes for said children; providing for the punishment of persons responsible for or contributing to, the dependency or delinquency of children, and giving to the Superior Court jurisdiction of such matters, and repealing inconsistent acts,' approved March 8, 1909, and as amended by an act approved April 5, 1911," and to add a new section thereto to be numbered 15b, providing for the appointment of a commissioner of the Superior Court to hear and determine matters and causes arising under this act, and fixing his duties, term of office, and salary;

[illegible]

Also: Senate Bill No. 911—An act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 927, relating to the opening of default judgments in justices' courts;

Also: Senate Bill No. 912—An act to amend section 1021 of the Code of Civil Procedure, relating to costs in civil actions;

Also: Senate Bill No. 926—An act to amend section 883 of the Civil Code, relating to express trusts, so as to provide for notice before sale under trust deeds, **also providing for foreclosure;**

Also: Senate Bill No. 938—An act to amend section eight of an act entitled "An act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain acts a felony and repealing an act entitled 'An act creating a commissioner of public works, defining his duties and powers and fixing his compensation,' approved February 9, 1909, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897, also repealing an act entitled 'An act providing for the appointment of an auditing board to the commissioner of public works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this act,' approved March 17, 1897, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to provide for the appointment, duties and compensation of a debris commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such commissioner,' approved March 24, 1893, and all acts or parts of acts amendatory thereof, also repealing an act entitled 'An act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this act,' approved April 1, 1897, and all acts or parts of acts amendatory thereof," approved March 11, 1907, as amended;

Also: Senate Bill No. 952—An act to add a new section to the Civil Code, to be known as section 1624*a*, relating to contracts in foreign languages, and actions thereon;

Also: Senate Bill No. 953—An act to amend section 1072 of the Penal Code, relating to general causes of challenge;

Also: Senate Bill No. 955—An act to amend section 869 of the Penal Code;

Also: Senate Bill No. 956—An act to amend sections 269, 270, and 271 of the **Code of Civil Procedure, relating to phonographic or shorthand reporters;**

Also: Senate Bill No. 957—An act to amend section 660 of the Code of Civil Procedure;

Also: Senate Bill No. 958—An act to add to the Code of Civil Procedure a new section to be numbered 263*a*, relating to the appointment of a state board of shorthand examiners, and prescribing their appointment, powers, and duties;

Also: Senate Bill No. 960—An act to amend section 791 of the Political Code, relating to notaries public;

Also: Senate Bill No. 962—An act to amend section 592 of the Code of Civil Procedure, relating to trials by jury;

Also: Senate Bill No. 963—An act to amend an act entitled "An act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any kind and to repeal an act entitled 'An act to regulate contracts on behalf of the State in relation to erection and building,' approved March 28, 1876, approved March 22, 1909," by adding a new section to be numbered 4;

Also: Senate Bill No. 964—An act to amend section 171 of the Civil Code, relating to the liability of the wife's separate property for debts incurred in certain cases;

Also: Senate Bill No. 965—An act to add a new section to the Code of Civil **Procedure, to be numbered 1195*a*, relative to attorney fees in lien cases;**

Also: Senate Bill No. 977—An act to amend section 1365 of the Code of Civil **Procedure, relating to the order of persons entitled to administer upon estates;**

Also: Senate Bill No. 978—An act to amend section 280*b* of the Code of Civil Procedure, relating to admission to practice of graduates of law schools;

Also: Senate Bill No. 983—An act to add a new section to the Civil Code, to be numbered 128*a*, providing for the service of summons and complaint on the district attorney in actions for divorce or annulment of marriage, and conditioning the courts' jurisdiction thereon;

Also: Senate Bill No. 1114—An act to amend section 1880 of the Code of Civil Procedure, relating to witnesses;

Also: Senate Bill No. 1115—An act to amend section 1880 of the Code of Civil Procedure, relating to witnesses, and to add a new section to said code to be numbered 1[illegible], relating to [illegible] and [illegible] witnesses on [illegible] adjudication [illegible] of a [illegible];

Also: Senate Bill No. 1128—An act to amend section 905 of the Penal Code, relating to proceedings before grand juries;

Also: Senate Bill No. 1129—An act to amend section 707 of the Code of Civil Procedure, relating to the redemption of property;

Also: Senate Bill No. 1130—An act to add a new section to the Code of Civil Procedure, to be numbered 1001, relating to books of account;

Also: Senate Bill No. 1144—An act to add a new section to the Civil Code, to be numbered 1464*a*, providing that contracts for the sale and delivery of crops or products of land may be made to [illegible] and the time specified therein;

Also: Senate Bill No. 1171—An act granting certain tidelands and submerged lands of the State of California to the city of Oakland and regulating the management, use and control thereof;

Also: Senate Bill No. 1172—An act to add a new section to the Code of Civil Procedure, to be numbered 1718, authorizing the court to appoint attorney for legatees, devisees, minor or absent heirs at law, and to fix the compensation thereof;

Also: Senate Bill No. 1174—An act to amend section 6[illegible] of an act entitled "An act regulating the transfer of leases of [illegible] lands [illegible] for the purpose of sale, and prescribing the conditions on which such leases may be executed and prohibiting the selling or offering for sale of land by reference to said maps unless the same are [illegible]," approved March 15, 1917, as amended;

Also: Senate Bill No. 1179—An act to add a new section to the Penal Code, to be numbered 584, requiring all corporations, partnerships, firms or individuals engaged in the business of [illegible] to display [illegible] statements of the food and feed products in storage and of the food or feed products that have been removed from storage during the preceding month, and prescribing a penalty for the violation thereof;

Also: Senate Bill No. 1180—An act to encourage, stimulate and assist the fishing industry of the State of California; to authorize the State Market Director to carry on the business of catching and taking food fish and to lend money of the State to citizens to enable them so to do; to appropriate money to carry out the provisions of this act, and to repeal all other acts and parts of acts in conflict with this act;

Also: Senate Bill No. 1186—An act to add a new section to the Civil Code, to be numbered section 1861*a*, relating to liens of keepers of furnished apartment houses;

Also: Senate Bill No. 1187—An act to add a new section to the Civil Code, to be numbered 1215*a*, relating to the rights of parties dealing in grown, growing or harvested crops;

Also: Senate Bill No. 1188—An act prohibiting misrepresentations as to contracts for the purchase of real property, and providing a penalty for violation of the provisions hereof.

Has had the same under consideration and respectfully reports the same back without recommendation.

KEHOE, Chairman.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 20—An act to amend section 634 of the Penal Code of the State of California, relating to the protection of fish;

Also: Senate Bill No. 62—An act to amend section 626 of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 63—An act to amend section 626*d* of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 79—An act to add a new section to the Penal Code relating to the nonsale of trout in the twenty-ninth fish and game district, to be known as and numbered 632 of said code;

Also: Senate Bill No. 153—An act to amend section 628 of the Penal Code, relating to the protection and preservation of fish, and forbidding the shipment of dried shrimp out of the State, and to repeal section 628*g* of the Penal Code, relating to abalones;

Also: Senate Bill No. 154—An act to amend section 13 and section 14 of an act entitled "An act to divide the State of California into six fish and game districts," approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 19, 1915, relating to the territory constituting, respectively, fish and game district twelve, and fish and game district thirteen;

Also: Senate Bill No. 288—An act to amend section 628*i* of the Penal Code, relating to the protection of fish;

Also: Senate Bill No. 318—An act to amend section 632 and to repeal section 632½ of the Penal Code, relating to the protection of fish;

Also, Senate Bill No. [illegible]—An act to amend section [illegible] of the Penal Code.

Also, Senate Bill No. [illegible]—An act to amend section [illegible] of the Penal Code, relating to the protection of fish and game.

Also, Senate Bill No. [illegible]—An act to amend section [illegible] of the Penal Code, relating to the protection of game.

Also, Senate Bill No. [illegible]—An act to amend section [illegible] of the Penal Code, relating to the protection of fish.

Also, Senate Bill No. [illegible]—An act to add a new section to the Penal Code, to be numbered section [illegible], relating to the protection of [illegible] of the State.

Also, Senate Bill No. [illegible]—An act to amend section [illegible] of the Penal Code, relating to the protection of fish and game.

Also, Senate Bill No. [illegible]—An act to amend section [illegible] of the Penal Code, relating to the protection of fish.

Also, Senate Bill No. [illegible]—An act to amend the Penal Code by adding a new section thereto, to be numbered [illegible], relating to [illegible] of game [illegible].

Also, Senate Bill No. [illegible]—An act to amend section [illegible] of the Penal Code, relating to the protection of fish.

Also, Senate Bill No. [illegible]—An act to add a new section to the Penal Code, to be numbered [illegible], relating to [illegible] in the waters of [illegible], and prescribing a penalty therefor.

Also, Senate Bill No. [illegible]—An act to amend section [illegible] of the Penal Code, relating to the [illegible].

Also, Senate Bill No. [illegible]—An act to amend section [illegible] of the Penal Code.

Also, Senate Bill No. [illegible]—An act to amend section [illegible] of the Political Code, relating to [illegible].

Also, Senate Bill No. [illegible]—An act to amend section [illegible] of the Penal Code, relating to fish and game.

Also, Senate Bill No. [illegible]—An act to amend section [illegible] of the Penal Code, relating to fish and game.

Also, Senate Bill No. [illegible]—An act to amend section [illegible] of an act entitled "An act [illegible]," approved [illegible].

Also, Senate Bill No. [illegible]—An act [illegible].

Also, Senate Bill No. [illegible]—An act to amend section [illegible] of the Penal Code, relating to fish and game.

Also, Senate Bill No. [illegible]—An act to amend section [illegible] of the Penal Code, relating to the protection of fish and game.

Also, Senate Bill No. [illegible]—An act to add a new section to the Penal Code, to be numbered [illegible], relating to [illegible].

Also, Senate Bill No. [illegible]—An act to amend section [illegible] of the Penal Code, relating to [illegible].

Have had the same under consideration, and respectfully report the same back without recommendation.

[illegible], Chairman.

[illegible]

Senate Chamber, Sacramento, April 13, 1931.

Mr. President: Your Committee on [illegible], to which was referred Assembly Bill No. [illegible]—An act to amend section [illegible] of the Political Code, relating to [illegible].

Also, Assembly Bill No. [illegible]—An act to amend sections [illegible] of the Political Code relating to [illegible], and to add a new section to the Political Code, to be known as section [illegible], relating to the same subject.

Also, Assembly Bill No. [illegible]—An act [illegible].

Also: Assembly Bill No. 801—An act to amend section 23 of an act entitled "An act to provide for and regulate primary elections and provide a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees and to repeal the act approved April 7, 1911, known as the Direct Primary Law and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law and also to repeal all other acts and parts of acts inconsistent with or in conflict with the provisions of this act" approved June 16, 1913, relating to names which shall be printed on the ballot at the general election.

Also: Assembly Bill No. 873—An act requiring an annual census in the State of California to be taken and to aid at general elections and prescribing a poll tax upon all electors who fail or neglect to register or to vote, and prescribing punishment for those persons who swear falsely in such matters and prescribing certain duties for county clerks, tax collectors and boards of elections;

Also: Assembly Bill No. 874—An act prohibiting state, county, city or city and county officers from drawing salaries or expenses while engaged in certain campaign or election work;

Has had the same under consideration, and respectfully reports the same back without recommendation.

FLAHERTY, Chairman.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 506—An act to amend sections 3746 and 3756 of the Political Code, relating to the time when taxes are due and delinquent;

Also: Senate Bill No. 145—An act to amend Chapter 595 of the laws of the 1913 session of the Legislature of California, known as the "Inheritance Tax Act" approved June 16, 1913, as subsequently amended by amending sections 5, 6 and 7 thereof;

Also: Senate Bill No. 155—An act to add a new section to the Political Code to be numbered 3823a, relating to the collection of taxes on personal property;

Also: Senate Bill No. 287—An act to repeal section 3714 of the Political Code;

Also: Senate Bill No. 356—An act to amend section 7 of an act known as the "Inheritance Tax Act," approved June 16, 1913, as amended;

Also: Senate Bill No. 365—An act to impose a license tax upon motor vehicles engaged in or used in the business of carrying passengers for compensation over any public highway in this State, and making an appropriation for the purpose of carrying out the provisions hereof;

Also: Senate Bill No. 366—An act to provide for the imposition and collection of a state license tax upon motor vehicle trucks operated or run, or held out to operate or run, as common carriers of goods and chattels for hire upon the public highways of the State of California, and making an appropriation for the purpose of carrying out the provisions of this act;

Also: Senate Bill No. 447—An act to amend section 3756 of the Political Code, relating to delinquent taxes;

Also: Senate Bill No. 783—An act to amend section 3611 of the Political Code, relating to exemption from taxation of property used for religious worship;

Also: Senate Bill No. 802—An act to amend section 4 of an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance" approved May 10, 1915, relating to the procurement of a license and the tax therefor;

Also: Senate Bill No. 848—An act to provide for the imposition and collection of a tax upon the increase of the value of land, creating a reserve fund to be used for certain specified purposes and providing for the encouragement of the use and improvement of land by those in the possession thereof;

Also: Senate Bill No. 849—An act to amend an act entitled "An act to carry into effect the provisions of section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of state from local taxation and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, as amended February 3, 1913, as amended January 28, 1915, by amending sections 2, 3, 4, 5, 11 and 35 thereof;

Also: Senate Bill No. 852—An act to amend sections 21, 22, 23 and 24 of an act entitled "An act to carry into effect the provisions of section 14 of Article XIII of the Constitution of the State of California as said Constitution was amended November 8, 1910 providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911;

Also: Senate Bill No. 888—An act to amend section 3714 of the Political Code, relating to the levying of taxes;

[illegible]

[illegible]

[illegible]

of California of 1909, page 918, and approved June 13, 1913, Statutes of California, page 737, approved May 29, 1915;

Also: Senate Bill No. 410—An act declaring ground squirrels to be a public nuisance, providing for the method and means of extermination of ground squirrels and the abatement of said nuisance, and prescribing penalties for violations of the provisions thereof;

Also: Senate Bill No. 425—An act to encourage the issuance of charters to persons intending to found an institution for the teaching of the healing art or any of its branches in the State of California;

Also: Senate Bill No. 428—An act to amend sections 2 and 3 of an act entitled "An act to prevent the introduction, and provide for the investigation and suppression of contagious or infectious diseases and appropriating money to be used for such purpose," approved June 7, 1913;

Also: Senate Bill No. 450—An act to amend sections 7 and 8 and to add three new sections to be known as section 8½, section 8e and section 8f of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907; approved March 19, 1909; approved April 25, 1911; approved June 11, 1913; approved June 1, 1915;

Also: Senate Bill No. 474—An act to amend section 5 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the supervision of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of state and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to repeal the offices of state and local registrars of vital statistics; to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915;

Has had the same under consideration, and respectfully reports the same back without recommendation.

CARR, F. M., Chairman.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine to which was referred Senate Bill No. 486—An act to amend sections 9, 16 and 21 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing state laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907; as amended by a certain act approved February 22, 1909, by amending section 6 thereof; as amended by a certain act approved March 13, 1909, by amending section 4 thereof; as amended by a certain act approved April 26, 1911, by amending sections 20 and 22 thereof; as amended by a certain act approved April 23, 1915, by amending sections 9 and 22 thereof;

Also: Senate Bill No. 610—An act declaring ground squirrels and other rodents destructive to crops or other property to be a public nuisance, providing for the abatement thereof; providing that the expense incurred by reason of such abatement shall be a lien on the property, and providing for the foreclosure of such lien;

Also: Senate Bill No. 618—An act to amend an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation thereof," approved May 21, 1915, by amending sections 3, 6, 7, 8 and 9, and adding a new section thereto to be numbered and designated section 17;

Also: Senate Bill No. 619—An act to provide against the picking and sorting or use of rags and other material without first cleansing and sterilizing the same, and to provide a penalty for a violation thereof;

Also: Senate Bill No. 735—An act to amend section 10 of an act entitled "An act to encourage and provide for a general vaccination for all public and private schools of California, specifying the duties of certain officers and persons with relation thereto, making violations of its provisions a misdemeanor, providing penalties, and repealing an act entitled 'An act to encourage and provide for a general vaccination in the State of California,' approved February 20, 1889," approved March 7, 1911;

Also: Senate Bill No. 760—An act to amend section 13 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings, to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended April 24, 1915;

Also, Senate Bill No. [illegible]—[illegible]

Also, Senate Bill No. [illegible]—An act providing for the [illegible] of [illegible]

Also, Senate Bill No. [illegible]—[illegible]

Also, Senate Bill No. [illegible]—[illegible]

Also, Senate Bill No. [illegible]—[illegible]

Also, Senate Bill No. [illegible]—[illegible]

Have had the same under consideration, and respectfully report the same back without recommendation.

[illegible], Chairman.

Also:

Mr. President: Your Committee on [illegible], to which was referred Assembly Bill No. [illegible]—[illegible]

Also, Assembly Bill No. [illegible]—[illegible]

Also, Assembly Bill No. [illegible]—[illegible]

Also, Assembly Bill No. [illegible]—[illegible]

Have had the same under consideration, and respectfully report the same back without recommendation.

[illegible], Chairman.

[illegible]

Senate Chamber, Sacramento, April 27, 1911.

Mr. President: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. [illegible]—[illegible] proposing to the people of the State of California an amendment to the Constitution of said State by amending section [illegible] of Article IV [illegible]

[illegible], Chairman.

Also:

Mr. President: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. [illegible]—[illegible] proposing to the people of the State of California an amendment to the Constitution by amending section [illegible] of Article IV [illegible]

Also, Senate Constitutional Amendment No. [illegible]—[illegible] proposing to the people of the State of California [illegible]

Also, Senate Constitutional Amendment No. [illegible]—[illegible] proposing to the people of the State of California an amendment to the Constitution by amending section [illegible] of Article IV [illegible]

Also, Senate Constitutional Amendment No. [illegible]—[illegible] proposing to the people of the State of California [illegible]

Constitution of the State of California [illegible] railroad and other transportation companies.

Also, Senate Constitutional Amendment No. [illegible]—Resolution to propose to the people of the State of California an amendment to section [illegible] of article [illegible] of the Constitution of the State of California, [illegible] public service and other corporations.

Also, Senate Constitutional Amendment No. [illegible]—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section [illegible] of article [illegible] of said Constitution.

Also, Senate Constitutional Amendment No. [illegible]—A resolution to propose to the people of the State of California to amend section [illegible] of article [illegible] of the Constitution of the State, [illegible].

Also, Senate Constitutional Amendment No. [illegible]—A resolution to propose to the people of the State of California an amendment to section [illegible] of article [illegible] of the Constitution of the State of California, [illegible].

Also, Senate Constitutional Amendment No. [illegible]—A resolution to propose to the people of the State of California an amendment to the Constitution by adding a new section to article [illegible] [illegible].

Also, Senate Constitutional Amendment No. [illegible]—A resolution to propose to the people of the State of California an amendment to section [illegible] of article [illegible] of the Constitution of said State, [illegible] of the Legislature.

Also, Senate Constitutional Amendment No. [illegible]—A resolution to propose to the people of the State of California amendments to the Constitution of the State of California by adding thereto a new section to be known as section [illegible] of article [illegible], [illegible] and amending section [illegible] of article [illegible], relating to the [illegible] of the Supreme Court and [illegible], and [illegible] section [illegible] of article [illegible], [illegible].

Also, Senate Constitutional Amendment No. [illegible]—A resolution to propose to the people of the State of California an amendment to section [illegible] of article [illegible] of the Constitution of the State of California, [illegible] of the United States.

Also, Assembly Constitutional Amendment No. [illegible]—A resolution to propose to the people of the State of California to amend section [illegible] of article [illegible] of the Constitution of said State, [illegible] the Legislature.

Also, Assembly Constitutional Amendment No. [illegible]—A resolution to propose to the people of the State of California an amendment to the Constitution by amending section [illegible] of article [illegible], [illegible].

Also, Assembly Constitutional Amendment No. [illegible]—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section [illegible] of article [illegible] [illegible] of the Legislature.

Also, Assembly Constitutional Amendment No. [illegible]—A resolution to propose to the people of the State of California to amend section [illegible] of article [illegible] of the Constitution of said State, [illegible].

Also, Assembly Constitutional Amendment No. [illegible]—A resolution to propose to the people of the State of California an amendment to section [illegible] of article [illegible] of the Constitution of the State of California, [illegible].

Also, Assembly Constitutional Amendment No. [illegible]—A resolution to propose to the people of the State of California to amend section [illegible] of article [illegible] of the Constitution of said State, [illegible].

Also, Senate Constitutional Amendment No. [illegible]—A resolution to propose to the people of the State of California an amendment to the Constitution of the State [illegible].

Have had the same under consideration, and respectfully report the same back without recommendation.

[illegible], Chairman.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 27, 1911.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. [illegible]—An act [illegible] for use in the public high schools of this State [illegible] of such schools.

Also, Senate Bill No. [illegible]—An act to add a new section to the Political Code [illegible] and to amend section [illegible] of the Political Code [illegible] of schools.

Also: Senate Bill No. 324—An act to provide for the establishment and maintenance of classes for the training of vocational teachers and providing state aid therefor;

Also: Senate Bill No. 394—An act to amend section 1741 of the Political Code, relating to the powers and duties of high school boards;

Also: Senate Bill No. 506—An act to amend section 1617 of the Political Code, defining the powers and duties of boards of school trustees and city boards of education;

Also: Senate Bill No. 507—An act to amend section 13 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913;

Also: Senate Bill No. 533—An act to add a new section to the Political Code, to be numbered 1534, and relating to the holding of conventions of elementary school principals;

Also: Senate Bill No. 537—An act to amend section 1771 of the Political Code, relating to the powers of county boards of education; to prescribe rules, hold examinations, issue certificates on credentials, issue diplomas of graduation and adopt a seal;

Also: Senate Bill No. 538—An act to amend section 1543, relative to the powers and duties of county superintendents of schools;

Also: Senate Bill No. 539—An act to amend section 1770 of the Political Code, relating to the meetings, powers, work, and compensation of county boards of education;

Also: Senate Bill No. 540—An act to amend section 1772 of the Political Code, relating to the compilation of examinations, the conditions to take such examinations and the subjects included in them;

Also: Senate Bill No. 542—An act to amend section 1817 of the Political Code, relating to estimating the amount of money necessary for maintaining the elementary schools for the next ensuing school year, the estimate amount and the method of determining these amounts;

Also: Senate Bill No. 543—An act to amend section 1620 of the Political Code, relating to the furnishing of school supplies, supplementary, reference and library books;

Also: Senate Bill No. 544—An act to amend section 1552 of the Political Code, providing for the expenses incurred by a county superintendent of schools and his deputies while in the discharge of their duties;

Also: Senate Bill No. 545—An act to amend section 1617 of the Political Code, relating to the powers and duties of school trustees and boards of education;

Also: Senate Bill No. 546—An act to amend section 1617*a* of the Political Code, relating to the powers and duties of school trustees and boards of education in matters affecting the school property;

Also: Senate Bill No. 547—An act to amend section 1617*b* of the Political Code, relating to the powers and duties of school trustees and boards of education in regard to employment of teachers, superintendents, supervisors and other school employees;

Also: Senate Bill No. 548—An act to amend section 1617*c* of the Political Code, relating to the powers and duties of school trustees and boards of education as to matters directly affecting pupils;

Also: Senate Bill No. 549—An act to amend section 1617*d* of the Political Code, relating to the powers and duties of school trustees and boards of education as to district meetings;

Also: Senate Bill No. 550—An act to add a new section to the Political Code, to be numbered section 1617*e*, relating to powers and duties of school trustees and boards of education as to contracts;

Also: Senate Bill No. 552—An act to add to the Political Code a new section to be numbered 1617*g* relating to the powers of school trustees and boards of education as to the employment of home teachers;

Also: Senate Bill No. 553—An act to add to the Political Code a new section to be numbered 1617*h* relating to the duties of school trustees and boards of education as to the establishment of kindergartens;

Also: Senate Bill No. 554—An act to add to the Political Code a new section to be numbered 1617*i*, relating to the powers of school trustees and boards of education as to intermediate schools;

Also: Senate Bill No. 583—An act to amend section 13 of an act entitled "An act to provide for the payment of retirement salaries to the public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913;

Also: Senate Bill No. 597—An act to amend section 1617 of the Political Code, relating to the powers and duties of boards of school trustees and city boards of education;

Also: Senate Bill No. 598—An act to amend section 1741 of the Political Code, relating to the powers and duties of high school boards;

Also: Assembly Bill No. 242—An act to add a new section to the Penal Code, to be numbered 628, relating to the protection of abalones in fish and game districts numbers 10, 16, 17 and 18.

Also: Assembly Bill No. 953—An act making an appropriation for the purpose of restoring the channel of Pepper Mill Creek in Marin County.

Also: Assembly Bill No. 1215—An act to amend section 628 of the Penal Code, relating to the protection of abalones;

Has had the same under consideration, and respectfully reports the same back without recommendation.

SLATER, Chairman.

Also:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Concurrent Resolution No. 19—Calling upon the Attorney General of the State of California to investigate the existence of an unlawful combination in restraint of trade, and to prosecute the same—has had the same under consideration, and respectfully reports the same back without recommendation.

KEHOE, Chairman.

Also:

ON CIVIL SERVICE.

SENATE CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: Your Committee on Civil Service, to which was referred Senate Bill No. 488—An act to amend section 7 of an act entitled "An act to provide for a general system based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of officers and employees under state authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913—has had the same under consideration, and respectfully reports the same back without recommendation.

RIGDON, Chairman.

Also:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 27—An act to legalize bonds to be issued and sold by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness;

Also: Senate Bill No. 82—An act to amend an act entitled "An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements and regulating the possession, construction or completion thereof," which became a law under constitutional provision without the Governor's approval, February 25, 1901, as amended by cancelling section 3 thereof, relating to elections to authorize the issuance of bonds, and by adding a new section thereto, to be numbered 64, relating to the cancellation of unsold bonds;

Also: Senate Bill No. 83—An act granting to the city of the State whose corporate limits include or located upon any harbor, bay, estuary, or other navigable body of water, the power to acquire the same and to establish, acquire, construct, improve and maintain in, upon and along the waters thereof works for use in connection therewith;

Also: Senate Bill No. 232—An act to amend section 3 of an act entitled "An act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, as amended;

Also: Senate Bill No. 311—An act to validate municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Senate Bill No. 362—An act to validate municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Senate Bill No. 363—An act to amend an act entitled "An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements, and regulating the possession, construction or completion thereof," which became a law under the constitutional provision without the Governor's approval, February 25, 1901, as amended, amended by adding a new section thereto to be numbered section 64, relating to the cancellation of unsold bonds;

Also: Senate Bill No. 575—An act to amend section 34 of "An act to provide for work upon streets, lanes, alleys, courts, places and sidewalks and for the construction of sewers within municipalities," approved March 18, 1885;

Also: Senate Bill No. 574—An act to amend section 79 of "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within

[illegible]

Also, Senate Bill No. [illegible]—An act [illegible]

Also: Senate Bill No. 160—An act to amend section 796 of the Political Code, concerning certificate of authority to foreign companies, prohibiting the use of unauthorized companies except for surplus line insurance, providing for the licensing of surplus line brokers, their obligations and duties, and providing penalty for violation thereof.

Also: Senate Bill No. 161—An act declaring the diversion or appropriation of funds collected as premiums, assessments, or other payments of insurance by agents, solicitors or brokers to be an embezzlement, and providing for the punishment thereof.

Also: Senate Bill No. 162—An act to prevent the issuing or drawing of any board or special or discriminating contracts of insurance, and providing a penalty therefor.

Also: Senate Bill No. 236—An act to add a new section to the Political Code to be numbered 633a, concerning the licensing of insurance brokers and providing for the issuance and revoking of licenses by the Insurance Commissioner, and providing penalties for a violation thereof;

Also: Senate Bill No. 237—An act to add a new section to the Political Code to be numbered 633b, concerning insurance and surety companies, agents and brokers, requiring that policies or contracts of insurance, or surety bonds shall show the correct premium consideration and the risks insured thereunder; prohibiting the giving of rebates on insurance or surety bonds and providing penalty therefor and for the suspension of certificate of authority of any insurance or surety company and the revoking or suspension of the license of any agent or broker violating the same, and prescribing the powers and duties of the Insurance Commissioner in relation thereto;

Also: Senate Bill No. 238—An act to amend section 633 of the Political Code, relating to the licensing of insurance agents;

Also: Senate Bill No. 239—An act to amend section 796 of the Political Code, concerning certificate of authority to foreign insurance companies, prohibiting the use of unauthorized companies except for surplus line insurance; providing for the licensing of surplus line brokers, their obligations and duties, and providing penalty for violation thereof;

Also: Senate Bill No. 316—An act to add a new section to the Political Code to be numbered 633b, defining the meaning of a solicitor or an agent as referred to in section 633 of said Political Code;

Also: Senate Bill No. 317—An act to add a new section to the Political Code to be numbered 633a, defining the meaning of the words broker or insurance broker, as referred to in section 605 of said Political Code;

Also: Senate Bill No. 336—An act providing for a state fire marshal, and prescribing his powers and duties;

Also: Senate Bill No. 396—An act to amend section 1 of an act entitled "An act to establish a standard form of fire insurance policy and to prevent variations therefrom, excepting under certain stated conditions and restrictions," approved March 18, 1909;

Also: Senate Bill No. 454—An act prohibiting certain discriminations against certain insurance companies, agents and brokers;

Also: Senate Bill No. 521—An act prohibiting discrimination in favor of individuals between insurance of the same class and expectation of life in the amount or payment of premiums, or rates charged for policies of insurance, or in the dividends or other benefits accruing thereon; and prohibiting the giving or the acceptance of rebates on life insurance policies and providing penalty therefor;

Also: Senate Bill No. 522—An act providing for the licensing of life insurance agents, limiting the payment of commissions or other compensation for services in procuring new insurance to licensed agents only and providing penalty for the violation of the act;

Also: Senate Bill No. 611—An act to amend section 789 of the Political Code, relating to the salaries of the Insurance Commissioner and his deputies;

Also: Senate Bill No. 621—An act to amend section 634 of the Political Code, relating to the registration of life insurance policies, by increasing the fee for such registration from twenty-five cents to one dollar;

Also: Senate Bill No. 629—An act to amend an act approved May 1, 1911, Statutes 1911, page 2342, providing for the organization and management of mutual fire insurance corporations and associations and defining same, and regulating the transaction of the business of mutual fire insurance in the State of California;

Also: Senate Bill No. 631—An act to amend section 605 of the Political Code, relating to fees and charges for filing papers and documents with the Insurance Commissioner;

Also: Senate Bill No. 632—An act to amend section 606 of the Political Code, relating to collections and assessments to be collected from licensed carriers under certain conditions;

Also: Senate Bill No. 634—An act to amend section 602 of the Political Code, relating to the examination of insurance companies;

Also: Senate Bill No. 636—An act to add a new section to the Political Code, to be numbered 794b, relating to disposition of books and records in the office of the Insurance Commissioner;

[illegible]

[illegible]

[illegible]

Also:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 2—An act providing for the purchasing, establishment and maintenance of a branch agricultural experiment station for experimental and research work appertaining to the culture, packing, and marketing of deciduous fruits and nuts, and making an appropriation therefor;

Also: Senate Bill No. 57—An act making an appropriation for the purchase of lands in Marin County, State of California, for the use of the National Guard of California, for target, range, and camping purposes;

Also: Senate Bill No. 71—An act for the acquisition, location, survey and construction of a highway beginning at or near Oxnard in Ventura County, California, and extending to a point near San Juan, in Orange County, California, and making an appropriation therefor;

Also: Senate Bill No. 72—An act making an appropriation for the location, survey and construction of a highway to connect the State of California with the State of Nevada;

Also: Senate Bill No. 75—An act providing for the appointment of a state weed commissioner and the maintenance of his office;

Also: Senate Bill No. 84—An act accepting from the Women's Relief Corps Home Association of California the conveyance of, and vesting in the State the title to, that tract of land in Santa Clara County, known as the Women's Relief Corps Home, together with all improvements, appurtenances and personal property of every kind connected therewith, and establishing the same as a state home;

Also: Senate Bill No. 85—An act to amend sections 2210, 2210c, 2210d, 2210f, and 2210g of the Political Code, and to repeal section 2206 thereof, relating to the Women's Relief Corps Home;

Also: Senate Bill No. 117—An act to amend section 737 of the Political Code of the State of California, relating to the salaries of superior judges;

Also: Senate Bill No. 118—An act making an appropriation for the construction of a state highway from Cisco in Placer County to Nevada City in Nevada County;

Also: Senate Bill No. 119—An act to provide for the purchase by the State of California of an armory and grounds located at Pomona, California, and making an appropriation therefor;

Also: Senate Bill No. 122—An act to establish a memorial park to be known as "The Fremont Pico Peace and Memorial Park", creating a commission to be known as "The Fremont Pico Peace and Memorial Park Commission," prescribing their powers and duties, and providing an appropriation to carry this act into effect;

Also: Senate Bill No. 136—An act making an appropriation for the location, survey, and construction of a proposed state road from the junction of the counties of San Joaquin, Calaveras, and Amador to Jackson, Amador County;

Also: Senate Bill No. 141—An act to establish a university farm in southern California, and making an appropriation to carry out the purposes hereof;

Also: Senate Bill No. 172—An act to provide for the completion, construction and maintenance of a state highway from the Jackson Ranch near Pescadero, in the county of San Mateo, to Governor's Camp in California Redwood Park, in Santa Cruz County, and making an appropriation therefor;

Also: Senate Bill No. 187—An act appropriating money for the construction of sewer line at the Napa State Hospital;

Also: Senate Bill No. 188—An act appropriating money for the installation of electric elevators at the Napa State Hospital;

Also: Senate Bill No. 189—An act appropriating money for the construction of power house and the purchase of machinery for same for the Napa State Hospital;

Also: Senate Bill No. 190—An act appropriating money for the purchase of laundry machinery for the Napa State Hospital;

Also: Senate Bill No. 193—An act appropriating money for the construction of a chapel on the grounds at the Veterans' Home;

Also: Senate Bill No. 194—An act appropriating money for the construction of quarters for inebriates on the grounds of the Veterans' Home;

Also: Senate Bill No. 196—An act appropriating money for the purchase of dairy cows for the Veterans' Home;

Also: Senate Bill No. 198—An act appropriating money for electric wiring at the Veterans' Home;

Also: Senate Bill No. 199—An act appropriating money for plumbing and repairs to plumbing at the Veterans' Home;

Also: Senate Bill No. 210—An act to amend section 1582 of the Penal Code of the State of California, relating to the salary of the wardens, clerks and other officers of the penitentiaries and state prisons;

Also: Senate Bill No. 211—An act to establish standards of purity and viability of agricultural seeds sold for sowing or seeding in the State of California; to provide for uniform labels and certificates; to provide for a charge per acre for the

[illegible]

[illegible]

[illegible]

[illegible] act entitled "An act to increase the Contingent State Reconstruction; to provide for the purchase of land therefor and constructing a building and other improvements on said premises; to provide for the equipment and furnishing thereof and maintenance thereof; to make an appropriation therefor," approved April 24, 1911;

Also: Senate Bill No. 456—An act to [illegible] Lake Lighthouse to [illegible] its purpose, to provide for its [illegible] and construction, and to make an appropriation therefor;

Also: Senate Bill No. 458—An act to authorize a commission to be known as the California Exhibit and Exposition Commission, to have charge and control of an exhibit, or exhibits, of the products of the State of California outside of the boundaries of the State, for the purpose of advertising the State's resources, and appropriating moneys to procure space, collect, construct, install and maintain such exhibit, or exhibits;

Also: Senate Bill No. 469—An act to establish a state training high school, in the City of Oakland, to prescribe the purposes thereof, to provide for its maintenance, and management, to authorize the high school district [illegible] to appropriate moneys for the partial support of the students and to provide for its housing, and to make a state appropriation therefor;

Also: Senate Bill No. 475—An act creating a board of commissioners on uniform state laws and making an appropriation therefor;

Also: Senate Bill No. 481—An act making an appropriation for the construction of a state highway from Carmel by Monterey Center to San Simeon in San Luis Obispo County and a certain auxiliary state highway from a point near Jolon to Jolon in Monterey County;

Also: Senate Bill No. 483—An act appropriating the sum of $5,000 for the equipment of a building known as the Dairy Building at the Farm and Agricultural School of the University of California at Davis;

Also: Senate Bill No. 584—An act appropriating the sum of $20,000 for the construction of a building to be known as the poultry building at the farm and agricultural school of the University of California at Davis;

Also: Senate Bill No. 504—An act to amend section 737 of the Political Code, relating to the salary of superior judges;

Also: Senate Bill No. 505—An act to amend section 737 of the Political Code, relating to the salaries of superior judges;

Also: Senate Bill No. 511—An act making an appropriation for the flood control and conservation of the waters of the San Antonio Wash, along the boundary line between Los Angeles and San Bernardino counties;

Also: Senate Bill No. 527—An act [illegible] $50,000 to "The San Francisco State Normal School Extension Construction Fund" and appropriating the same for the preservation of the California Building on the site of the Panama-Pacific International Exposition;

Also: Senate Bill No. 528—An act to amend sections 1 and 2 of an act entitled "An act to authorize and empower the board of trustees of the San Francisco State Normal School to sell or exchange and remove the house and buildings of said school, to provide for purchase and construction of a new site for said school and to erect thereon buildings suitable and appropriate therefor, or to remodel or [illegible] the same, to sell the present site of said school, to provide for the purchase thereof necessary and appropriate furniture and equipment; to create a fund with which shall be paid the expenses of the sale of the present school property and making an appropriation to carry into effect the purposes of this act," approved January 11, 1916, and to add thereto a new section to be numbered 8, 9, 10, 11, 12, 13;

Also: Senate Bill No. 529—An act to amend sections 1 and 2 of an act entitled "An act to provide for the disposal of land, mineral or other property belonging thereto to be granted to the State of California under the provisions of the act of the Congress of the United States for holding of the Panama-Pacific International Exposition," approved January 11, 1916, and to add thereto a new section to be numbered 3;

Also: Senate Bill No. 568—An act to appropriate money for lighting the grounds of the Agnews State Hospital;

Also: Senate Bill No. 569—An act to appropriate money for the purchase of land for the Agnews State Hospital;

Also: Senate Bill No. 570—An act appropriating money for the construction and furnishing of a nurses' home for men at the Agnews State Hospital;

Also: Senate Bill No. 572—An act appropriate money for the construction and furnishing of a [illegible] for the patients at the Agnews State Hospital;

Also: Senate Bill No. 580—An act appropriating money for the use of the Scripps Institution for Biological Research of the University of California, for the purpose of marine research work;

Also: Senate Bill No. 586—An act making an appropriation for the extension of the Trinity-Humboldt State Road from its westerly end, in a westerly direction, to the town of Bridgeville, in Humboldt County.

Also: Senate Bill No. [illegible]—An act to provide for the creation of a memorial [illegible] of Abraham Lincoln [illegible] a commission therefor and provide an appropriation to carry this act into effect;

Also: Senate Bill No. 594—An act to provide for the partial completion and partial equipment of the armory for the National Guard at San Francisco, and making an appropriation therefor;

Also, Senate Bill No. [illegible]—An act making an appropriation to pay the [illegible] County against the State of California.

Also, Senate Bill No. [illegible]—[illegible] highway [illegible] County.

Also, Senate Bill No. [illegible]—An act to amend section [illegible] of the Political Code [illegible] of the Board of [illegible].

Also, Senate Bill No. [illegible]—An act [illegible] of San [illegible].

Also, Senate Bill No. [illegible]—An act to amend sections [illegible] of an act entitled "An act [illegible]," approved [illegible], as amended.

Also, Senate Bill No. [illegible]—An act [illegible] of the Political Code of this State.

Also, Senate Bill No. [illegible]—[illegible].

Also, Senate Bill No. [illegible]—[illegible].

Also, Senate Bill No. [illegible]—[illegible].

Also, Senate Bill No. [illegible]—An act to provide for [illegible].

Also, Senate Bill No. [illegible]—[illegible].

Also, Senate Bill No. [illegible]—[illegible].

Also, Senate Bill No. [illegible]—[illegible].

Also, Senate Bill No. [illegible]—An act to amend section [illegible] of the Political Code [illegible].

Also, Senate Bill No. [illegible]—An act making an appropriation for the [illegible].

Also, Senate Bill No. [illegible]—An act [illegible] of the State of California.

Also, Senate Bill No. [illegible]—An act making an appropriation to pay the claim of [illegible] County against the State of California.

Also, Senate Bill No. [illegible]—An act making an appropriation for the relief of the [illegible].

Also, Senate Bill No. [illegible]—[illegible].

Also, Senate Bill No. [illegible]—An act [illegible] of the State [illegible].

Also, Senate Bill No. [illegible]—An act to amend section [illegible] of the Political Code of the State of California [illegible].

Also, Senate Bill No. [illegible]—An act providing for cooperation between the State and the counties of the State in the gathering [illegible] the valuation of real property may be [illegible] and appropriating money for such purpose.

Also, Senate Bill No. [illegible]—An act to add a new section to the Political Code to be numbered [illegible] in the gathering and [illegible] of data upon which the valuation of real property may be established and equalized.

Also, Senate Bill No. [illegible]—An act to appropriate money to pay the claim of W. A. Hammel on judgment against the State of California.

Also, Senate Bill No. 997—An act to appropriate money to pay the claim of W. A. Hansen of Oakland against the State of California for goods secured.

Also, Senate Bill No. 998—An act appropriating money for the use of the Railroad Commission in the regulation of motors within incorporated cities during the sixty-ninth and seventieth fiscal years.

Also, Senate Bill No. 1022—An act to create a commission for the purpose of assembling and permanently preserving accurate information concerning the buildings and structures used in connection with the Franciscan missions of California and for their preservation and restoration, defining the powers and duties of said commission, and making appropriation therefor;

Also, Senate Bill No. 1073—An act making an appropriation to meet part of the expenses of maintaining the navigability of the San Rafael deep water channel, and repealing an act entitled "An act to appropriate money to meet part of the expenses in maintaining the navigability of the San Rafael deep water channel," approved June 9, 1915;

Also, Senate Bill No. 1078—An act providing for the leasing of certain State lands and making an appropriation for the purposes of this act;

Also, Senate Bill No. 1087—An act to amend section 2283 of the Political Code, relating to appropriation for orphans;

Also, Senate Bill No. 1117—An act to appropriate money for electrification and rewiring at San Quentin State Prison;

Also, Senate Bill No. 1119—An act providing for investigations and reports by the State Hygienic Laboratory, regarding specimens having medical legal bearing in criminal cases; and making an appropriation therefor;

Also, Senate Bill No. 1132—An act appropriating the sum of ten thousand dollars for scholarships in the San Luis Obispo Polytechnic School during the years 1917-1918;

Also, Senate Bill No. 1131—An act making an appropriation to pay the claim of Ellis W. Burns against the State of California;

Also, Senate Bill No. 1132—An act to establish a nautical school at the port of San Francisco, to provide for the conduct and the maintenance thereof, to make an appropriation therefor, and to authorize the government to request and to receive aid from the United States in conformity with the provisions of an act of Congress approved March 4, 1911;

Also, Senate Bill No. 1135—An act making an appropriation for the survey, location and construction of a state highway from the city of Madera to a point on the boundary line separating the county of Madera from the county of Mariposa near Summerdale;

Also, Senate Bill No. 1143—An act making an appropriation to pay the claim of Franklin Holbrook against the State of California;

Also, Senate Bill No. 1150—An act making an appropriation to pay the claim of E. D. Roberts against the State of California;

Also, Senate Bill No. 1161—An act making an appropriation for the survey, location and estimate of the cost of a bridge to span San Francisco Bay at or near Dumbarton Point;

Also, Senate Bill No. 1162—An act to amend section 472 of the Political Code, relating to the duties of the Attorney General and the appointment of assistants and deputies in such office;

Also, Senate Bill No. 1176—An act to amend section 2 of an act entitled "An act to provide for the disposition of any money or other property accruing to or to be received by the State of California as its proportionate share of the returns from the holding of the Panama-Pacific International Exposition" approved January 11, 1916;

Also, Assembly Bill No. 31—An act to amend an act to provide for the disposition of any money or other property accruing to or to be received by the State of California as its proportionate share of the returns from the holding of the Panama-Pacific International Exposition;

Also, Assembly Bill No. 50—An act to amend an act to authorize and empower the board of trustees of the San Francisco State Normal School to sell or exchange and convey the lands and buildings of said school, to acquire by purchase, gift, condemnation or otherwise a new site for said school, etc.;

Also, Assembly Bill No. 85—An act making an appropriation for the construction of a monument to Abraham Lincoln in Inglewood Park Cemetery;

Also, Assembly Bill No. 91—An act transferring $150,000 to "The San Francisco State Normal School Exposition Preservation Fund" and appropriating the same for the preservation of the California Building on the site of the Panama-Pacific International Exposition;

Also, Assembly Bill No. 347—An act appropriating money to cover the cost of furnishing workers' cottages for men at the Agnews State Hospital;

Also, Assembly Bill No. 394—An act making an appropriation to supplement and to be added to the cash revolving fund provided by an act entitled "An act appropriating money to provide a cash revolving fund for the use of the State Engineer and defining its use and the liabilities therefor," approved May 8, 1913, and by an act entitled "An act appropriating money to supplement and be added to the cash revolving fund provided for the use of the State Engineer by Chapter 108 of the Statutes of 1913, approved May 8, 1913, approved May 8, 1915;

[illegible]

Also:

[illegible]

[illegible]

Also:

[illegible]

[illegible]

Also:

[illegible]

[illegible]

Also:

[illegible]

[illegible]

Also: Assembly Bill No. 935—An act to amend section 348 of the Code of Civil Procedure, relating to the liquidation of trust funds, and to bring actions where money is deposited in a bank.

Also: Assembly Bill No. 1244—An act to amend section 61 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," relating to the definition and regulation of the business of banking;

Has had the same under consideration, and respectfully reports the same back without recommendation.

HANS, Chairman.

Also:

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 718—An act to provide for the Embarcadero, declaration posts on the water front of the city and county of San Francisco:

Also: Senate Bill No. 643—An act to provide for the appointment of a ship subsidy commission;

Also: Senate Bill No. 860—An act to provide for the construction of a viaduct or viaducts from the second story of the Ferry Building across Market street in the city and county of San Francisco:

Also: Senate Bill No. 861—An act to provide for the construction of an elevated boulevard or walk along The Embarcadero in the city and county of San Francisco:

Also: Senate Bill No. 862—An act to provide for the pavement of The Embarcadero in the city and county of San Francisco:

Has had the same under consideration, and respectfully reports the same back without recommendation.

McDONALD, Chairman.

Also:

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 8—Relative to expressing disapproval of the course of United States Senator Hiram Johnson in adopting filibustering tactics relative to the request of the President of the United States of America for authority to arm merchant ships, and pledging to the President of the United States the loyal support of the people of the State of California, and recommending immediate amendment of the rules of the United States Senate:

Also: Senate Concurrent Resolution No. 16—Relative to expressing an approval of the course of the President of the United States in severing diplomatic relations with Germany, and pledging to the President the loyal support of the people of California in the protection of American interests in dealing with the nations engaged in war:

Also: Assembly Joint Resolution No. 9—Relative to the establishment of definite lines of division between federal and state taxes, and the calling of a congress of the states to consider conducting prosecutions of the federal and state governments:

Has had the same under consideration, and respectfully reports the same back without recommendation.

RUSH, Chairman.

Also:

ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Senate Bill No. 102—An act to amend section 1614 of the Penal Code, relating to rules and regulations for the performance of labor, credits for good behavior of prisoners confined in county jail or in city jail or in city and county jail;

Also: Senate Bill No. 735—An act to amend the Penal Code by adding thereto a new section, to be numbered 1203a, relating to the release on probation of persons convicted of crime and serving sentence;

Also: Senate Bill No. 737—An act providing for the purchase of a site upon which to erect a branch state prison and reformatory, making an appropriation therefor, creating a commission to select and purchase such site; and making an appropriation to defray the expenses of said commission;

Also: Senate Bill No. 814—An act to amend section 1613 of the Penal Code, relating to labor of prisoners;

Also: Senate Bill No. 863—An act to appropriate money to continue in effect "An act to authorize the State Board of Prison Directors to provide for assisting paroled and discharged prisoners and to secure employment for the same and making an appropriation for that purpose," approved May 18, 1915;

Has had the same under consideration, and respectfully reports the same back without recommendation.

BROWN, Chairman.

Also:

[illegible]

Also:

[illegible]

Also:

[illegible]

Also:

[illegible]

JOHNSON, [illegible]

Also:

ON PUBLIC UTILITIES

SENATE CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 418, An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers and the rights and remedies of persons at public utilities and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the Railroad Commission Fund and appropriating the moneys therein to carry out the provisions of this act and repealing Title XV of Part IV of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, by amending subsections 2 and 50 thereof," has considered the same and recommends that said bill be passed as amended.

Also: Senate Bill No. 524, An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of persons at public utilities and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the Railroad Commission Fund and appropriating the moneys therein to carry out the provisions of this act and repealing Title XV of Part IV of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, by amending subsection 1 of section 2 thereof," has considered the same and recommends that said bill be passed as amended.

Also: Senate Bill No. 525, An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers and the rights and remedies of persons at public utilities and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the Railroad Commission Fund and appropriating the moneys therein to carry out the provisions of this act and repealing Title XV of Part IV of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, by amending subsection (a) of section 50 thereof," has considered the same and recommends that said bill be passed as amended.

Also: Senate Bill No. 526, An act providing for the regulation of the business of stages, operating and jitney automobiles, auto stages, motor vehicles or motor busses for hire as common carriers on the public highways of the State, prescribing terms, conditions and restrictions of the use of the same, providing for licenses to carry on such business and the compensation thereof, making the violation of any of the provisions of this act a misdemeanor and providing a penalty therefor, and repealing all acts or parts of acts in conflict therewith in so far as the same may be in conflict," has considered the same and recommends that said bill be passed as amended.

Also: Senate Bill No. 593, An act to amend section 34 of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere, to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor, to provide for the licensing of persons operating motor vehicles, to prohibit certain persons from operating vehicles upon the public highways, to provide the punishment or use of a motor vehicle without the consent of the owner thereof and to prohibit the offer to or acceptance by certain persons of gifts, loans or discount or other consideration for the purchase or exchange of parts for motor vehicles or for work of repair done thereon, to provide penalties for violations of provisions of this act, and to provide for the disposition of fees and penalties herein mentioned, to limit the power to impose enhanced license fees and to enforce ordinances, rules or regulations in regard to motor vehicle dealers and to provide for the registration and conduct thereof; to provide for carrying out the provisions of this act, and to make appropriation therefor, and to repeal all acts or parts of acts in conflict with this act," approved May 10, 1915, by amending section 34," has considered the same and recommends that said bill be passed as amended.

Also: Senate Bill No. 622, An act for the protection of the public at grade crossings of railroads and streets or highways by prescribing warning signs in certain cases and requiring vehicles upon such crossings of highways to come to a full stop, prohibiting overcrowding and making violations hereof a misdemeanor; stock without consent or not under the public utility commission now existing or hereafter organized," has considered the same and recommends that said bill be passed.

Also: Senate Bill No. 696, An act to amend section 47 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers and the rights and remedies of persons at public utilities and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the Railroad Commission Fund" has considered the same and recommends that said bill be passed as amended.

Part IV of division first of the Civil Code, and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915;

Also: Senate Bill No. 937—An act to amend section 17 of the act known as the "Public Utilities Act," approved April 23, 1915;

Also: Senate Bill No. 961—An act to amend section 640 of the Penal Code, relating to telegraph and telephone lines and messages;

Also: Senate Bill No. 1069—An act to amend sections 1, 2, 3, 4 and 7 of an act entitled "An act to promote the safety of employees and travelers upon railroads, by compelling common carriers by railroad to properly man their trains," approved February 20, 1911, as amended, and to add thereto two new sections, to be numbered 8 and 9;

Also: Assembly Bill No. 1189—An act to add a new section to the Penal Code to be numbered section 624a, relating to the cleaning of telephonic or telegraphic services without paying therefor;

Has had the same under consideration, and respectfully reports the same back without recommendation.

CARR, W. J., Chairman.

Also:

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 28—An act to amend section 22 of the act known as the "Vehicle Act," approved May 11, 1915;

Also: Senate Bill No. 344—An act declaring the county road extending from Truckee, Nevada County, State of California, in a southeast direction and connecting with Carnelian Bay, Placer County, State of California, a state highway;

Also: Senate Bill No. 419—An act to define and distinguish state highways and state roads and to designate names for certain state roads;

Also: Senate Bill No. 429—An act to provide for the permanent survey of lands and to establish the boundaries thereof;

Also: Senate Bill No. 647—An act to provide for the joint construction of bridges and highways by two or more counties;

Also: Senate Bill No. 649—An act to amend an act entitled "An act providing for the care, management and protection of state highways and penalties for violation of the act," approved May 20, 1915, by adding two new sections thereto to be numbered 7a and 7b;

Also: Senate Bill No. 727—An act to provide for the creation and organization of road improvement districts, to provide for the issuance and sale of bonds by such districts and the levy and collection of taxes for payment of principal and interest on such bonds, to authorize road improvement districts created under the provisions hereof to construct and maintain roads in such districts, and to raise money for such purposes, and to repeal acts in conflict herewith;

Also: Senate Bill No. 745—An act to amend section 1 of an act known as and designated the "Road District Improvement Act of 1907," approved March 21, 1907, and acts amendatory thereof;

Also: Senate Bill No. 1032—An act regulating the width of tires used upon certain vehicles, providing for the equipment of motor trucks with rubber tires, regulating the width and length of commercial vehicles, providing for licenses therefor, regulating the weight of loads to be carried thereon, and the speed limit thereof;

Also: Senate Bill No. 1088—An act to amend the general laws of the State of California, relating to motor vehicles, by adding a new section thereto, to be numbered and known as section 2331c, imposing penalty for defacing identification mark;

Has had the same under consideration, and respectfully reports the same back without recommendation.

JOHNSON, Chairman.

Also:

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 518—An act to amend the Penal Code by adding thereto a new section, to be numbered 658a, relating to compulsion of employees;

Also: Senate Bill No. 542—An act to amend section 5 of an act entitled "An act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage, providing for an appropriation therefor and fixing a penalty for violations of this act," approved May 26, 1913, relating to the findings of the wage board;

Also: Senate Bill No. 1017—An act to provide for the issuing of certificate of employment by employer to employee, and providing penalty for nonperformance thereof;

Also: Senate Bill No. 1015—An act to regulate the operation of factories, manufacturing or producing gunpowder, guncotton, dynamite, nitroglycerine or other high

[illegible]

Also,

LYON, Chairman.

[illegible]

SENATE CHAMBER, SACRAMENTO, April 27, 1971.

Mr. President: Your Committee on [illegible] and Chaptered Bills, to which was referred Senate Bill No. [illegible] and the Senate amendments thereto of the Assembly, relating to [illegible], reports that it has examined said bill and the Senate amendments thereto of the Assembly and recommends that the Senate concur in the Assembly amendments.

[illegible]

Also: Senate Bill No. 347—An act creating a district to be designated "Tulare Lake Water Control District," providing for the control of the surface and underground waters found in or flowing or tending to flow into said district, and for preventing the same from flooding or damaging property in said district, and, as incidental thereto, for applying said waters to useful purposes;

Also: Senate Bill No. 509—An act providing for the ascertainment and adjustment of rights to the use of underground waters and defining the powers and duties of the State Water Commission in regard to them;

Also: Senate Bill No. 510—An act to promote the drainage of wet, swamp and overflowed lands, whether situated in one county or more than one county, and to promote the public health in the communities in which they lie, providing for the issuance of bonds and levying of assessments on lands benefited to pay the costs and expenses thereof;

Also: Senate Bill No. 512—An act to amend section 8d of an act entitled "An act to promote the drainage of wet, swamp and overflowed lands, and to promote the public health in the communities in which they lie, providing for the issuance of bonds and levying of assessments on lands benefited to pay the costs and expenses thereof," approved March 21, 1913, as amended;

Also: Senate Bill No. 729—An act to repeal an act entitled "An act to provide for the formation, government and control of swamp districts," approved May 1, 1911;

Also: Senate Bill No. 733—An act providing for the ascertainment by the Reclamation Board of the State of California, of supervisors to view and assess upon the land within any reclamation district (neither by law to construed any portion of any by pass provided for or approved by the Reclamation Board of the State of California, the sum estimated by the board of trustees of such reclamation district, by any original plan or plans of reclamation or any amended original plan of reclamation or any new, supplemental, or additional plan with the estimates of the cost of the works necessary for the reclamation of the lands in such district, in pursuance of any such plan or plans and the incidental expenses, prescribing the powers and duties of said commissioners and of the Reclamation Board, directing the clerk of the board of supervisors to which said plan or plans have been reported to certify certain facts to the Reclamation Board, providing that the Reclamation Board shall appoint a time and place for hearing objections to the assessment, making the assessment a lien upon the lands assessed, providing for the payment of such assessments, and providing for the payment of expenses and compensation to the commissioners and Reclamation Board, and repealing the provisions of all acts and parts of acts inconsistent with this act;

Also: Senate Bill No. 734—An act to add a new section to the Political Code of the State of California to be numbered section 3492a, providing that when a reclamation district heretofore or hereafter formed under the laws of the State of California has been or is proposed or authorized by law or by the reclamation board of the State of California, to construct any portion of any levee constituting a part of a by pass provided for or approved by the Reclamation Board, the Reclamation Board shall have exclusively the powers and perform exclusively all the duties prescribed by the Political Code, or any law of this state possessed or to be performed by the board of supervisors that otherwise would have jurisdiction over such reclamation district, or its board of trustees in the management, control and administration of the affairs of such district, and that the Reclamation Board shall be substituted exclusively as to all interests and purposes for such board of supervisors, and its orders, acts and proceedings shall have like effect, as in the case of such board of supervisors prior to this act, and repealing all acts and parts of acts in conflict with the provisions of this act;

Also: Senate Bill No. 775—An act to repeal an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a reclamation board and defining its powers," approved December 24, 1911; and as amended May 26, 1913;

Also: Senate Bill No. 816—An act relating to the Sacramento and San Joaquin Drainage District, providing an election therein for the purpose of determining whether or not said district shall be dissolved, and providing for the conduct of such election;

Also: Senate Bill No. 858—An act repealing and amending Chapter 25 of the laws of 1911 (extra session), Chapter 170 of the laws of 1913, and Chapter 686 of the laws of 1915, all relating to the report of the California Debris Commission, the Reclamation Board of the State of California, the organization, powers and duties of said Reclamation Board, and the Sacramento and San Joaquin Drainage District, and repealing all acts and parts of acts inconsistent with the provisions of this act;

[illegible]

[illegible]

[illegible]

Also:

ON IRRIGATION

SENATE CHAMBER, SACRAMENTO, April 27, 1917

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 38—An act to amend an act known as the "Water Commission Act," approved June 16, 1913, by amending sections 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36 thereof and adding thereto six new sections to be numbered 36a, 36b, 36c, 36d, 36e, 36f, relating to the ascertainment and adjudication of water rights;

Also: Senate Bill No. 39—An act to amend an act known as the "Water Commission Act," approved June 16, 1913, by amending section 15 thereof, relating to the appropriation of water;

Also: Senate Bill No. 40—An act to amend an act known as the "Water Commission Act," approved June 16, 1913, by amending section 23 thereof, relating to fees to be collected by the State Water Commission;

Also: Senate Bill No. 41—An act to amend an act known as the "Water Commission Act," approved June 16, 1913, by amending section 37 thereof and adding thereto five new sections, to be numbered 37a, 37b, 37c, 37d, 37e, relating to the distribution of water and providing for the appointment of water masters and defining their duties;

Also: Senate Bill No. 125—An act validating the formation and organization and determining the boundaries of Lake County Water District, in the county of Lake, State of California;

Also: Senate Bill No. 563—An act to amend section 30 of an act entitled "An act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897;

Also: Senate Bill No. 691—An act to amend the title, and sections 4, 5, 6, 12, 13, 14, 15 and 15a of an act entitled "An act to be known as 'The California Irrigation Act,' providing for cooperation between the State of California and the United States and independent proceedings in the storage and diversion of water, the distribution thereof for irrigation, the manufacture of power and for domestic purposes, creating an irrigation board to form water districts, make contracts, construct reservoirs, divert and distribute water, generate, lease and sell electric current, lease water power, levy assessments, issue bonds of water districts, providing for the management, control and supervision of such water districts and of the works constructed pursuant to this act, directing the State Department of Engineering relative to such works, authorizing irrigation districts to reorganize under this act and generally providing a policy relating to storage, diversion and use of water, and adopting a plan for providing revenues therefor," approved June 4, 1915;

Also: Senate Bill No. 979—An act to amend an act known as the "Water Commission Act," approved July 16, 1913, by adding thereto three new sections to be numbered 40a, 40b and 40c, providing for the investigation of stream systems, reservoir sites, and irrigation district projects, the authorization and approval of issuance of irrigation district bonds therefor and providing for cooperation with federal authorities;

Also: Senate Bill No. 980—An act to amend an act known as the "Water Commission Act," approved July 16, 1913, by adding thereto three new sections to be numbered 40a, 40b and 40c, providing for the investigation of stream systems, reservoir sites, and irrigation district projects, the authorization and approval of issuance of irrigation district bonds therefor and providing for cooperation with federal authorities;

Also: Senate Bill No. 1005—An act to repeal an act entitled "An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition thereof by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes, providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing that said bonds may be investigated by an appointive board of three hydraulic engineers; providing for the approval of said bonds by the State Superintendent of Banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased or received in pledge as security for any money or deposit or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; and providing for

[illegible] approved June [illegible], [illegible]

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: [illegible], Chairman.

ON [illegible].

SENATE CHAMBER, SACRAMENTO, April 27, 1917.

Mr. President: Your Committee on [illegible], to which was referred [illegible]

Also, Senate Bill No. [illegible]—An act [illegible]

Also, Senate Bill No. [illegible]—An act [illegible]

Also, Senate Bill No. [illegible]—An act [illegible]

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: KING, Chairman.

Mr. President: Your Committee on [illegible], to which was referred [illegible]

Also: KING, Chairman.

Mr. President: Your Committee on [illegible], to which was referred Senate Bill No. [illegible]—An act [illegible]

Also, Senate Bill No. [illegible]—An act [illegible]

Also, Senate Bill No. [illegible]—An act [illegible] approved May [illegible] [illegible] of California.

Also, Senate Bill No. [illegible]—An act [illegible] May [illegible], [illegible]

Also, Senate Bill No. [illegible]—An act [illegible]

Also, Assembly Bill No. [illegible]—An act [illegible]

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: KING, Chairman.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 27, 1917.

Mr. President: Your Committee on Irrigation, to which was referred Assembly Bill No. 157—An act [illegible] rights;

Also: Assembly Bill No. 159—An act to repeal sections 1411, 1414, 1415, 1417, 1418, 1419, 1420, 1421 and 1422 of the Civil Code, and to amend section 1416 of the **Civil Code, all relating to water rights;**

Also: **Assembly Bill No. 825—An act to provide for the consolidation of two or more** irrigation districts organized or existing under or by virtue of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or a construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, or of the acts of which it is supplemental or amendatory and the acts supplemental or amendatory thereto;

Also: Assembly Bill No. 1422—An act to amend sections 86, 87, 88, 90, 91, 92, 93 and 94 of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved **March 31, 1897, as amended;**

Has had the same under consideration, and respectfully reports the same back **without recommendation.**

MADDUX, Chairman.

Also:

ON PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: Your Committee on Public Morals, to which was referred Senate Bill No. 663—An act to provide for the creation of a "state commission of investigators of traffic in alcoholic liquors," to consist of seven members, to be appointed by the Governor, to investigate matters tending to show whether alcoholic liquors are innocently used as beverages for human beings and the aspects of incurety in the State of California, whether the moderate use of alcoholic liquors as beverages for human beings does, in fact, reduce efficiency and increase poverty, pauperism, immorality, mental or physical deterioration, disease, degeneracy, crime, industrial accidents, bad citizenship, civic disorder, or other evil consequences, and to what extent the laws operative in the State of California are adequate and efficient so far as their provisions are concerned to properly control the traffic in alcoholic beverages and to report the information gathered to the Governor, specifying the powers granted to the commission and its members and making an appropriation **to cover the cost of its operations;**

Also: Senate Bill No. 641—An act to amend section 320 of the Penal Code of the State of California, relating to punishment for contriving, preparing, setting up, **proposing and drawing any lottery;**

Also: Senate Bill No. 642—An act to amend section 330 of the Penal Code, **prohibiting gaming and providing penalty therefor;**

Also: Assembly Bill No. 1291—An act to place a limit, according to the population, upon the number of places in which intoxicating liquors can be sold at retail under a barroom or a club license, providing a method for ascertaining the population; defining what a barroom, club, restaurant, cafe or hotel is, naming certain hours between which intoxicating liquors can not be sold, fixing the qualifications of those who can possess a license or sell liquors under a barroom or club license, fixing the time when this act shall take effect and repealing all laws in conflict **therewith;**

Has had the same under consideration, and respectfully reports the same back **without recommendation.**

LUCE, Chairman.

Also:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 27, 1917.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 66—An act to amend section 4245 of the Political Code of the State of California, relating to the salaries, fees, and expenses of officers in counties **of the sixteenth class;**

Also: Senate Bill No. 186—An act to amend section 4273 of the Political Code, relating to salaries of county officers in counties of the forty-fourth class;

Also: Senate Bill No. 302—An act providing for the establishment and main**tenance of sewer districts outside of municipal corporations;**

Also: Senate Bill No. 432—An act to amend sections 1, 2, 3, and 4 of an act entitled "An act to provide for the formation, organization and classification of new counties, for locating county seats, for the election and appointment of officers and for the adjustment and the fulfillment of the rights and obligations arising between such new counties and other counties," approved March 15, 1907, as amended by an **act approved March 8, 1909;**

Also: Senate Bill No. 480—An act to add a new section to the Political Code, to be numbered 3655*a*, relating to the duties of assessors;

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moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, by amending section 43 thereof;

Also: Senate Bill No. 233—An act to amend section 408 of the Code of Civil Procedure, relating to the manner and time of issuing alias summons;

Also: Senate Bill No. 1034—An act to amend section 3 of an act entitled "An act regulating the cleaning, laundering, sale offering for sale, and furnishing for use to employees, of wiping rags, authorizing counties, cities and counties, cities and towns, to enact ordinances prohibiting the cleaning, laundering, sterilizing and sale of wiping rags without a permit, and to issue and revoke permits, to clean, launder, and sell wiping rags within their respective jurisdictions, authorizing peace and health officers to make inspections of wiping rags, and making violations of this act a misdemeanor," approved April 25, 1915;

Also: Senate Bill No. 823—An act to repeal an act entitled "An act to establish a uniform system of mine bell signals, to be used in all the mines operated in the State of California, and for the protection of miners," approved March 8, 1893, and known as Chapter 74, Statutes of 1893;

Also: Senate Bill No. 485—An act to amend section 4295 of the Political Code, relating to official services and fees;

Also: Senate Bill No. 616—An act to amend section 1167 of the Code of Civil Procedure, relating to service of summons in unlawful detainer;

Also: Senate Bill No. 94—An act to amend section 4232 of the Political Code, relating to the compensation of officers in counties of the third class;

Also: Senate Bill No. 257—An act to amend section 16 of an act entitled "An act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways, to provide for the formation, government and operation of highway lighting districts, the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and the creation of ex officio boards of supervisors," approved March 20, 1909, and the acts amendatory thereof, and to add two new sections thereto, to be numbered sections 18a and 18b, relating to the annexation of additional territory to highway lighting districts and to the annexing to incorporated cities or cities and counties of territory embraced in highway lighting districts;

Also: Senate Bill No. 566—An act to amend section 4233 of the Political Code, relating to officers and salaries in counties of the fourth class;

Also: Senate Bill No. 156—An act to amend the Political Code by adding thereto a new section to be numbered 1618a, relating to the powers and duties of boards of school trustees and city boards of education; also to repeal an act entitled "An act to provide for health and development supervision in the public schools of the State of California," approved April 15, 1909;

Also: Senate Bill No. 767—An act to license canners, curers, preservers and packers of fish and handlers of crustaceans and mollusks, and providing a revenue therefrom for the conservation, propagation and restoration of fish in the State of California, and providing for a record of fish caught or received, and providing penalties for the violations of the provisions thereof, and repealing all acts and parts of acts in conflict therewith;

Also: Senate Bill No. 319—An act to add a new section, to be numbered 1582, and to amend section 1543 of the Political Code, relating to the lapsing, suspending and reestablishing of school districts and the powers and duties of superintendents of schools;

Also: Senate Bill No. 325—An act to amend section 1532, relating to the powers and duties of the Superintendent of Public Instruction, and to repeal section 1505 of the Political Code;

Also: Senate Bill No. 406—An act creating a state board of forestry and providing for the qualifications and duties of the members of said board and the payment of their expenses; providing for the appointment of a state forester and providing for the appointment of a proper person therefor, providing for the appointment of a deputy and an assistant state forester and the salaries of such forester, deputy forester and assistant forester; providing for the appointment of technical and other assistants and for their compensation; providing for the duties of the State Forester, Deputy State Forester, Assistant State Forester and other assistants; providing for cooperation, with landowners, counties and others in forest protection and for the employment of fire wardens; providing for the summons of citizens to assist in fighting forest fires; providing for the issuance of permits for burning brush, inflammable debris, or rubbish; providing for prevention of forest destruction by insects; providing for the inspection of forest areas; declaring certain dangerous areas and forest fires to be public nuisances; providing for notice to owners and others of the existence of such nuisance and for the abatement thereof of such owner or others or by the State Forester; providing for the payment into county treasuries of all of moneys recovered under the penal sections of the forest laws of this State; making certain violations of the forest laws of this State misdemeanors and fixing a penalty therefor; defining the term "forest"; repealing Chapter 264 of the Laws of 1905, and all acts and parts of acts in conflict herewith;

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provide for the registration of cattle brands and the licensing of cattle slaughterers and sellers of the meat thereof, to provide for the inspection of cattle and cattle hides for brands and marks, to provide for the collection of license and inspection fees to provide for the creation of a fund to be known as the cattle protection fund, and to provide penalties for violation of the provisions hereof;

Also: Senate Bill No. 1195—An act creating a cash revolving fund for the use of the California irrigation board and making an appropriation therefor;

Also: Senate Bill No. 988—An act repealing section 148*b* of the Political Code, relating to licenses to practice law;

Also: Senate Bill No. 987—An act to repeal section 280*a* of the Code of Civil Procedure, relating to diplomas granted by Hastings College of Law;

Also: Senate Bill No. 816—An act to amend section 3 of an act entitled "An act relating to explosives and prescribing regulations for the transportation, storage and sending of explosives and providing penalties for the violation of this act," in effect March 21, 1911, and known as Chapter 213, Statutes of 1911, and to repeal section 11 of said act;

Also: Senate Bill No. 1023—An act relating to corporations and to the issue of shares by them without a consideration or par value;

Also: Senate Bill No. 88—An act to amend section 4397 of the Political Code, relating to county charges;

Also: Senate Bill No. 1192—An act to amend section 1475 of the Code of Civil Procedure, relating to the setting off of the exempted homestead and the presentation of claims against said homestead and the setting off the homestead on mesne;

Also: Senate Bill No. 228—An act to amend section 304 of the Civil Code, relating to entries to be made in the book of business kept by corporations;

Also: Senate Bill No. 229—An act to amend section 1444 of the Code of Civil Procedure, relating to appraisers of estates of deceased persons;

Also: Senate Bill No. 297—An act to add a new section to the Penal Code, to be numbered 351*a*, relating to unfair competition and substitution;

Also: Senate Bill No. 992—An act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds, to provide for the enforcement of liens created by this act and to any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under or any act hereby repealed, to be known as the "inheritance tax act", and to repeal Chapter 505 of the laws of the session of the Legislature of California of 1913, approved June 16, 1913, known as the "Inheritance Tax Act," and all amendments thereto and to repeal all acts and parts of acts in conflict with this act;

Also: Senate Bill No. 8—An act to amend section 1 of an act entitled "An act to secure to native-born and naturalized citizens of the United States the exclusive right to be employed in any department of the State, county, city and county and city government in this State, except in certain schools, to repeal certain acts, and to repeal all acts in conflict herewith," approved May 19, 1915, relating to exceptions in cases of emergency;

Also: Senate Bill No. 1193—An act to add a new section to the Civil Code to be numbered 320, relating to liability for unpaid par value of capital stock of corporations;

Also: Senate Bill No. 1065—An act to make lawful certain agreements between or among employers or laborers, to define the cases in which injunctions may and may not issue, to prescribe the procedure in trials for contempt, to secure the right of jury trial in all such cases, to prescribe the time in which proceedings for contempt shall be instituted, to prescribe the penalty for the violation of such injunctions and excepting certain organizations;

Also: Senate Bill No. 806—An act to repeal sections 1518, 1519, 1526, 1527; Title Article III, Chapter 7, Title XI, Part III, comprising sections 1529, 1530, 1531, 1532 and 1533; Also sections 1537, 1538, 1539, 1540, 1541, 1542, 1543, and 1544 of the Code of Civil Procedure, all relating to sales and conveyances of property of decedents;

Also: Senate Bill No. 807—An act to amend sections 1516, 1517, 1522, 1523, 1525, 1536, 1545, 1547, 1549, 1552, 1554, 1555, 1559, 1565, 1570 of the Code of Civil Procedure, relating to sales and conveyances of property of decedents;

Also: Senate Concurrent Resolution No. 31—Relative to the so-called Sutter Basin controversy;

Also: Senate Bill No. 86—An act to provide for the creation of the "state market commission" and the organization thereof, to define its other duties and powers, to create the position of state market director; to define his duties and powers; to create the state market commission fund, and a revolving fund; and repealing that act known as "State Commission Market Act," approved June 10, 1915, Chapter 713 of the Statutes of 1915, and all other acts and parts of acts in conflict with the provisions of this act;

Also: Senate Bill No. 625—An act providing for the regulation of land titles, and giving the Surveyor General certain powers in respect thereto;

Also: Senate Joint Resolution No. 17—Relative to an invitation to be extended to Arthur James Balfour British Foreign Secretary, Marshal Joffre of France and

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Also, Senate Bill No. 670—An act providing for the regulation and supervision of companies, brokers, agents and pilots of vessels for the same purposes defined, and to prevent fraud in the use of vessels, providing for the enforcement of said act and penalties for the violation thereof, and creating a state navigation department and the office of commissioner of navigation.

Also, Senate Bill No. 457—An act to regulate the erection, construction, moving, alteration, maintenance, use and occupancy of dwellings, and the maintenance, use and occupancy of the premises and land on which dwellings are erected or located, in incorporated towns, incorporated cities, and unincorporated cities and counties, and to provide penalties for the violation thereof.

Also, Senate Bill No. 806—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California, including incorporated towns, unincorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof (and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved April 16, 1909, Statutes of California of 1909, page 948," approved April 10, 1911, Statutes of California of 1911, page 860, and approved June 13, 1913, Statutes of California, 1913, page 737, and approved May 29, 1915, Statutes of California, page 952, and all acts amendatory thereof;

Also, Senate Bill No. 133—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of houses, and the maintenance, use and occupancy of the premises and land on which houses are erected or located, in all parts of the State of California, including incorporated towns, unincorporated cities and incorporated cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled "An act to regulate the building and occupancy of houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved June 16, 1913, Statutes of California of 1913, page 1429.

Also, Senate Bill No. 1194—An act to amend sections 3, 6 and 7 of an act entitled "An act to authorize and regulate the disposal (trustees of the San Francisco State Normal School to sell or exchange and convey the lands and buildings of said school, to acquire by purchase, gift, condemnation or otherwise a new site for said school and to erect thereon buildings suitable and appropriate therefor, or to remodel or reconstruct any buildings erected, existing on the site so purchased or acquired, and to purchase Mission furniture and apparatus, musical and educational, to create a fund into which shall be paid the proceeds of the sale of the present school property and making an appropriation therefor and the purposes of this act," approved January 11, 1916, and to add a new section thereto to be numbered section 8.

Also, Senate Bill No. 818—An act to promote the comfort, health, safety and general welfare of the people of this State as affected by injury causing the disability or death of employees in the course of their employment, providing for a complete plan of workmen's compensation to consist of furnishing on the part of immediate employers, principal employers, contracting employers and their insurance carriers to employees and their dependents for such disability or death irrespective of the fault of the party, providing the courts and methods of enforcing such liability and providing for certain acts upon compensation, and regulating compensation insurance carriers against such liability, creating the industrial compensation and conferring the establishment and innovations of the state compensation insurance fund, and requiring safety in all employments now places in operation in this State and providing the means and methods of enforcing such safety, and requiring reports of industrial injuries, and providing penalties for offenses as defined herein, by employers, their officers and agents, and by employees and other persons and corporations, and defining the powers and duties of the Industrial Accident Commission in such [illegible] and providing for a review of its orders, decisions and awards and repealing sections 2, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86 and 87 of Chapter 176, Statutes of 1913, and all other acts and parts of acts inconsistent herewith, except sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 88 and 90 of said Chapter 176, Statutes of 1913.

Also, Senate Bill No. 584—An act creating a state land settlement board and defining its powers and duties and matters of organization in and of its operations.

Also, Senate Bill No. 716—An act to define real estate brokers, agents, salesmen, solicitors, to provide for the regulation supervision, and licensing thereof, to create the office of real estate commissioner and banking commissioner thereof.

Also, Senate Bill No. 422—An act to amend section 1624 of the Civil Code, and repealing Article II of Chapter 3 of Title IV of division second of the Civil Code, and repealing sections 3308, 3309, 3310, 3311, 3312, 3313, 3314, 3353, 3354, 3355,

repealing all acts or parts of acts in conflict with this act, providing for its enforcement by the State Board of Health, and providing a penalty for the violation of any of its provisions," approved April 26, 1915;

Also: Senate Bill No. 1189—An act to amend section 2024 of the Code of Civil Procedure, relating to taking depositions out of the State;

Also: Senate Bill No. 966—An act to amend section 456 of the Political Code, relating to employees in the office of the State Treasurer;

Also: Senate Bill No. 1004—An act to amend sections 2, 4, 5, 9, 13, and to repeal section 11 of an act entitled "An act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California, to the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a state home for the United States soldiers, sailors and marines, and to provide for the government thereof by the state," approved March 11, 1897;

Also: Senate Bill No. 1006—An act to amend sections 2, 6 and 17 of an act entitled "An act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain acts a felony, and repealing an act entitled 'An act creating a commissioner of public works, defining his duties and powers and fixing his compensation,' approved February 9, 1900, and all acts of parts of acts amendatory thereof, also repealing an act entitled 'An act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897, also repealing an act entitled 'An act providing for the appointment of an auditing board in the commissioner of public works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appurtenances thereto, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this act,' approved March 17, 1897, and all acts or parts of acts amendatory thereof, also repealing an act entitled 'An act to provide for the appointment, duties and compensation of a debris commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such commissioner,' approved March 24, 1893, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to create the office of Lake Tahoe Wagon Road Commissioner, providing the term of office and compensation of said commissioner, defining his duties, and making an appropriation for the salary and expenses provided for and authorized by this act,' approved April 1, 1897, and all acts or parts of said amendatory thereof," approved March 11, 1907, and all acts or parts of acts amendatory thereof;

Also: Senate Bill No. 999—An act appropriating money to complete the construction of the trail in the Sierra Nevada Mountains known as the "John Muir trail" and laterals therefrom;

Also: Senate Bill No. 467—An act making an appropriation to pay the claim of W. F. Cowan against the State of California;

Also: Senate Bill No. 564—An act making an appropriation to pay the claim of Petaluma and Santa Rosa Railway Company, a corporation, against the State of California;

Also: Senate Bill No. 917—An act to provide for the celebration of the national memorial peacock and peace jubilee at Vicksburg, Mississippi, and making an appropriation therefor;

Also: Senate Bill No. 899—An act to add a new section to the Political Code, to be numbered 3700a, relating to salary of the secretary of the State Board of Equalization;

Also: Senate Bill No. 932—An act making an appropriation to carry out the purposes of an act entitled "An act to provide for the establishment and maintenance of a bureau of tuberculosis under the direction of the State Board of Health; defining its powers and duties; providing for the granting of state aid to cities, counties, cities and counties and groups of counties for the support and care of persons afflicted with tuberculosis; making an appropriation therefor, and repealing certain acts of the legislature of the State of California," approved June 12, 1915;

Also: Senate Bill No. 1191—An act appropriating money for the purchase and installation of boilers for the Veterans' Home;

Also: Senate Bill No. 1197—An act appropriating money for the purchase of boilers and additional installation in power plant at the Folsom State Prison;

Also: Senate Bill No. 1199—An act appropriating money for additional support of the Stockton State Hospital for the sixty-eighth fiscal year;

Also: Senate Bill No. 441—An act making an appropriation for the purchase of additional lands adjoining Agricultural Park in the city of Sacramento;

Also: Senate Bill No. 859—An act to authorize the Board of State Harbor Commissioners of San Francisco Harbor to pay the claim of the Fidelity and Deposit Company of Maryland;

Also: Senate Bill No. 982—An act granting to the city of Arcata tide and submerged lands of the State of California including the right to select out therefrom to the city of Arcata, and regulating the management, use and control thereof;

Also: Senate Bill No. 337—An act to incorporate standard provisions in policies of accident and health insurance, to prevent discriminations in connection therewith, and to prescribe penalties for violations of the provisions hereof;

Also: Senate Bill No. 135—An act to amend section 4390a of the Political Code, relating to witness fees;

Also: Senate Bill No. 148—An act to add a new section to the Code of Civil Procedure, to be numbered 1723½, relating to termination of life estates and evidence thereof;

Also: Senate Bill No. 935—An act to amend section 638 of the Civil Code, relating to loans by building and loan associations and the notes or obligations taken therefor;

Also: Senate Bill No. 514—An act to amend section 1720 of the Political Code, and to add a new section to the Political Code, to be numbered 1750b, relating to the organization and maintenance of junior college courses of study;

Also: Senate Bill No. 749—An act authorizing the Governor to appoint a commission to investigate and advise the Legislature concerning the adoption of a system of social insurance, and to make a report to the forty-third session of the Legislature and making an appropriation therefor;

Also: Senate Bill No. 615—An act to add a new section to the Code of Civil Procedure, to be numbered 1166c, relating to actions for enforcing possession of real property to the manner in which tenants may be served and providing the form of complaint, the form of the undertaking and the form of the writ of ejectment, and the manner of executing and serving the writ;

Also: Senate Bill No. 754—An act to amend section 1 of an act entitled "An act creating an advisory parole board, defining and prescribing the powers and duties thereof, and making an appropriation therefor," approved May 18, 1915;

Also: Senate Bill No. 43—An act to amend section 17 of an act known as "The Building and Loan Commission Act," approved April 5, 1911, and amended by acts approved December 18, 1911, and May 29, 1915, relating to the powers and duties of the Building and Loan Commissioner;

Also: Senate Bill No. 88—An act to amend section 715 of the Civil Code, relating to restraints upon alienation;

Also: Senate Bill No. 359—An act to amend section 172 of the Civil Code, and to add to said Civil Code a new section to be known as section 172a, relating to the management, control and disposition of community property;

Also: Senate Bill No. 491—An act creating and establishing a state highway from the city of San Bernardino by way of Arrowhead Junction, Waterman Canyon, the "Crest drive" and Mill Creek to the city of Redlands;

Also: Senate Bill No. 881—An act to amend section 2185b of the Political Code, relating to temporary and voluntary patients in the state hospitals;

Also: Senate Bill No. 175—An act to amend section 1244 of the Political Code, relating to salaries and fees of officers in counties of the fifteenth class;

Also: Senate Bill No. 981—An act to add a new section to the Political Code, to be numbered 1617b, relating to the powers of trustees of elementary school districts;

Also: Senate Bill No. 582—An act to amend sections 678 and 686 of the Political Code, relating to the State Board of Control and the department of public accounting thereof and to the duties of city, county and district authorities in the matter of the sale of bonds;

Also: Senate Bill No. 148—An act to amend section 626e of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 309—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as heretofore amended;

Also: Senate Bill No. 1159—An act to amend section 2 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911;

Also: Senate Bill No. 370—An act to authorize the incurring of indebtedness by counties for the construction of roads and highways and for all necessary public improvements or for any purpose whatsoever;

Also: Senate Bill No. 717—An act to validate proceedings for the annexation of territory to municipal corporations under the provisions of an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and

act entitled 'An act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges and appliances therefor, to improve and notify water courses, to erect works necessary and incident to said drainage, to condemn land and property for the purposes affected, making certain acts a felony, and making an appropriation of money for the purposes of this act,' approved March 17, 1897, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to provide for the appointment, duties and compensation of a debris commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such commissioner,' approved March 24, 1893, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and compensation of such commissioner defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this act,' approved April 1, 1897, and all acts or parts of acts amendatory thereof," approved March 11, 1907, and all acts or parts of acts amendatory thereof, by amending sections 1, 9, 10, 13 and 16 thereof, relating to the officers and employees of the Department of Engineering, their powers, duties and salaries, **and by repealing section 1½ thereof;**

Also: Senate Bill No. 905—An act to add three new sections to an act entitled "An act relating to immigrants and immigration, creating a commission of immigration and housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation prescribing the duties of said commission, providing for the investigation by said commission of all things affecting immigrants and for the care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof," approved June 12, 1913, as amended, to be numbered 15, 16 **and 17, and making an appropriation to carry out the provisions hereof;**

Also: Senate Bill No. 595—An act to add to the Civil Code a new section to be numbered 594, relating to the incorporation of associations mentioned in Title XII of Part IV of division first of said code, and making further provisions respecting articles of incorporation of corporations formed from such associations;

Also: Senate Bill No. 947—An act to add two new sections to the Political Code, to be numbered 1547 and 1671, relating to the apportionment of school moneys by the county superintendent of schools and the minimum school day, and to repeal section **1858 of the Political Code;**

Also: Senate Bill No. 31—An act to establish a state hospital for the care, custody and maintenance of inebriates and drug habitues within the State of California to be known as the California state hospital and to provide for the government and management thereof, and making an appropriation therefor;

Also: Senate Bill No. 470—An act to amend an act entitled: "An act to provide for the formation and establishment of boulevard districts; the construction, acquisition, maintenance, control and use of boulevards, defining the term boulevard, providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such boulevard providing for a boulevard commission to have charge of the affairs of boulevard districts, and the construction, maintenance and repair of boulevards within such districts; providing for the election of such commission, their terms of office, and of elections to be held in such districts, and repealing an act entitled 'An act to provide for the formation of boulevard districts, and the construction, maintenance, and use of boulevards, and defining the term boulevard,' approved March 22, 1905, and the act amendatory thereof, approved April 15, 1909," approved May 1, 1911 and all acts amendatory of said act approved May 1, 1911, or of any section or sections thereof, by amending sections 1, 2, 3, 4, 5 and 6 thereof, relating to the formation and establishment of boulevard districts and by repealing sections 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23 thereof, and by adding thereto sections 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25 and 26 relating to the construction, acquisition, maintenance, control and use of boulevards, the definition of the term boulevard, the voting, issuing and selling of bonds, and levying of taxes for the acquisition, construction, maintenance and repair of such boulevards, boulevard commissions to have charge of the affairs of such boulevard districts and the construction, maintenance and repair of boulevards within such districts, and the creation of boards and commissions, elections to be held in such districts, and to the validating of boulevard districts heretofore declared established by boards of supervisors, and legalizing boulevard districts which may hereafter be **formed under the provisions of said act or acts amendatory thereof;**

Also: Senate Bill No. 944—An act to amend section 1543, relating to the duty of the Superintendent of Schools and to add a new section to the Political Code, to be numbered 1582, relating to his duties concerning the lapsing and suspension **of school districts;**

Also: Senate Bill No. 1170—An act to amend sections 4 and 5 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the bay of San Francisco and the bay of San Pablo to the city of Richmond in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved June 11, 1913.

[illegible]

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No. 26, relative to health insurance, Senator Kehoe, author, and Senator Carr, W. J., for majority. To prepare the argument against said amendment, Senator Ballard, for minority.

To prepare the argument for Senate Constitutional Amendment No. 30, relative to workmen's compensation, Senator Luce, author, and Senator Jones, for majority. To prepare the argument against said amendment, Senator Shearer, for minority.

To prepare the argument for Senate Constitutional Amendment No. 34, relative to deposit of public moneys, Senator Terrell, author and Senator King, for majority. To prepare the argument against said amendment, Senator Duncan, for minority.

To prepare the argument for Senate Constitutional Amendment No. 45, relative to Courts of Appeal, Senator Kehoe, author, and Senator Thompson, for majority. To prepare argument against said amendment, Senator Duncan, for minority.

MINUTE CLERK JOSEPH A. BEEK AT THE DESK.

RESOLUTION BY REVISION AND PRINTING COMMITTEE.

LEGISLATURE OF CALIFORNIA,
SENATE, April 27, 1917.

WHEREAS, There seems to have arisen some controversy between the State Printer and certain individuals over a question of overtime in the State Printing Office; and

WHEREAS, Although this matter has not been brought officially to our attention, nor has any complaint of sufficient import been made to warrant an inquiry; and

WHEREAS, This does not appear to be a difference between the employees and management of the plant, nor between the management and the labor organizations, nor an evasion in the application of the state law applying to such work; therefore be it

Resolved, That we express our appreciation of the conduct of the State Printing Office, and congratulate the State Printer upon the harmonious relations existing not only between his department and the State Legislature, but also among the employees; and be it further

Resolved, That, after an investigation requested by the State Printer, we find no basis, either in law or in reason, for the unwarranted attempt to discredit one of the State's most efficient departments.

STUCKENBRUCK, Chairman.

APPROVAL OF JOURNALS.

On motion of Senator Benson, the Senate Journals of Saturday, April 21, 1917, Monday, April 23, 1917, Tuesday, April 24, 1917, Wednesday, April 25, 1917, and Thursday, April 26, 1917, were approved as corrected.

REPORTS OF SPECIAL COMMITTEES — OUT OF ORDER.

By consent of the Senate, the following reports of special committees were received, out of the regular order:

Senators Slater, Stuckenbruck and Scott, the special committee appointed to notify the Assembly that the Senate was ready to adjourn, reported that they had notified the Assembly, in accordance with their instructions, and that the Assembly would shortly convey a message to the Senate through their committee.

Also:

Senators Benson, Shearer and King, the special committee appointed to wait upon the Governor and inform him of the Senate's readiness to adjourn *sine die*, reported that His Excellency had informed the committee that he had no further communication to transmit to the Senate.

MESSAGE FROM THE ASSEMBLY

A message of which had been given notice, a committee from the Assembly, consisting of Messrs. Wright, Rigby, and Perry M., appeared at the door of the Senate and announced that the Assembly had further recommendations for business to the Senate and was now prepared to adjourn sine die.

MESSAGE TO THE ASSEMBLY

Upon receipt of the foregoing message from the Assembly, the President pro tempore announced that the Senate had no further recommendations for business to the Assembly and requested the committee from the Assembly to convey to the Assembly the information that the Senate was now prepared to adjourn sine die.

COMMITTEE ON ENROLLED BILLS

The minutes of this day, Friday, April 27, 1917, were read, and, no errors of Senate therein, approved.

FINAL ADJOURNMENT

Whereupon, at twelve o'clock m., in accordance with the provisions of Assembly Concurrent Resolution No. 12, the President pro tempore declared the forty-second session of the Senate of the State of California adjourned sine die.

SETHUS D. BRAYTO,
President pro tempore of the Senate.

CLIFTON E. BROOKS,
Secretary of Senate.

JOSEPH A. BEEK,
Senate Clerk of Senate.

MACDONALD GRAHAM,
Assistant Senate Clerk of Senate.

ROLOFF C. WRIGHT,
Assistant Senate Clerk of Senate.

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[illegible]

At about [illegible] and forty-five minutes [illegible] of [illegible] from the Assembly, consisting of Messrs. Wright, Hicks and Flynn, [illegible] appeared at the bar of the Senate and announced that the Assembly had [illegible] further communication to transmit to the Senate and was now prepared to adjourn sine die.

[illegible]

Upon receipt of the foregoing message from the Assembly, the President pro tempore announced that the Senate had no further communication to transmit to the Assembly and requested the committee from the Assembly to return to the Assembly the information that the Senate was now prepared to adjourn sine die.

[illegible]

The minutes of this day, Friday, April [illegible], 1941, were read and, on motion of Senator Wilson, approved.

[illegible]

Whereupon, in [illegible] with the provisions of Assembly Concurrent Resolution No. 12, the President pro tempore declared the forty-second session of the Senate of the State of California adjourned sine die.

CLIFTON E. HIGGINS
Secretary of Senate

ARTHUR H. DREED
President pro tempore of the Senate

JOSEPH A. BEEK,
Minute Clerk of Senate

MacDONALD GRAHAM
Assistant Minute Clerk of Senate

HAL P. ANOTE
Assistant Minute Clerk of Senate

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249	Parkitt	207, 589, 610, 628; passed, 649, 2159, 2408
250	Parkitt	207, 1102, 1169; passed, 1267, 1784, 2058, 2262
251	Parkitt	207, 1784, 1810; passed, 1903, 2424
252	Parkitt	207, 1102, 1169; passed, 1267, 2058, 2262

[illegible]

BILLS—SENATE—Continued.

BILLS SENATE Continued

BILLS—SENATE—Continued

BILLS, SENATE—Continued.

[illegible]

BILLS—SENATE—Continued.

BILLS—SENATE—Continued.

BILLS—ASSEMBLY—Continued.

[illegible]

BILLS—ASSEMBLY—Continued

BILLS—ASSEMBLY—Continued.

[illegible]

BILLS—ASSEMBLY—Continued.

[illegible]

[illegible]

[illegible]